TOWN COUNCIL MEETING
MINUTES
September 2, 2008

The Town Council met in regular session on Tuesday, September 2, 2008 at 7:30 pm at 500 S. State Hwy 5, Fairview, Texas. Those present were Mayor Sim Israeloff, Council Members Jim Cunningham, Ron Kasian and Anton Mattli; Town Manager John Godwin; and Town Secretary, Michelle Lewis Sirianni.

Mayor Israeloff called the meeting to order at 7:35 p.m. and declared a quorum was present and requested everyone to stand for the Pledge of Allegiance.

Mayor Israeloff announced that due to low attendance by council that only a few items will be acted on and the remaining items will be passed over until the meeting on Monday, September 8, 2008 at 7:00 pm.

CONSENT AGENDA: All items listed under the Consent Agenda are considered to be routine by the Council and will be acted on by one motion. The following items were on the consent agenda: A) Approve minutes of the August 5 regular council meeting and the August 20 special meeting. B) Approve ordinance authorizing the attorney to make a final offer and pursue condemnation proceedings as necessary for approximately two acres located on FM 1378 north of Lucas Lane. C) Authorize execution of an agreement with Ron Hobbs Architects to provide architectural services for the new town hall. D) Authorize purchase of a replacement fire engine through Buy Board. E) Table a public hearing regarding a proposed Government Zoning District (G) to the next regularly scheduled council meeting. H) Approve an amended plat for the Village at Fairview, Lots 4C, 5C and 6C, Block A. H) Approve an Amended plat of Lot 31, 32W Block A out of Oakwood Estates Phase I; and lots 4 & 5 Block A out of Oakwood Estates Phase II. I) Approve an ordinance regulating on-street parking by commercial vehicles and trailers. J) Authorize town manager to execute engineering services agreement with Granthem & Associates for reconstruction of Meandering Way bridge. K) Approve ordinance resolving Atmos Energy rate increase request.

Mayor Israeloff announced that the following items would not be acted on by council: Item A, B, E, H, I and J and passed over September 8, 2008.

Mayor Israeloff asked if anyone would like to pull any items off the consent agenda out of the remaining items. Councilman Cunningham requested to pull item D

Councilman Kasian made a motion to approve items C, F, G and J. Seconded by Councilman Mattli, with all in favor.

Councilman Cunningham asked in regards to the fire engine, which unit was being replaced. Mr. Godwin responded that the fire department is looking to replace the smaller engine. Mr. Godwin stated that the fire department is looking for a used engine and have found one that met their criteria. Councilman Mattli added that he spoke to Chief Price and the engine the fire department is looking to purchase was bought by a dealer as a demo model and has never been in service. Councilman Mattli stated that the engine has several upgrades added to it and holds more firemen. Councilman Mattli stated that he believes that this is an excellent value for the price.

Councilman Mattli made a motion to approve item D. Seconded by Councilman Cunningham, with all in favor.

KOOP PROPERTY: Conduct a public hearing and take action regarding property that is annexed but unzoned, known as the Koop property, consisting of 21.25± acres, generally located east of and adjacent to Country Club Road (FM 1378), west of and adjacent to the Montecito Estates Phase I subdivision, south of Red Oak Trail, and north of Arroyo Blanco Street, to the Two-Acre Ranch Estate Zone (RE-2).

This item passed over until September 8, 2008.

EAGLES LANDING SUBDIVISION: Consider and take action regarding a Preliminary Plat for the proposed Eagles Landing Subdivision, consisting of 44.125± acres, generally located south of the Montecito Estates Subdivision, north of Farmstead Road, east of and adjacent to Country Club Road (FM 1378), and west of Kentucky Lane.

This item passed over until September 8, 2008.

FEAGIN ADDITION: Consider and take action regarding a Final Plat for the Feagin Addition, consisting of 6.985± acres, generally located west of and adjacent to Country Club Road (FM 1378), north of Cottonwood Place, south of the Stone Creek Subdivision, and east of Maple Creek Drive.

This item passed over until September 8, 2008.

2008-09 AD VALORM TAX RATE: Conduct a public hearing on the 2008-09 ad valorem tax rate.

Mr. Godwin introduced this item stating that there will be two public hearings and the next public hearing is scheduled for September 8, 2008 and the public hearing for the adoption of the tax rate is on September 16, 2008. Mr. Godwin stated that the proposed tax rate of .36500 is the same and there is no overall increase.

Mayor Israeloff stated that he is pleased to see that the town is not running deficits like some surrounding cities and the town has been more conservative in projecting revenue.

Mayor Israeloff opened discussion to the public. No comments were made.

Mayor Israeloff opened discussion to the council members. No additional comments were made.

2008-09 BUDGET: Conduct a public hearing on the 2008-09 budget.

Mr. Godwin introduced this item stating that there are a few things to highlight:

- Four new Police Officers to be hired and four part time firemen.
- Minimum equipment expenditures.

Mayor Israeloff opened discussion to the public. Steve Howard, 492 Meandering Way, asked why the transfer from utilities in the general fund was so large and how and where the storm water fees are utilized. Mr. Godwin responded that the utilities fund is operated like a business and is used to pay for items such as payroll, taxes, etc. Mr. Godwin stated that the sales tax that will be generated from the Village at Fairview was not budgeted in this budget in case it opens late. Mr. Godwin stated in order to keep that tax rate the same he recommended a onetime transfer to the general fund to account for the difference. Mr. Godwin stated that the storm water fees that are collected have their own budgeted fund, which rolls over each year. Mr. Godwin stated that the fees are used for drainage projects and cannot be used for any other functions.

Mike Shay, 1131 Stone Creek, asked what water projects are scheduled for capital improvements. Mayor Israeloff responded that the pump station upgrade and the upsizing of the water district connection are currently budgeted.

Glenda Howard, 492 Meandering Way, asked if there would be monies to repair Meandering Way to River Oaks and stated that she would like to see the pot holes repaired, and requested the town council to drive the road to see the damage. Mr. Godwin responded that the town will be bidding out for the reconstruction of Meandering Way to the first 90 degree turn and the town has made Meandering Way bridge a high priority to repair.

Mayor Israeloff commented that it is usually a matter of time and money, but the town uses the five year Capital Improvement Plan to determine the priority of projects and when they will take place; however, when there are emergencies that happen, the town does make changes and town staff does their best to move projects around based on the occurrence and budgeted funds.

Mayor Israeloff closed the public hearing.

BULK WASTE: Consider an ordinance regulating the placement of bulk wastes.

This item passed over until September 8, 2008.

DROUGHT CONTINGENCY PLAN: Consider an ordinance revising the town's drought contingency plan.

This item passed over until September 8, 2008.

APPOINTMENT OF BOARDS/COMMISSION MEMBERS: Consider a procedure for the annual appointment of citizens to various town boards and commissions.

This item passed over until September 8, 2008.

ALTERNATE DATE TOWN COUNCIL: Consider an alternate date for the regularly scheduled October Town Council Meeting.

This item passed over until September 8, 2008.

ENGINEERING ANNUAL REPORT: Receive annual report on engineering department.

This item passed over until September 8, 2008.

DEVELOPMENT PROJECTS & ORDINANCES: Receive town manager's monthly report on development and ordinances.

This item passed over until September 8, 2008.

CITIZENS INPUT: Mayor Israeloff stated that anyone wishing to speak at this time to state their name and address for the record and to remember that no formal discussion or action may be taken on these items at this meeting.

Mike Shay, 1131 Stone Creek, asked what the condemnation that is listed under consent agenda item B. Mayor Israeloff responded that it is a routine procedure for the town to acquire land. Mayor Israeloff stated that it allows the town to pursue with direct negotiations with the land owner. Mr. Shay also expressed that he believes that the location for the new lower level water tower is not currently being taken care of and his fear is that it could become an eye sore. Mr. Godwin responded that the town's Master Plan calls for another water tower and two water storage tanks on the east side of town. Mr. Godwin stated water towers and storage tanks are located near neighborhoods to help supply the water efficiently and to have adequate water pressure.

Glenda Howard, 492 Meandering Way, stated that her house is the last residence before the bridge on Meandering Way and her main concern is the safety. Mrs. Howard asked the town council and staff to keep the design and repair of the bridge on Meandering Way a priority.

Jennifer Tooker, 510 Meandering Way, asked what the time frame to repair the bridge was. Mr. Godwin responded that it would take around six months.

There being no other items for discussion, Mayor Israeloff adjourned the meeting at 8:08 p.m.

SIM ISRAELOFF, MAYOR

ATTEST:

Michelle Lewis Sirianni, Town Secretary

TOWN OF FAIRVIEW