

**NOTICE OF A
SPECIAL MEETING OF
THE FAIRVIEW TOWN COUNCIL
500 S. STATE HWY 5
FAIRVIEW, TEXAS
TUESDAY, OCTOBER 14, 2008
7:00 P.M.**

AGENDA

1. Call to order.

2. Recess into executive session.

The Town Council will meet in closed session pursuant to the provisions of Section 551.087 of the Government Code to discuss or deliberate regarding commercial or financial information from a business prospect with which the governmental body is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive; pursuant to the provisions of Section 551.072 to discuss or deliberate regarding real property; pursuant to Section 551.074 regarding personnel; and/or on a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Texas Government Code, including any item posted on the agenda.

- a. Real estate.
- b. McKinney Airport
- c. Town Personnel

3. Reconvene into regular session (*approximately 7:30*).

4. Pledge of allegiance.

5. Consent agenda.

All items listed under the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items. If discussion is desired, an item may be removed from the consent agenda and considered separately.

- a. Approve minutes of the September 2 regular council meeting, the September 8 special meeting and the September 16 special meeting.
 - b. Approve a resolution supporting landscape improvements to the future water storage site on FM 1378.
 - c. Approve a resolution denying a rate request by Oncor.
 - d. Approve a resolution accepting the tax roll for Fiscal Year 2008-09.
 - e. Approve change order for south meandering way paving and drainage improvements.
6. Consider and take action regarding an ordinance providing for the extension of certain boundary limits of the Town of Fairview, and the annexation of certain territory consisting of 315.81± acres of land, which said territory lies adjacent to and adjoins the present boundary limits of the Town of Fairview, and said territory is annexed within Year Two of the adopted Fairview Three-Year Annexation Plan.

CLARKE PROPERTY: ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 143, ACRES 4.5429

HOOD PROPERTY: ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 144, ACRES 6.1780

BOOTH PROPERTY: ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 142, ACRES 4.0660

MATLOCK PROPERTY: ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 140, ACRES 5.5990; ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 232, ACRES 2.9500

ROWDER PROPERTY: ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 139, ACRES 20.0056

US ARMY CORP OF ENGINEERS PROPERTY: ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 122, ACRES 7.6700; ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 141, ACRES 36.2000; ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 121, ACRES 7.3300; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 148, ACRES 82.6000; ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 160, ACRES 15.6000; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 157, ACRES 75.6000; ABSTRACT A0028 BOLES,

CALVIN, BLOCK 5, TRACT 184, ACRES 3.1900; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 212, ACRES 20.6600; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 156, ACRES 21.2500; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 213, ACRES 23.6600; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 157, ACRES 75.6000.

7. Conduct a public hearing and take action regarding a proposed Government Zoning District (G).
8. Conduct a public hearing and take action regarding a Conditional Use Permit (CUP) for an accessory building located at 840 Quail Rise and zoned to the One-Acre Ranch Estate Zone (RE-1).
9. Conduct a public hearing and take action regarding re-zoning property consisting of 4.3± acres, currently zoned RE-1 to the Government Zoning District (G), generally located south of and adjacent to Stacy Road, east of Country Club Road (FM 1378), west of Secretariat Lane, and north of Cambridge Drive (planned fire station #2 site).
10. 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). ABSTRACT A0691 PILANT, G. B., BLOCK 2, TRACT 21, ACRES 15.1000; ABSTRACT A0791 SLOAN, SAMUEL, BLOCK 1, TRACT 96, ACRES 6.1500
11. Conduct a public hearing and take action regarding property known as the Cowan property, currently annexed but unzoned, consisting of 27.614± acres, generally located east of and adjacent to Meandro Ria Lane, north of and adjacent to Heritage Ranch, and west of County Road 317, to the Two-Acre Ranch Estate Zone (RE-2) for 5.58± acres, and the Flood Hazard Zone (FH) for 22.034± acres. ABSTRACT A0691 PILANT, G. B., BLOCK 2, TRACT 32, ACRES 27.6140
12. Conduct a public hearing and take action regarding a Conditional Use Permit for an accessory building for the Goodman property located at 311 Hampton Court and that is zoned to the One-Acre Ranch Estate Zone (RE-1).
13. Conduct a public hearing and take action regarding the zoning of property that is annexed but unzoned, known as the Westbrook property, consisting of 2.21 acres, generally located north of Old Stacy Road, east of and adjacent to Lakewood Drive, south of Timber Lane, and west of Country Club Road (FM 1378), to the Two-Acre Ranch Estate Zone (RE-2). ABSTRACT A0791 SLOAN, SAMUEL, BLK 2, TRACT 149, 2.221 ACRES

14. Conduct a public hearing and take action regarding the zoning of property that is annexed but unzoned, known as the Wroten property, consisting of 20.68± acres, generally located north of Old Stacy Road, east of and adjacent to Lakewood Drive, south of Timber Lane, and west of Country Club Road (FM 1378), to the Two-Acre Ranch Estate Zone (RE-2). ABSTRACT A0791 SLOAN, SAMUEL, BLOCK 2, TRACT 145-9, ACRES 3.9960; ABSTRACT A0791 SLOAN, SAMUEL, BLOCK 2, TRACT 144, ACRES 7.3930; ABSTRACT A0791 SLOAN, SAMUEL, BLOCK 2, TRACT 143, ACRES 8.2986
15. Conduct a public hearing and take action regarding the zoning of property that is annexed but unzoned, known as the Morgan property, consisting of 10.21± acres, generally located north of Old Stacy Road, west of and adjacent to Lakewood Drive, south of Timber Lane, and east of Oakmont Court, to the Two-Acre Ranch Estate Zone (RE-2). ABSTRACT A0791 SLOAN, SAMUEL, BLK 2, TRACT 142, 10.21 ACRES
16. Conduct a public hearing and take action regarding property that is annexed and unzoned, known as the Clarke property, consisting of 4.54± acres, generally located east of and adjacent to County Road 317, south of Stacy Road, north of Forest Grove Road, and east of Heritage Ranch, to the Two-Acre Ranch Estate Zone (RE-2). ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 143, ACRES 4.5429
17. Conduct a public hearing and take action regarding property that is annexed and unzoned, known as the Hood property, consisting of 6.178± acres, generally located east of and adjacent to County Road 317, south of Stacy Road, north of Forest Grove Road, and east of Heritage Ranch, to the Two-Acre Ranch Estate Zone (RE-2) for 5.828± acres, and the Flood Hazard Zone (FH) for 0.35± acres. ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 144, ACRES 6.1780
18. Conduct a public hearing and take action regarding property that is annexed and unzoned, known as the Booth property, consisting of 4.066± acres, generally located east of and adjacent to County Road 317, south of Stacy Road, north of Forest Grove Road, and east of Heritage Ranch, to the Two-Acre-Ranch Estate Zone (RE-2) for 2.66± acres, and the Flood Hazard Zone (FH) for 1.4± acres. ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 142, ACRES 4.0660
19. Conduct a public hearing and take action regarding property that is annexed and unzoned, known as the Matlock property, consisting of 8.55± acres, generally located east of and adjacent to County Road 317, south of Stacy Road, north of Forest Grove Road, and east of Heritage Ranch, to the Two-Acre-Ranch Estate Zone (RE-2) for 6.77± acres, and the Flood Hazard Zone (FH) for 1.78± acres. ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 140, ACRES 5.5990; ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 232, ACRES 2.9500
20. Conduct a public hearing and take action regarding property that is annexed and unzoned, known as the Rowder property, consisting of 20.0056± acres, generally located west of and adjacent to County Road 317, south of and adjacent to Stacy Road, north of Forest

Grove Road, and east of Heritage Ranch, to the Two-Acre Ranch Estate Zone (RE-2) for 14.7056± acres, and tot the Flood Hazard Zone (FH) for 5.3± acres. ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 139, ACRES 20.0056

21. Conduct a public hearing and take action regarding property that is annexed and unzoned, known as the United States Army Corp of Engineers property, consisting of 272.47± acres, generally located east of County Road 317, south of Stacy Road, and north of Forest Grove Road, to the Government Zoning District (G), and the Flood Hazard (FH) Zone. Approximately 257± acres to the FH zone and 18.47± acres to the G zone. ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 122, ACRES 7.6700; ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 141, ACRES 36.2000; ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 121, ACRES 7.3300; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 148, ACRES 82.6000; ABSTRACT A0028 BOLES, CALVIN, BLOCK 2, TRACT 160, ACRES 15.6000; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 157, ACRES 75.6000; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 184, ACRES 3.1900; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 212, ACRES 20.6600; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 156, ACRES 21.2500; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 213, ACRES 23.6600; ABSTRACT A0028 BOLES, CALVIN, BLOCK 5, TRACT 157, ACRES 75.6000.
22. Conduct a public hearing and take action regarding amending Chapter 153: Subdivisions in the Fairview Code of Ordinances, to eliminate a preliminary plat or minor plat requirement if a project site plan (or preliminary plan) is required.
23. Conduct a public hearing and take action regarding removal of Ch.154: Zoning, Section 154.009(A) regarding swimming pool setbacks by removing the last sentence which states that the setback for swimming pools shall be 25 feet.
24. Conduct a public hearing and take action regarding additions to the Commercial Planned Development Zoning District (CPDD) regarding multi-family standards
25. Consider appointments to various boards and commissions.
26. Consider an ordinance permitting septic in certain lots of less than one acre.
27. Discuss purchase of a meteorological tower.
28. Discuss sponsoring a household hazardous waste program in Fairview.

29. Consider changing November regular council meeting date due to conflict with November 4th election.
30. Take action on matters discussed in executive session, if necessary.
31. Citizen's input.

At this time, any person with business before the council not scheduled on the agenda may speak. Each person will have up to five minutes. No formal discussion or action may be taken on these items at this meeting.

32. Adjourn.

I, Michelle Lewis Sirianni, Town Secretary, hereby certify that notice of the above named meeting was posted on the bulletin board of the Town Hall of the Town of Fairview, Texas, a place readily accessible to the public at all times, on the 10th of October, 2008 at 4:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

Michelle Lewis Sirianni, Town Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The Town of Fairview Council Chambers is wheel chair accessible. Access to the building and special parking is available at the primary south entrance into the Fire Station. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, or readers, are requested to contact the Town Secretary's office at 972-562-0522, ext 234 or by fax at 972-548-0268.