

**TOWN COUNCIL REGULAR
MEETING MINUTES
November 11, 2008**

The Town Council met in regular session on Tuesday, November 11, 2008 at 7:00 P.M. at 500 S. State Hwy 5, Fairview, Texas. Those present were Mayor Pro Tem Mary Price, Council Members Jim Cunningham, Ron Kasian, Anton Mattli, Michael Pezzulli and Carolyn Sommers; Town Manager John Godwin; Town Engineer, James Chancellor; Planning Director, Alan Efrussy; Assistant to the Town Manager, Matt Donnell; and Town Secretary, Michelle Lewis Sirianni. Mayor Sim Israeloff was absent.

Mayor Pro Tem Price called the meeting to order at 7:14 p.m. and declared a quorum was present.

At 7:14 pm Mayor Pro Tem Price requested any veterans that were in attendance to stand. On behalf of Town Council, Mayor Pro Tem Price thanked them for their service and requested they lead the pledge of allegiance in honor of Veterans Day.

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 October 14 regular council meeting. B) Appoint Chairpersons to Planning and Zoning Commission and Parks and Recreation Board. C) Approve an ordinance adopting a permanent speed limit for Stacy Road.

Councilman Pezzulli requested to pull item B.

Councilman Pezzulli made a motion to approve items A and C. Seconded by Councilwoman Sommers, with all in favor.

Councilman Pezzulli asked in regards to item B, who were the current chairpersons. Ms. Lewis Sirianni responded that Bill Wells is currently the Planning and Zoning Commission chairperson and Paul Westbrook is the chairperson for the Parks and Recreation Board. Ms. Lewis Sirianni stated that town council reappoints these positions yearly and town council may reappoint the current chairpersons or they may appoint someone new.

Councilman Pezzulli made a motion to reappoint Bill Wells and Paul Westbrook. Seconded by Councilman Kasian, with all in favor.

CITIZENS INPUT: Mayor Pro Tem Price 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.

No comments were made.

WATER STORAGE TANK: Consider location of elevated water storage tank.

Mr. Godwin introduced this item stating that there has been a need for a second water tower and various sites have been discussed, but recently town council was in agreement to place the new water tower on the same site as the old "wineglass" tower at FM 1378 and eastern Stacy Road. Mr. Godwin stated that Mr. Beaty, neighbor to the immediate west, asked Town Council to consider the possibility of moving the water tower. Mr. Godwin stated since the last meeting the town has looked at three other possibilities. The first would require the town to purchase property and is immediately north of the Baptist church. Mr. Godwin stated that the town contacted the property owner and she was not willing to sell at the price offered. The second site is the traffic island created by the rerouting of Stacy Road. Mr. Godwin stated that Mr. Beaty expressed that this location was not a possibility and was even worse. The third site is the northeastern corner of the land the town owns on Stacy Road. Mr. Godwin stated that it has been determined by the town engineer that it can fit, however, it would also place the storage tank, outbuildings and fence very close to the new roadway. Mr. Godwin stated that regardless of the council's decision that a site needs to be finalized and the tower needs be online by 2010.

Councilman Cunningham asked if the engineering had been adjusted. Councilman Cunningham stated that he is leaning towards the traffic island location since it would only impact one home, but if the storage tank is located in the field, it impacts several. Councilman Cunningham asked if the height would be the same if the storage tank was located on the island.

Councilman Pezzulli asked if there was room on the island. Mr. Godwin responded that it will fit, but will need maneuvering and would be on the edge of the road. Councilman Mattli asked how much taller it would be at this location. Mr. Godwin responded there would be a few feet difference.

Councilman Kasian stated that he had a discussion with James, the town engineer and asked why the tank would be elevated versus ground storage and the technical reasons. Councilman Kasian asked Mr. Chancellor if he could share some of that information with everyone. Mr. Chancellor stated that there is so much water storage that is needed in the air and on the ground and because water is sent across town along with the commercial district opening soon that the town will need water on the other side of town. Mr. Chancellor stated that the water will need its own cycling system and will need the storage tank to meet the demands. Mr. Chancellor stated that the elevated tank is ideal especially during non-peak hours, so that the water pumps would not run all day.

Councilwoman Sommers stated that she is aware now that the town simply cannot take one tank down and replace it with another; however, she agrees with Councilman Cunningham that the traffic island location is less intrusive to the currently proposed location. Councilwoman Sommers stated that she doesn't like the location east of the fire station and the traffic island seems to provide a buffer.

Councilman Pezzulli asked about the utility lines at this location. Mr. Chancellor responded that this is an unknown factor. Mr. Chancellor stated that placing the storage tank on the site is doable, but if there are telephone, power and/or water lines that needed to be dug up or moved, then this could delay the project. Mr. Chancellor stated that the town needs 430 days to build the tank and needs it online by May 2010 and at this point there is a very small window to make this happen.

Councilman Pezzulli stated that his concern is that if the storage tank is placed next to FM 1378 and the road is expanded to four lanes that the storage tank will be right next to the school and the traffic island area is where the new road will be placed. Councilman Pezzulli stated even more importantly that a huge concern is not having enough water.

Mayor Pro Tem Price asked how much money has been involved with the engineers. Mr. Godwin responded that it has cost the town thousands of dollars to explore other possibilities. Mr. Godwin noted that the town went roughly three to four days this year where they were almost out of water and that there are parts of town that have been dealing with low water pressure. Mr. Godwin stated that the storage tank was initially projected to be online by 2009 and now the town is looking at 2010. Mayor Pro Tem Price asked if a site is chosen this week, would the town be able to move forward immediately.

Councilman Mattli asked how far ahead the engineering with Stacy Road was and if the town did consider the traffic island wouldn't the town need to acquire property south of the island. Mr. Godwin responded that he was unsure and would need to get the engineer to do another map for the traffic island location and that it may or may not require the town to acquire right of way.

Mayor Pro Tem Price stated to recap there are three locations that have been discussed, which included the traffic island, the current standing location and the one on the east side of the fire station.

Mayor Pro Tem Price asked if there was anyone in attendance that wished to make comments.

Don Carroll, 171 Summerhill Lane, asked what the cost would be to see if it's practical for time and cost to consider the traffic island location. Mr. Chancellor responded that time is becoming the main issue and that if he contacted the engineer and did another preliminary analysis it would cost the town a couple thousand dollars. Councilman Pezzulli added that if power lines were buried and involved, then when the storage tank was being built that they would have to deactivate the lines, which would cause residents

in that area to be without power and if there are any utility lines then the project could be delayed even longer as was the case with the Stoddard Road project.

Mark Beaty, 1140 Stacy Rd, stated that he appreciates that the town has looked at other potential sites. Mr. Beaty stated that the traffic island option is not really an option in his opinion and that it takes away from his view. The option to move the storage tank 150-200 feet would move it back next to the garage and would be too close to the residence with no buffer. Mr. Beaty stated that the third option, the site on the northeast corner impacts other neighbors and has talked to many of them and seems to be the least resistant and the final option, the land owned by Ms. Talbot. Mr. Beaty stated that Ms. Talbot did express a willingness to work with the town and the church was willing to buy land and work with the town. Mr. Beaty recognized that time is of the essence and in his opinion the most ideal situation would be for the town to work with Ms. Talbot and the church and/or the northeast corner would be his second choice. Councilman Mattli inquired with why the town would acquire three acres of land when they only need a half acre from the church. Mr. Beaty responded that the church at this time cannot commit to the funds, but that they would like and expressed interest in the land.

Heather Hager, 570 Cambridge, stated that she has a copy of town council minutes where it stated that the property was not a workable site and questioned why it was now being considered.

Claire and Kevin Ortega, 531 Cambridge, stated that she appreciates all the comments, but is more concerned about the view and idea of the storage tank being moved closer and that at this point they can see it directly from the front of their residence and is okay with where it is now.

Jean Talbot, property owner, stated that the tip of her property touches the island and that she had initially purchased the property to build a house. Ms. Talbot stated that if she had a choice, that the property where the current tower is located is the best option with the possibility to move it slightly to suit Mr. Beaty, but placing it as close to the existing location as possible. Ms. Talbot added that there are power lines that run through the island.

Councilwoman Sommers stated that she is in favor of extending another month and is not fond of the fact that Mr. Beaty has pitted his neighbors against each other and initiating that the only alternative would be for the town to buy property. Councilwoman Sommers stated that the town needs to do something soon.

Councilman Mattli stated that whatever location is discussed there will be difficulty. Councilman Mattli stated that the current proposed location most people have known about and in his opinion doesn't seem fair to consider moving the storage tank to the east considering the unknown engineering factors.

Councilman Cunningham asked Ms. Talbot what she was looking for in price and if she was not ready with that information, then that was fine, but would like to know if she is looking for anything specific. Ms. Talbot responded that she wants to live in Fairview and the initial price offered would not allow her to afford another location where she could build a house and have trees like she currently does. Ms. Talbot added that she is not prepared to give a dollar amount at this point in time.

Councilman Cunningham stated that town council also received an email from a resident that stated that they were in favor of leaving the tower at the proposed location.

Councilman Pezzulli made a motion that the water tower be placed as close as reasonably feasible from an engineering and architectural standpoint to the existing water tower and to be constructed as quickly as possible to ensure the integrity of water pressure and water supply for the Town of Fairview. Seconded by Councilman Mattli, with all in favor.

ENGINEERS ANNUAL REPORT: Receive engineer's annual report.

Mr. Chancellor gave a presentation highlighting the following:

- Water System
 - 4,000 gpm pump station completed
 - 16" water main installed from Hart to Stacy Rd.
 - NTMWD supply issues- 8" Orifice plate and 6" metering station
- Road & Trail Projects
 - Roadrunner Trail
 - Stoddard Road
 - Meandering Way
 - East Stacy Road
- Drainage Projects
 - Man O War channel (completed)
 - Kentucky Lane (to be done)
 - Summerhill farms channel rework (in progress)
 - Oakwood Estates ditch rework (completed)
 - Seattle Slew
- TxDot Projects
 - Bluebird Lane striped/SH5 seal coated/Stacy Rd seal coated
 - Traffic Signal at Stacy/FM 1378 completed
 - Stacy Rd schematic approved from SH5 to FM 1378

There being no other items for discussion, Mayor Pro Tem Price adjourned the meeting at 8:58 p.m.

Mary Price
MARY PRICE, MAYOR PRO TEM

ATTEST:

Michelle Lewis Sirianni
Michelle Lewis Sirianni, Town Secretary

