

**TOWN COUNCIL
MEETING MINUTES
April 7, 2009**

The Town Council met in regular session on Tuesday, April 7, 2009 at 6:30 P.M. at 500 S. State Hwy 5, Fairview, Texas. Those present were Mayor Sim Israeloff, Mayor Pro Tem Mary Price, Council Members Carolyn Sommers, Jim Cunningham, Ron Kasian, Michael Pezzulli and Anton Mattli; Town Manager John Godwin; Assistant to the Town Manager, Matt Donnell, Planning Director, Alan Efrussy; Town Engineer, James Chancellor; Community Development Manager, Ray Dunlap; Management Intern, Shane Pettit and Town Secretary, Michelle Lewis Sirianni.

Mayor Israeloff called the meeting to order at 6:31 p.m. and declared a quorum was present.

EXECUTIVE SESSION: At 6:33 p.m. the council recessed into executive session to discuss: real estate and McKinney v. Fairview.

At 7:30 p.m. Mayor Israeloff reconvened back into regular session and requested everyone to stand for the Pledge of Allegiance.

CONSENT AGENDA: All items under the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion on these items. If discussion is desired, an item may be removed from the consent agenda and considered separately. A) Approve the minutes of the March 3, 2009 meeting. B) Adopt an ordinance cancelling the May 2009 general election. C) Repeal and Adopt Chapter 3.12 Division 2 Floods Damage Prevention. D) Approve an ordinance recodifying local septic ordinances. E) Approve an ordinance creating a "Red Flag" identity theft program. F) Adopt a proclamation recognizing Arbor Day 2009.

Mayor Pro Tem Price made a motion to approve items A-F. Seconded by Councilman Kasian, with all in favor.

CITIZENS INPUT:

Eddy Herring, 362 Spring Meadow Dr., asked what the use would be on the Campbell property at Murray Rd and Blue Bonnet Lane. Mr. Herring stated that he compiled a list of signatures as a petition that indicates that the residents would like to see this area turned into a common area park. Mr. Herring stated that he spoke to surrounding residents in Ranchette Estates and some within the Village of Fairview and they would like to see the land put to good use. Mayor Israeloff responded that the town has made no decision on whether a neighborhood park would be placed in Ranchette Estates.

Mayor Israeloff stated that the issue with Ranchette Estates is that it is an established neighborhood and are trying to acquire more input.

Melinda Fisher, 831 Timberwood Lane, stated that she would like to see a cross walk at Meandering Way that would lead to the CVS and bank in Allen. Ms. Fisher stated that she believes this would help prevent people from being in the road. Ms. Fisher stated that she brought a petition of individuals who agreed with having a cross walk at this location and would like to pass it along to the town manager for consideration.

Bill Wells, 571 Blue Bonnet Lane, stated that he lives within Ranchette Estates, the second oldest neighborhood and there are no sidewalks. Mr. Wells stated that he believes it is not a good idea to move a neighborhood park into this neighborhood and it is not a good use to buy residential lots for park land, which is why a buffer was placed between Ranchette Estates and the Village of Fairview due to the high density.

SITE PLAN BOY SCOUTS OF AMERICA: Conduct a public hearing and take action regarding a Site Plan for the Boy Scouts of America facility comprising a general office, meeting space, and light retail uses, near The Village At Fairview development, generally located on the south side of the intersection of Fairview Village Drive (formerly Murray Road) and the frontage road of Central Expressway (US 75), within the Commercial Planned Development District (CPDD), Zone K.

Councilman Pezzulli made a motion to table the Site Plan for the BSA to May 5, 2009. Seconded by Councilman Mattli, with all in favor.

AMENDING PLAT BOY SCOUTS OF AMERICA: Consider and take action regarding an Amending Plat for the Boy Scouts of America.

Councilman Pezzulli made a motion to table the Amending Plat for BSA to may 5, 2009. Seconded by Councilman Mattli, with all in favor.

ALLIED WASTE: Meet with representatives from Allied Waste regarding service issues and upcoming rates.

Brenda Lalonde, Municipal Sales Representative, gave an annual presentation regarding the service within the town. Ms. Lalonde highlighted the following:

- Of the waste picked up: 57% went to landfill, 19% was bulk and 24% recycle. This was an 8.5% increase from 2007.
- Average of 40-45lbs picked up per month per household.
- In 2008, 282 calls from residents were from missed pickups and 303 calls were misc. calls.

- Touched on education programs Allied offers.

Mayor Pro Tem Price asked if the annual newsletter/calendar that showed the holiday dates was available to the residents. Ms. Lalonde replied that the town's website reflects these dates and is updated yearly. Mayor Israeloff commented that most complaints are from confusion on the holidays and/or bulk pick up dates. Ms. Lalonde stated that they observe six holidays a year, which include New Years Day, the Fourth of July, Memorial Day, Labor Day, Thanksgiving and Christmas. Ms. Lalonde suggested that if they receive an inquiry, that the resident may call Allied.

Ms. Lalonde introduced Doug Smith, Operations Supervisor, who monitors and follows the trucks within Fairview on service days.

Mayor Israeloff asked if the town was still paying for the fuel surcharge. Ms. Lalonde stated that the town is still paying the fuel surcharge and that typically will have to wait a full year. Mr. Israeloff commented that he thought that when the fuel cost goes down then the surcharge would be eliminated and is disappointed that they have to wait a full year for the cost to go down.

Councilman Kasian asked if Allied is working on the carts being tipped over. Mr. Smith responded that carts end up tipped over due to the ground, wind or the driver, but he is monitoring the drivers in this regard.

Mr. Godwin stated that he believes the service has gotten better as staff is receiving fewer complaints. Councilman Cunningham stated that his neighbors are not complaining and his neighborhood tends to have more bulk/brush due to trees and so they are aware of this, but hasn't been an issue.

TOWN HALL: Discuss town hall design.

Mr. Ron Hobbs, architect presented new exterior options for town hall with one option including a large arbor, porch, fountain etc. Mr. Hobbs stated that they added more windows based on comments by the council.

The council discussed the interior layout with how it affects the exterior elevation and what kind of changes if any could be made based on the buildings layout.

Council did agree that they liked the arbor in front of town hall along with adding benches, but requested Mr. Hobbs to bring back a few more building elevations before making a final decision.

ANNUAL PUBLIC WORKS REPORT: Receive annual report from the Public Works Department.

Aron Holmgren, Public Works Manager, highlighted on the following:

- Drainage culverts
- Parks- rebuilt sundial in Monarch; repairs to Beaver Run bridge; granite trails at Beaver Run; mulched playground at Creekside and Roadrunner trail installed.
- Service Orders-
- Water Breaks – 9 major breaks; higher from last year, but still low for size of town.
- 800 Check valves replaced
- 18 Hydrants replaced
- Six sewer stoppages- very low for size of town.
- TCEQ- working on obtaining superior water rating
- Streets- 425 tons of asphalt; guard rails along Meandering; 65 street signs replaced; widening of traffic circle in Thompson Springs.
- Town hall repairs- installed lights and water main repair behind town hall as well as general maintenance.

SIDEWALK CONSTRUCTION HART RD: Discuss construction of a sidewalk along portions of Hart Road.

Mr. Godwin introduced this item stating that council has recently discussed pursuing a sidewalk with a grant match. Mr. Godwin stated that the costs have been estimated at \$154,000, which would include a crosswalk at the school. Mr. Godwin stated that staff is seeking feedback from council and if pursued, then the town engineer, James Chancellor would design and bid the project out as soon as possible in order to construct the 4' to 5' sidewalk before school opens in August.

Councilman Pezzulli commented that the school would like the sidewalk since parents walk their children to and from school. Councilwoman Sommers asked if the width of the sidewalk was wide enough for two people to walk side by side. Mr. Godwin responded that the sidewalk is wide enough.

Mayor Pro Tem Price asked if the town had sought funding from the school district. Mr. Godwin responded that the school district would not grant funding to help with the construction of the sidewalk.

The consensus of the council was to proceed with this project.

WATER CONSERVATION PLAN: Consider a resolution creating a water conservation plan.

Mr. Godwin introduced this item stating that the town already follows this plan as it is similar to the drought plan. Mr. Godwin state the adoption of such plan is required by the state and NTMWD. Mr. Godwin stated that the town will have water usage goals and objectives to adhere to with this plan.

Councilwoman Sommers asked what the maximum fine was as stated in the ordinance. Mr. Godwin responded that the fine goes up to \$2,000, which is consistent with other ordinances.

Councilwoman Sommers made a motion to approve the water conservation plan. Seconded by Mayor Pro Tem Price, with all in favor.

AMENDING 2008-09 ANNUAL BUDGET: Consider an ordinance amending the 2008-09 annual budget.

Mr. Godwin introduced this item stating that due to posting errors within the wrong budget year; this amendment would 'clean up' the budget to be more consistent with what is occurring. Mr. Godwin stated that the surplus of land sales will be used for the Meandering Way, Hart Road sidewalk and Fire engine. The amended budget reflects an increase of \$1,267,403.

Councilwoman Sommers made a motion to approve an ordinance amending the 2008-09 budget. Seconded by Councilman Pezzulli, with all in favor.

FIRE ENGINE: Discuss planned purchase of a new fire engine in 2009-10.

Passed over.

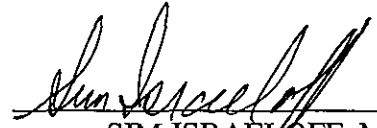
EXECUTIVE SESSION: Take action on matters discussed in executive session, if necessary.

No action taken.

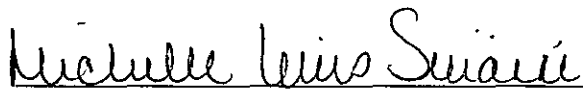
CITIZEN'S INPUT:

Chris Fry, 420 Horseshoe Trail, stated that he lives in Ranchette Estates and his family likes to visit the neighborhood parks and that they never seem over crowded. Mr. Fry also asked if his neighborhood was due for any road repairs and if and when they are, he requests that the town staff notify the neighbors when the repairs will be done.

There being no other items for discussion, Mayor Israeloff adjourned the meeting at 10:30 p.m.


SIM ISRAELOFF, MAYOR

ATTEST:


Michelle Lewis Sirianni, Town Secretary

