

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

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

Mayor Israeloff called the meeting to order at 6:43 p.m. and declared a quorum was present.

EXECUTIVE SESSION: At 6:45 p.m. the council recessed into executive session to discuss: Economic development and real estate.

At 7:40 p.m. Mayor Israeloff reconvened back into regular session.

ENVIRONMENTAL LOGO: Presentation of Fairview's Environmental Logo.

Mr. Dunlap presented Fairview's Environmental Logo created by Madison McInnis of Sloan Creek Middle School. Mr. Dunlap stated that the logo will become the official character symbolizing Fairview's commitment to the environment and will be used on promotional materials and literature.

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 June 2, 2009 regular council meeting. B) Approve a second 180 day extension for the submittal of the Eagles Landing Final Plat. C) Ratify the action taken on June 2, 2009, regarding Town Hall Site Donation and Scope of Work Agreement. D) Authorize the Mayor to approve the exchange of trail easements with the North Texas Municipal Water District.

Councilwoman Price requested to pull item B.

Councilman Kasian made a motion to approve items A, C and D. Seconded by Mayor Pro Tem Cunningham, with all in favor.

Councilwoman Price stated that in regards to item B that in her opinion the project should move forward and questions approving the extension. Mr. Efrussy stated that the preliminary plat for this project was approved and an extension was approved last year due to the current economic situation. Mr. Efrussy stated that the applicant has submitted a letter stating that at this time, he is unable to complete the project due to financing, but is working with other individuals and progressing forward to complete the project, but the market is making it difficult.

Mayor Israeloff asked if there was an advantage to limit the extension or any disadvantages of the time frame. Mr. Efrussy responded that he would encourage the applicant to go forward with the Final Plat as soon as possible. Mr. Efrussy stated that if the council does not approve the extension, then he would recommend zoning the property as soon as possible since the property is annexed but unzoned. Mr. Efrussy stated that there is no real disadvantage, but would still encourage the applicant to complete the Final Plat. Councilman Kasian asked if it was better to recommend a 90 day extension versus a 180 day extension. Mr. Efrussy responded that 90 days is better than nothing at all.

Mayor Israeloff asked if there have been any recognizable changes in growth patterns that would change this project or its surroundings. Mr. Efrussy responded that there has been no change.

Councilwoman Price asked if there was a limit in the ordinance to how many extensions may be granted and if not approved, then what does that mean for the developer. Mr. Efrussy responded that an applicant may request as many extensions as they wish and in this case, if the extension is not approved then the plat dies and the property remains annexed but unzoned and the applicant may resubmit a new plat.

Mayor Pro Tem Cunningham made a motion to approve item B. Seconded by Councilman Kasian, with all in favor.

RE-PLAT VILLAS IN THE PARK: Conduct a public hearing and ratify the action taken on June 2, 2009 regarding a re-plat for certain portions of the Villas in the Park subdivision regarding the dedication of park area to the Town of Fairview; obtaining of right-of-way; and modifications of residential lot lines.

Mr. Godwin stated that this item was approved at the last council meeting. Mr. Godwin stated that since no public hearing was conducted and there was an error in publication that the council needs to ratify and reapprove.

Mayor Israeloff opened the public hearing. No comments were made.

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

Councilwoman Price made a motion to re-approve the re-plat for certain portions of the Villas in the Park subdivision. Seconded by Councilman Kasian, with all in favor.

SECOND ADVERTISING SIGN FOR VILLAS IN THE PARK: Consider approval for a second advertising sign for The Villas in the Park subdivision.

Mr. Chancellor stated that Grenadier Homes is requesting a second development sign to go at their new intersection with Fairview Parkway. Mr. Chancellor stated that usually only one sign is permissible per town ordinance, but since this is near a commercial area and there are multiple entries to the subdivision, the sign seems appropriate and town staff supports.

Councilman Kasian made a motion to approve the second advertising sign. Seconded by Mayor Pro Tem Cunningham, with all in favor.

CREATING PUBLIC IMPROVEMENT DISTRICT: Conduct a public hearing regarding the creation of a public improvement district and proposed public improvements within the public improvement district.

Mr. Godwin stated that a petition was submitted by the MGHerring Group for a Public Improvement District. Mr. Godwin stated that a Public Improvement District (PID) is created by resolution for public improvements. Mr. Godwin stated that this PID will be for a section of the commercial district and is for a specific piece of property with one property owner. Mr. Godwin stated the town is required to post, advertise and conduct a public hearing. Mr. Godwin stated that he recommends that the council leave the public hearing open since this item will be taken up at a future meeting.

Mayor Israeloff opened the public hearing.

Brad Northcutt, 910 Beechwood, asked why are PID's requested. Mr. Godwin responded that a Public Improvement District is state law financing for public improvements. They are used for neighborhoods and/or commercial areas as a funding mechanism for street lights, sidewalks, etc. Mr. Godwin stated that they are created by selling bonds and are billed later, but are essentially risk free to the town and does not become part of the town debt.

Leland Payne, 398 Parkvillage, asked if a PID was a way to recoup investments in their infrastructure. Mr. Godwin responded that this is prohibited by state law. Mr. Payne asked who the ownership belongs to regarding the current water/sewer lines that are installed and who maintains the roads. Mr. Godwin responded that anything existing cannot be a part of the PID and Stacy Road and Fairview Parkway will be public roads and the remaining will be private and maintained by the developer. Mr. Godwin stated

that the definition of a public improvement is something that is accessible and usable by the public; ownership is not relevant. Mr. Payne inquired if the apartments were included in the request. Mr. Godwin responded that the apartments are not included within the request.

The public hearing was left open.

ADOPTING PUBLIC IMPROVEMENT DISTRICT: Consider adoption of a resolution authorizing the creation of The Village At Fairview Public Improvement District and ordering public improvements be made for the benefit of such district; providing for a severability clause; providing an effective date.

No action was taken.

BOARDS/COMMISSIONS: Consider the appointment of individuals to serve on various boards and commissions, and consider appointing chair for Planning and Zoning Commission.

Richardo Doi and Brad Northcutt were in attendance at the meeting. Both expressed interest in the Planning and Zoning Commission.

No action was taken.

PARKS, RECREATION, AND OPEN SPACE MASTER PLAN: Discuss update of the Parks, Recreation, and Open Space Master Plan through the Parks and Recreation Board.

Mr. Dunlap stated that the current plan will be five years old in June 2010 and town staff is working to prepare an updated plan. Mr. Dunlap stated that a questionnaire will be mailed to every household in Fairview that is designed to receive input from the citizens about the types of parks, open spaces and amenities that they wish to see in Fairview. Mr. Dunlap stated their goal is to have a joint meeting with council and the park board in December so that the new plan may be adopted in January 2010, which will allow the town to apply for funding through grants.

ANNUAL FIRE DEPT. REPORT: Receive Fire Department annual report.

Chief Price highlighted on the following items:

- Town Goals – provide high levels of service and public safety with efficient operations.
- Calls for Service – An overall increase in volume of calls for 2009 is predicted in comparison to 2007 and 2008.

- Staffing/Coverage – 41 on the roster with 13 PT and 28 volunteers.
- Apparatus – Reviewed current vehicles and goal is to add a certified preventive maintenance program in the 2009-2010 budget.
- New Station – Updated on the progress of the new station and features it will provide.
- Outdoor Warning System – indicated that it is tested monthly by the City of Allen, which reports any problems back to Fairview and provides good coverage for the town in alerting residents in the event of a storm.
- Future Plans – ISO, improving dispatching functions and applying for a Safer grant.

FIRE DEPT. ORGANIZATIONAL STRUCTURE: Discuss Fire Department organizational structure.

Mayor Pro Tem Cunningham stated that council members have been asked how the Fire Department is structured and/or organized. Mayor Pro Tem Cunningham stated that he was able to break it down into four areas to see where the town is headed for the future and addressing expectations. He has found that his research has educated him on how volunteers transition to full time and also provide insight on how to get started. Mayor Pro Tem Cunningham stated that he suggests a work session to review the information he has compiled and shared with council.

TOWN HALL DESIGN: Discuss the layout of the planned new town hall.

Mr. Godwin stated that the first floor is basically the same with only a few changes. The architect added back in rooms that were left out initially, added a bathroom and changed the screening behind the council bench. The third floor is still just a shell and changes to the fourth floor included the addition of two offices and bathrooms. Mr. Godwin also commented on the landscaping features around town hall.

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

No action was taken.

CITIZENS INPUT:

Chris Hendricks, 711 Glenwood, stated that she is the Senior Director for Allen Community Outreach. Mrs. Hendricks stated that the services they provide include meals on wheels and emergency services, which residents within Fairview currently use. Mrs. Hendricks stated that due to budget constraints, they have eliminated and cut these services. Mrs. Hendricks stated that she would like council to consider a contractual

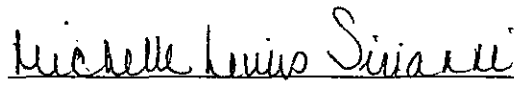
agreement with Allen Community Outreach so that they may continue to provide these services to residents within Fairview.

Mickey Davis, 320 Collinwood, stated that he recently permitted a septic system, but didn't realize he didn't have a permit for the service. Mr. Davis stated that the system is not aerobic per town requirements and asked council if he should leave the system or remove it. Mayor Israeloff responded that this not normally something council takes action on, but is handled on an individual basis and is left up to a specific department. Mayor Israeloff encouraged Mr. Davis to speak with the Town Manager regarding this topic.

There being no other items for discussion, Mayor Israeloff adjourned the meeting at 9:30 p.m.


SIM ISRAELOFF, MAYOR

ATTEST:


Michelle Lewis Sirianni, Town Secretary

