TOWN COUNCIL
MEETING MINUTES
August 4, 2009

The Town Council met in regular session on Tuesday, August 4, 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, Michael Pezzulli, Anton Mattli 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 Member Carolyn Sommers was absent.

Mayor Israeloff called the meeting to order at 6:28 p.m. and declared a quorum was present.

At 7:43 p.m. Mayor Israeloff reconvened back into regular session and requested everyone to stand for the Pledge of Allegiance.

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 July 7, 2009 regular council meeting. B) Approve minutes of the July 13, 2009 special council meeting. C) Approve amended plat of Lot 18A within The Vineyards of Fairview. D) Approve Water Tower Lease Agreement with Clearwire. E) Approve an ordinance setting a speed limit for Fairview Parkway and establishing certain stop signs. F) Approve an ordinance establishing new Atmos rate tariffs.

Mayor Israeloff pulled item D and stated until further review there will be no action taken.

Mayor Pro Tem Cunningham made a motion to approve items A, B, C, E and F. Seconded by Councilman Pezzulli, with all in favor.

380 AGREEMENT WITH MG HERRING: Consider a 380 agreement with the MG Herring Group regarding the town hall site and The Village Green Park.

Mr. Godwin introduced this item stating that the town recommends approval with the change in the sales tax by deleting paragraph 4.1.

Councilman Pezzulli made a motion to approve the 380 agreement with changes. Seconded by Councilman Mattli, with all in favor.

CREATING PUBLIC IMPROVEMENT DISTRICT: Conduct a public hearing on creation of The Village at Fairview Public Improvement District.

Mayor Israeloff stated that the council agreed to a continuation on this item. Mr. Godwin commented that he has no additional comments.

Mayor Israeloff asked with the public hearing still open from last month, if anyone had any comments that they would like to make. No comments were made.

Mayor Israeloff left the public hearing open until September 1, 2009.

ADOPTING PUBLIC IMPROVEMENT DISTRICT: Consider a resolution creating The Village at Fairview Public Improvement District.

No action taken.

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

Board of Adjustments:

Councilman Kasian nominated Eugene Kick to replace Richard Popkes. Seconded by Councilwoman Price, with all in favor.

Councilwoman Price nominated Gene Harrington for renewal. Seconded by Mayor Pro Tem Cunningham, with all in favor.

Councilman Kasian nominated Eric Benavides as alternate to replace Brian Kasper. Seconded by Councilwoman Price, with all in favor.

Historical Committee:

Councilman Pezzulli nominated Sim Israeloff for renewal. Seconded by Councilwoman Price, with all in favor. Mayor Israeloff abstained from the vote.

Councilman Pezzulli nominated Jan Samuels for renewal. Seconded by Councilman Mattli, with all in favor.

Councilwoman Price nominated Gay Kiser for renewal. Seconded by Councilman Kasian, with all in favor.

Planning and Zoning Commission:

Councilman Kasian nominated Brayton Campbell for renewal and as chairman. Mayor Pro Tem Cunningham nominated Renee Powell for chairwoman.

Mayor Israeloff called for a vote. Commission member Brayton Campbell approved with a 4-2 vote.

Mayor Pro Tem Cunningham nominated Renee Powell for renewal. Seconded by Councilman Pezzulli, with all in favor.

Councilman Kasian nominated Ricardo Doi. Seconded by Councilwoman Price, with all in favor.

Councilman Kasian nominated Brad Northcutt. Seconded by Councilwoman Price, with all in favor.

Economic Development Committee:

Councilman Kasian nominated Diana Morris for renewal. Seconded by Mayor Pro Tem Cunningham, with all in favor.

Councilwoman Price nominated Warren Westburg for renewal. Seconded by Councilman Kasian, with all in favor.

Councilwoman Price nominated Virginia Fisher for renewal. Seconded by Councilman Kasian, with all in favor.

Parks and Recreation:

Councilwoman Price nominated Chuck Hastedt, Paul Westbrook and Donna Pekarek for renewal. Seconded by Councilman Kasian, with all in favor.

Technology Committee:

Councilwoman Price nominated Gil Stevens for renewal. Seconded by Councilman Kasian, with all in favor.

Councilman Kasian nominated Alan Williford. Seconded by Councilwoman Price, with all in favor.

Councilman Kasian nominated Joby Mathew. Seconded by Councilman Mattli, with all in favor.

Councilwoman Price nominated Wedge Green. Seconded by Mayor Pro Tem Cunningham, with all in favor.

Environmental Committee:

Councilman Mattli nominated Michael Pezzulli and Lee Berryman-Tedman for renewal. Seconded by Councilwoman Price, with all in favor. Councilman Pezzulli abstained from the vote.

Councilman Pezzulli nominated Steven Peacock and William Lynd. Seconded by Councilman Kasian, with all in favor.

EAST STACY ROAD/HART ROAD: Receive briefing on East Stacy Road and Hart Road sidewalk projects.

Mr. Chancellor introduced this item stating that he held a meeting at Heritage Ranch and invited surrounding neighbors regarding East Stacy Road. Mr. Chancellor stated that he met with the engineer regarding the infrastructure and storm sewer alternatives. Mr. Chancellor stated that the utility lines are in the relocation phase and GCEC and Grande Communication have moved power lines and AT&T seems to be the slowest, but found few utility conflicts. Mr. Chancellor stated that they will be finalizing the roadway and bidding out soon.

Mr. Chancellor stated that the cross section is 30' wide with two 12' lanes and includes a bike lane on the north side and one trail on the south side. Councilwoman Price asked if there would be any buffering. Mr. Chancellor stated that some trees will be put back and can bid out for any additional landscaping. Councilwoman Price asked about the trail material and if adding color to the concrete was an option. Mr. Chancellor stated that concrete would be used and can discuss the color prior to construction. Mayor Israeloff requested for the town engineer to research the cost of tinting the concrete and its consistency if coloring is used. Mayor Israeloff also requested staff to check cost of retrofitting the old lights with LED lights.

Mr. Chancellor stated in regards to Hart Road, he has looked at several alternatives. Mr. Chancellor stated the north side of the road has the least amount of right-of-way and many of the properties located in this area are unplatted, so the town may need to purchase land in order to acquire right-of-way access. Mr. Chancellor stated that he spoke with the Tarkington family and they are willing to sell a portion of their property for the trail, but would need to have the other two property owners on the north side and try to acquire property through purchase or condemnation. Mr. Godwin stated that the road will be widened but is a matter of how much land to acquire. Mayor Israeloff asked if only the north side of the road would be widened. Mr. Chancellor responded that both sides will eventually be widened. Mr. Chancellor stated the lack of right-of-way is the delay at this time.

Town council directed staff to pursue roadway acquisition on the north side of the road and acquire enough right-of-way for future roadway widening.

CERTIFICATES OF OBLIGATION: Consider adoption of a resolution directing publication of notice of intention to issue certificates of obligation; and resolving other matters relating to the subject.

Mr. Godwin introduced this item stating that each year the town sells bonds in order to fund capital projects. Mr. Godwin stated that this year they will be used for the Stacy Road project. Mr. Godwin stated that resolution will authorize the certificates and advertising of the town's notice of intent to issue debt.

Mayor Pro Tem Cunningham made a motion to approve the resolution directing publication of notice of intention to issue certificates of obligation. Seconded by Councilman Mattli, with all in favor.

2009-10 ANNUAL BUDGET: Discuss 2009-10 annual budget and tax rate.

Mr. Godwin stated that 2009-10 budget will see no increase in property and utility taxes, but the sales tax should increase. Mr. Godwin stated that the building permits have decreased, which causes revenue to decrease significantly. Mr. Godwin commented that there are no new expenses and have budgeted for new positions within the fire and police department. Mr. Godwin stated that health insurance increases and the town have currently issued proposals for rates.

Councilman Mattli asked if the budget for the fire department regarding their formal engagement agreements have been addressed. Mayor Israeloff suggested that council meet in October for a work session regarding the fire department.

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

No action was taken.

CITIZENS INPUT:

No comments made.

There being no other items for discussion, Mayor Israeloff adjourned the meeting at 9:18 p.m.

Sim Israeloff

SIM ISRAELOFF, MAYOR

ATTEST:

Michelle Lewis Sirianni

Michelle Lewis Sirianni, Town Secretary

TOWN OF FAIRVIEW