



**NOTICE OF A
REGULAR MEETING OF
THE FAIRVIEW TOWN COUNCIL
372 TOWN PLACE, FAIRVIEW, TEXAS
TUESDAY, SEPTEMBER 4, 2012
6:30 P.M.
AGENDA**

1. Call to order.
2. Recess into executive session.

The Town Council will meet in closed session regarding the following items and any item posted on the agenda notice for this meeting under the following exceptions to the Open Meetings Act under Texas Government Code:

Section 551.071 – to consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code: Pending litigation: *Lisa Mitchell v. Town of Fairview, et al.* Civil Action No. 3:12-cv-01901-B, in the U.S. District Court for the Northern District of Texas; *Oscar Price v. Town of Fairview, et al.* Civil Action No. 3:12-cv-02374-O, in the U.S. District Court for the Northern District of Texas; expansion of Collin County Regional Airport; Town Hall building; and Creekwood North emergency access easement.

Section 551.074 Personnel Matters:

Town Manager Search

Section 551.072 Real Property – land acquisition

Section 551.087 Economic Development – conference center

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

3. Reconvene into regular session and consider and take action as appropriate on any executive session item. (*approximately 7:30 pm*).
4. Pledge of allegiance.
5. Hear presentation from Grayson Collin Electric Co-op and take any necessary action.
6. Hear presentation from AT&T and discuss facilitating in town the possible consideration of a resolution regarding texting and driving.
7. 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 August 2, 2012 special council meeting.
 - b. Approve minutes of the August 7, 2012 regular council meeting.
 - c. Approve Arbor Day Proclamation.
 - d. Authorize and approve extension with Wells Fargo for the town's depository services.
8. Consider and take action regarding the emergency access easement between Meandering Way and Creekwood North.
 9. Conduct a public hearing and take action regarding the Concept Plan for a portion of the Crossroads at Fairview, a multi-phased commercial development generally located east of US 75, north of the Cortona Apartment complex, south of Ridgeview Rd, and west of the Village of Fairview subdivision; the subject property is 6.264 acres and is within Subzone J (Southern Ceremonial Parkway Zone) of the Commercial Planned Development District (CPDD).
 10. Conduct a public hearing and take action regarding a request to re-zone five properties that are to become part of a proposed five lot subdivision. This proposed subdivision is composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is two acres in size, and four, One-Acre Ranch Estate (RE-1) lots, two of which are one acre in size, one lot that is 2.05 acres in size, and one lot that is 0.55 acres in size. The proposed subdivision is generally located west of and adjacent to Country Club Road (FM 1378), south of and adjacent to Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chace Subdivision.
 11. Conduct a public meeting and take action regarding a Preliminary Plat for five properties generally located west of and adjacent to Country Club Road (FM 1378), south of and adjacent to Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the

Wynford Chace Subdivision. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is two acres in size, and four, One-Acre Ranch Estate (RE-1) lots, two of which are one acre in size, one lot that is 2.05 acres in size, and one lot that is 0.55 acres in size. The proposed Preliminary Plat is composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size.

12. Consider and take action regarding a Final Plat for five properties generally located west of and adjacent to Country Club Road (FM 1378), south of and adjacent to Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chace Subdivision. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is two acres in size, and four, One-Acre Ranch Estate (RE-1) lots, two of which are one acre in size, one lot that is 2.05 acres in size, and one lot that is 0.55 acres in size. The proposed Preliminary Plat and Final Plat are both composed of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 1.643 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, three of which are one acre in size and one that is 1.205 acres in size.

13. Conduct a public hearing and take action regarding a request to re-zone five properties that are to become part of a proposed five lot subdivision. This proposed subdivision is composed of two, One-and-One-half-Acre Ranch Estate (RE-1.5) lots that are 1.530 and 1.504 acres in size, and three, One-Acre Ranch Estate (RE-1) lots, one of which is 1.153 acres in size, one lot that is 1.10 acres in size, and one lot that is 1.083 acres in size. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 2.23 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, one of which is 2.87 acres in size, one lot that is one acre in size, one lot that is 0.5 acres in size, and one lot that is 0.28 acres in size. The proposed subdivision is generally located west of and adjacent to Country Club Road (FM 1378), south of Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chace Subdivision.

14. Conduct a public meeting and take action regarding a Preliminary Plat for five properties generally located west of and adjacent to Country Club Road (FM 1378), south of Hart Road, east of and adjacent to the Willow Point Estates subdivision, and north of the Wynford Chace Subdivision. The properties that currently comprise this proposed subdivision consist of one, One-and-One-half-Acre Ranch Estate (RE-1.5) lot that is 2.23 acres in size, and four, One-Acre Ranch Estate (RE-1) lots, one of which is 2.87 acres in size, one lot that is one acre in size, one lot that is 0.5 acres in size, and one lot that is 0.28 acres in size. The proposed Preliminary Plat is composed of two, One-and-One-half-Acre Ranch Estate (RE-1.5) lots that are 1.530 and 1.504 acres in size, and three, One-Acre Ranch Estate (RE-1) lots, one of which is 1.153 acres in size, one lot that is 1.10 acres in size, and one lot that is 1.083 acres in size.

15. Consider award proposal for town insurance and take any necessary action.

16. Conduct a public hearing regarding the 2012-13 budget including the 2012-13 ad valorem tax rate.
17. Consider an ordinance and take action on the proposed 2012-13 ad valorem tax rate.
18. Consider an ordinance and take action on the proposed 2012-13 budget.
19. Discussion regarding water tower logo and take any necessary action.
20. Receive annual Engineering Department report.
21. Discussion regarding West Nile status and take any necessary action.
22. Discuss Art Committee recommendations regarding Veterans' Park sculpture and town hall public artwork and take any necessary action.
23. 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.

24. Receive reports from Staff or the Town Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda."*
25. 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 31st day of August, 2012 at 5:00 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 southwest and northwest entrance into the Town Hall parking lot. 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 4234 or by fax at 972-886-4203.