TOWN COUNCIL
MEETING MINUTES
December 4, 2012

The Town Council met in regular session on Tuesday, December 4, 2012 at 6:30 p.m. at 372 Town Place, Fairview, Texas. Those present were Council Members John Fraser, Ron Kasian, Henry Lessner, Sim Israeloff, Darion Culbertson, and Mary Price. Town Manager, Julie Couch; Town Engineer, James Chancellor; Engineer In Training, Danielle Gregory; Community Development Manager, Ray Dunlap; Assistant to the Town Manager, Adam Wilbourn; Senior Planner, Ken Schmidt; Town Secretary, Michelle Lewis Sirianni; and Town Attorney, Clark McCoy. Councilman Jim Cunningham was absent.

Mayor Israeloff called the meeting to order at 6:30 p.m. and declared a quorum was present. The council then adjourned into executive session.

At 7:50 p.m. Mayor Israeloff reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

PRESENTATION TO ALAN EFRUSSY:

Mayor Israeloff and council recognized Mr. Efrussy, Planning Director for his thirty plus years in the planning profession. He is considered a dean of planning. Mayor Israeloff acknowledged his ten years of service, honor, and dedication to the town. Mr. Efrussy educated the council and community through planning and zoning issues, as well as helping develop a Comprehensive Plan, Annexation Plan, and implementation of the CPDD guidelines. Mayor Israeloff stated that he has a profound impact on the town and is a distinguished member within his profession. Mayor Israeloff stated on behalf of the town council, community, and staff Mr. Efrussy will be greatly missed, and wished him well on his retirement.

Mr. Efrussy expressed his sincere gratitude to council, staff, and his wife for all the support received over the years. He is sincerely grateful to everyone.

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 November 6, 2012 regular council meeting. B) Approve a resolution supporting legislature for restoring funding levels for park grants. C) Approve an amending plat for Tranquility Farms subdivision.

Mayor Pro Tem Lessner requested to pull item B. Councilman Fraser requested to pull item C.

Mayor Pro Tem Lessner made a motion to approve item A. The motion was seconded by Councilwoman Price, with all in favor.

Mayor Pro Tem Lessner asked in regards to item B if the sales tax money and truth in taxation was taken into account. Mr. Dunlap responded that the resolution was compiled by the state and purposely done to leave the dedicated monies alone.

Councilwoman Price made a motion to approve item B. The motion was seconded by Councilman Culbertson, with all in favor.

Councilman Fraser asked in regards to item C about the right-of-way portion along Hart Road. He wanted to clarify that the action would not abandon any right of way on hart Road. Mr. Chancellor responded that the portion they are amending is an extension of Stoddard Road. Mr. Schmidt stated that there is no abandonment on Hart Road.

With that clarification Mayor Pro Tem Lessner made a motion to approve item C. The motion was seconded by Councilman Fraser, with all in favor.

PARKS AND REACREATION BOARD ANNUAL REPORT: Receive annual report from the Parks and Recreation Board, including discussion of trail development and take any necessary action.

Mr. John Brown, the chairman for the Parks and Recreation Board gave an annual update to council regarding the following:

- Completion of Cypress and The Meadows Park.
- Concept plan ready for land behind Fire station #2.
- Park dedications- several small subdivisions; cash in lieu of park land.
- New playground concept – interactive electronic games.
- Trinity Trail Association – Development of 30 foot trail easement across NTMWD; possible partnership and agreements with Army Corp of Engineers.
- New land opportunities.
- Coyote Park – new park plan behind Cypress (16 acres); and,
- Open Space at Creekside.

No action was taken.

EMERGENCY ACCESS EASEMENT: Consider and take action regarding an agreement with property owners concerning emergency access easement and private easement between Meandering Way and Creekwood North.

Mayor Israeloff stated that discussions continue and the residents of the neighborhood received a survey asking for their input with the town continuing to help facilitate an agreement. However, no final decision has been made at this time.

No action was taken.

DEVELOPERS AGREEMENT/STACY ROAD: Consider and take action on a developer's agreement for the development of a subdivision on Stacy Road.

Mr. Schmidt introduced this item stating that this proposed agreement between the property owners and the town address the recommendations provided by staff, which include: the applicant acknowledges that the town's ability to fight fires at the property will be limited until improvements to the water system are made and agrees to hold the town harmless for any damages that may occur to their property while conditions are still present; applicant acknowledges the requirements to acquire all necessary easements and dedicate all required ROW prior to the approval of any building permits; applicant acknowledges the requirement to construct an emergency access drive and install a fire hydrant, sprinkler system to serve each primary residential structure; an aerobic system to serve each lot; applicant acknowledges requirement to escrow cash to the town for cost of installing a fire hydrant on the property after the water system has been upgraded; a schedule of improvements that requires that the emergency access drive be fully established prior to the issuance of building permits; applicant acknowledges that they may have to acquire additional utility easements and install an additional 8" water main if improvements to the existing water system cannot be made; and applicant acknowledges that they agree to fully defend, hold harmless, and indemnify the town from any claim, damages, or costs that arise from the development of this property. Mr. Schmidt stated that the staff is confident that the provisions of the developer's agreement will help mitigate any issues that may arise; therefore, recommends approval subject to approval to form by the town attorney.

Councilman Fraser made a motion to approve the developer's agreement subject to approval to form by the town attorney. Mayor Pro Tem Lessner seconded that motion and the motion was unanimously approved.

PRELIMINARY PLAT MORDECAI/CARLISLE TRACT: Conduct a public meeting and take action regarding a Preliminary Plat for a property that is generally located west of Fitzhugh Mill Road, south of Summit Court, east of the Heritage Ranch subdivision, and north of and adjacent to Stacy Road. The subject property is 5.22 acres, zoned Two-Acre Ranch Estate (RE-2), and the proposed Preliminary Plat will subdivide the property into two, 2.61 acre single-family lots.

Mr. Schmidt stated that this subject property is annexed and zoned Two-Acre Ranch Estate (RE-2), and is 5.22 acres in size. The subject property is currently not platted nor has any existing structures on the property. Mr. Schmidt stated that the subject property was originally part of a 43.23 acre tract that has been subdivided numerous times over the last fifty years usually in increments of five acres in order to avoid the platting requirements. Mr. Schmidt indicated that the development of this region has impacted the town in a way that no easements or public right-of-ways have been acquired. There have also been other access and utility easement issues that continue to be addressed by property owners and the town. The proposal is to subdivide the subject property to create two 2.60 acre lots that conform to the RE-2 zoning district. The applicant and the project architect have been working diligently with staff to resolve these issues with most issues being covered within the developer's agreement. Mr. Schmidt stated that the Park and Recreation Board recommended cash in lieu of land in the amount of $1,795.41 for their park dedication requirement, due prior to recording their final plat. The Planning and Zoning Commission unanimously recommended approval of the Preliminary Plat conditioned upon further review and establishment of a developer's agreement; therefore, staff recommends approval of the Preliminary Plat.

Mayor Israeloff opened the public hearing. No comments were made and the public hearing was closed.

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

Councilwoman Price made a motion to approve the Preliminary Plat of the Dos Casas subdivision subject to the approval to form of the developer's agreement by the town attorney. Councilman Culbertson seconded that motion, and the motion was unanimously approved.

FINAL PLAT MORDECAI/CARLISLE TRACT: Consider and take action on a Final Plat for a property that is generally located west of Fitzhugh Mill Road, south of Summit Court, east of the Heritage Ranch subdivision, and north of and adjacent to Stacy Road. The subject property is 5.22 acres, zoned Two-Acre Ranch Estate (RE-2), and the proposed Final Plat will subdivide the property into two, 2.61 acre single-family lots.

Mr. Schmidt stated that the same issues apply to this item as were stated in the previous item. Mr. Schmidt recommended approval of the Final Plat subject to the approval to form of the developer's agreement by the town attorney.

Councilman Kasian made a motion to approve the Final Plat for the Dos Casas subdivision subject to the approval to form of the developer's agreement by the town attorney. Mayor Pro Tem Lessner seconded that motion, and the motion was unanimously approved.

FIRE DEPARTMENT ANNUAL REPORT: Receive annual report from the Fire Department.

Chief Price and Assistant Fire Chief/Fire Marshal Bell presented council with an annual overview of items within the Fire Department, which included:

- Staffing and Coverage: update on the part and full time, as well as volunteers.
- Apparatus: goal is to have 3 person staffing per apparatus, 100% of the time; currently, only 12% of the time the department is running 2 people on one of the apparatus for a 12 hour shift. Also, updated current vehicles with the year they are set to be replaced.
- Calls for Service: Comparison between 2011 and 2012 with a breakdown that included Heritage Ranch, Village at Fairview, and US 75.
- Station 1 vs. Station 2: Comparison of type of service calls each station responds to including EMS, Motor Vehicle, Alarm, Fire, Public Assistance, and Misc.
- Public Relations & Friends of Fairview: The department attended 15 events in 2011 and 24 thus far in 2012. Some of the events include safety fairs, National Night Out, Station Tours, and Fire Prevention at local schools. The Friends of Fairview have raised over $4,000 through various fund raisers in order to buy station shirts and Class A Uniforms for the staff.
- Future Plans: Received new ISO rating, EMS Service, Dispatching Functions, Station 1 rebuild, and applying for additional grants for equipment/software. Chief also recognized Assistant Chief Bell on his Investigator certification and Lt. Travis Green on his Inspector certification.

JANUARY COUNCIL MEETING DATE: Discuss the January council meeting date and take any necessary action.

Mrs. Couch stated that the January meeting next year falls on a holiday and the council can move it either to the following week, which would be Tuesday, January 8th or another day within the week of January 1st.

The consensus of council was to set the 2013 January meeting to Tuesday, January 8th.

CITIZENS INPUT:

No comments were made.

REPORTS FROM STAFF/TOWN COUNCIL: Receive reports from Staff or the Town Council about items of community interest.

Mrs. Couch apprised council of the project tracking currently being done by staff. This will enable staff to keep council informed of on-going projects, and also reminded council of the upcoming retreat on January 11th.

Mayor Israeloff requested to add a Search Function to the new website.

Mayor Israeloff reminded everyone of the Dallas Marathon happening over the weekend, which will include several members of staff participating.

Mayor Israeloff re-welcomed and recognized Ken Schmidt as the Senior Planner to staff and for his hard work and knowledge within the Planning Department.

Mayor Israeloff stated that CCART of Collin County is conducting a meeting on December 13th at the McKinney library for anyone interested in attending.

Mayor Pro Tem Lessner stated that the Allen Symphony Chorus will be performing on December 21st.

Mayor Israeloff adjourned the meeting at 9:08 p.m.

Sim Israeloff

SIM ISRAELOFF, MAYOR

ATTEST:

Michelle Lewis Sirianni

Michelle Lewis Sirianni, Town Secretary

TOWN OF FAIRVIEW