



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
MARCH 5, 2013
6:30 P.M.
AGENDA RESULTS**

1. Call to order.
2. Town Council Recesses into executive session.

The Town Council will meet in closed session regarding the following items and/or any item posted on the agenda notice for this meeting as necessary 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, including the following:

EEOC charge 450-2013-00441; 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; Creekwood North emergency access easement.

Section 551.072 Real Property, including the following:
land and utility system acquisition

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. Town Council Reconvenes into regular session and may consider and take action as appropriate on any executive session item. (*approximately 7:30*)

4. Pledge of allegiance.

5. Proclamations, Recognition, and Awards

- a. Receive presentation from the State Fire Marshal regarding the town's ISO rating

6. Consent agenda. **ALL APPROVED**

- a. Approve minutes of the February 5, 2013 regular council meeting.
- b. Approve an Amending Plat for Lot 17R, Block P, Phase 7 of the Heritage Ranch subdivision.
- c. Approve an interlocal agreement and resolution for purchasing with TCPN.

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.

7. Appointments

- a. Hear presentation from residents from Villages of Fairview regarding parking and traffic issues and take any necessary action. **TOWN STAFF TO WORK WITH HOA REGARDING NUMBER OF MAXIMUM SPACES AND RESOLVE ISSUE AT TOWN'S COST.**

8. Public Hearings

- a. Conduct a public hearing, consider, and take any necessary action on a request for approval of an ordinance granting Conditional Use Permit (CU) Zoning in order to allow for a sports court on a property that is zoned One-acre Ranch Estate (RE-1) and is specifically located at 833 Dewberry Lane, being Lot 3, Block B of the Tranquility Farms subdivision. **(ZA2013-02) APPROVED**
- b. Conduct a public hearing, consider, and take any necessary action on a request for approval of an ordinance granting One-and One Half-acre Ranch Estate (RE-1.5) Zoning for a 6.256-acre portion of a tract of land that is approximately 22.928 acres, zoned Three-acre Ranch Estate (RE-3) and is generally located at the southeast corner of Stoddard Road and Country Club Road. **(ZA2013-05). CONTINUE IN APRIL**

THE APPLICANT WILL NOT BE ABLE TO ATTEND THIS MEETING AND HAS REQUESTED THAT THE PUBLIC HEARING BE CONTINUED TO THE APRIL TOWN COUNCIL MEETING.

- c. Conduct a public hearing, consider, and take any necessary action on an ordinance amending Chapter 14 (Zoning), Article 14.02, Division 11 (Planned Center Zone), in order to establish additional requirements and guidelines for Planned Center (PC) zoning requests. **(ZA2013-07) APPROVED**
- d. Conduct a public hearing, consider, and take any necessary action on an ordinance amending Chapter 14 (Zoning), Article 14.02, Division 13 (Planned Development

Zone), in order to establish additional requirements and guidelines for Planned Development (PD) zoning requests. **(ZA2013-08) APPROVED**

9. Site Plans and Plats

- a. Discuss, consider, and take any necessary action on a request for approval of a Developer's Agreement governing the development of a 5.09 acre tract of land situated in the Calvin Boles Survey – Abstract No. 28, that is zoned Two-acre Ranch Estate (RE-2) and is generally located north of Stacy Road and 2,000 feet west of Orr Road. **(FP2013-02) APPROVED**
- b. Discuss, consider, and take any necessary action on a request for approval of a Final Plat for a 5.09 acre tract of land situated in the Calvin Boles Survey – Abstract No. 28, that is zoned Two-acre Ranch Estate (RE-2) and is generally located north of Stacy Road and 2,000 feet west of Orr Road. **(FP2013-02) APPROVED**
- c. Discuss, consider, and take any necessary action on a request for approval of a Final Plat for a 16.835 acre tract of land situated in the Samuel Sloan Survey – Abstract No. 791, that is zoned Planned Center (PC), and is generally located at the southwest corner of Hart Road and Country Club Road. **(FP2013-03) APPROVED**

10. Action/Discussion Items

- a. Consider and take any necessary action regarding an agreement with property owners concerning emergency access easement and easement between Meandering Way and Creekwood North. **POSSIBLE TOWN HALL MEETING TO BE SCHEDULED**
- b. Discuss and consider draft Town Strategic Plan and take any necessary action. **APPROVED**
- c. Discuss and consider recommendations regarding the town's current lot coverage requirements for residential under the zoning ordinance and take any necessary action. **DISCUSSION ONLY**
- d. Receive Budget Update.
- e. Receive annual Police Department report.
- f. Receive an update on town elections.
- g. Discuss Boards and Commissions and take any necessary action. **APPOINTED ROGER BOIVIN AND DARRYL BESEMER TO THE TECHNOLOGY ADVISORY COMMITTEE**

11. 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.

12. Receive reports from Staff, including any updates on project tracking reports, discussion on agenda format, 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."*

13. Adjourn. 10:55 p.m.

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 1st day of March, 2013 at 4:00 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.