



**NOTICE OF A  
MEETING OF THE  
FAIRVIEW TOWN COUNCIL  
TOWN HALL COUNCIL CHAMBERS  
372 TOWN PLACE, FAIRVIEW, TEXAS  
MAY 7, 2013  
6:30 P.M.  
AGENDA**

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 and public access.

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

Section 551.074 Personnel- including – non-advisory boards and commissions.

Section 551.087 Economic Development – discuss particulars regarding an economic development prospect.

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 to the US and Texas State Flags.
5. Proclamations, Recognition, and Awards
  - a. Remembrance for Brayton Campbell.
6. Consent agenda.
  - a. Approve minutes of the April 2, 2013 regular council meeting.
  - b. Approve a resolution authorizing continued participation with the Steering Committee of Cities Served by Oncor and payment of dues associated with membership.
  - c. Approve a tower license agreement with Rhino Communications.
  - d. Approve easements with Oncor for underground electrical lines servicing Noah's of Fairview located at 351 Southwind Lane.

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 auditors and consider accepting the 2011-12 Audit.
8. Public Hearings
  - a. Conduct a public hearing, consider, and take any necessary action on an ordinance amending Chapter 14 (Zoning), Article 14.02 in order to reduce the five-year expiration to three-years for the preliminary plan in the Planned Center Zone and the concept plans in the Planned Development and Commercial Planned Development District Zones. (ZA-2013-12)
9. Action/Discussion Items
  - a. Consider and take any necessary action regarding an agreement with property owners concerning an emergency access way and public access way between Meandering Way and Creekwood North.
  - b. Discuss Boards and Commission and take any necessary action.

- c. Discuss US 75 corridor study and provide an update on US75 construction.
- d. Receive an update regarding the Villages of Fairview parking and consider and take any necessary action.
- e. Discuss Stage 3 drought implementation and consider approval of an ordinance amending the Drought Contingency and Water Conservation Plan and take any necessary action.

#### 10. 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.

- 11. 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."*

#### 12. 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 3<sup>rd</sup> day of May, 2013 at 4:00 p.m. and will remain continuously posted for at least 72 hours immediately preceding said meeting.

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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.