



**NOTICE OF A
MEETING OF THE
FAIRVIEW TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
372 TOWN PLACE, FAIRVIEW, TEXAS
JULY 2, 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; *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; Legal aspects of potential zoning changes; Town Hall building.

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

Section 551.072 Real property - land 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. Lifesaving Awards presented by the Fire Department. **AWARDS**
- b. Elect a Mayor Pro Tem. **NO ACTION TAKEN**

6. Consent agenda.

- a. Approve minutes of the June 4, 2013 regular council meeting. **APPROVED**
- b. Approve minutes of the June 18, 2013 special joint council meeting. **APPROVED**
- c. Approve an ordinance adopting a tariff that authorizes the continuance of a rate review mechanism for any rate increases by Atmos Energy Corporation, Mid-Tex Division. **APPROVED**

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. Public Hearings/Action

- a. Conduct a public hearing, consider, and take any necessary action on a request for approval of Conditional Use Permit (CU) Zoning in order to allow for a religious institution on a 5.818± acre property that is zoned One-Acre Ranch Estate (RE-1) and is generally located north of Stacy Road and 950 feet west of Meandering Way. **(ZA2013-18) APPROVED**
- b. Conduct a public hearing, consider, and take any necessary action on a request for approval of an Amended Concept Plan for a proposed multi-family residential development on a 24.40± acre tract of land that is situated in the Joseph Dixon Survey, Abstract No. 275, zoned Commercial Planned Development (CPDD) District, Zone D, and is generally located west of SH 5 and north of Meandering Way. **(CP2013-01) APPROVED 6-1 VOTE**
- c. Conduct a public hearing, consider, and take any necessary action on an ordinance amending Ordinance #2005-62, the Planned Center District for the Blue Grass Farms Subdivision, in order to amend the planned center zoning regulations that govern this subdivision. **(ZA2013-14) APPROVED**
- d. 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 expiration timeframe for the preliminary plan in the Planned Center Zone and the concept plan in the Planned Development and Commercial Planned Development District Zones. **(ZA2013-19) APPOINTED**

8. Action/Discussion Items

- a. Discuss and consider approval of an annual rate adjustment by Allied Waste.
APPROVED
- b. Discuss Boards and Commission and take any necessary action. **APPOINTMENTS MADE; CONTACT TOWN SECRETARY FOR DETAILS.**
- c. Discuss and consider the town's street improvement program, and take any necessary action. **NO ACTION TAKEN**
- d. Discuss 2013-2014 annual budget and take any necessary action. **DISCUSSION ONLY**
- e. Receive an update regarding CCART and take any necessary action. **DISCUSSION ONLY**
- f. Discuss process of establishing a Town Hall meeting and take any necessary action. **DISCUSSION ONLY**

9. 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.

- 10. Receive reports from Staff, including any updates on Stage 3 watering and/or water conservation, project tracking reports, 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."*

11. Adjourn. 12:42 a.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 28th day of June, 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.