TOWN COUNCIL
MEETING MINUTES
NOVEMBER 8, 2017

The Town Council met in regular session on Wednesday, November 8, 2017 at 6:00 p.m. at 372 Town Place, Fairview, Texas. Those present were Mayor Darion Culbertson, Mayor Pro Tem John Adler as well as Councilmembers Bill Nicol, Henry Lessner, Pam Little, Paul Hendricks and Renee Powell. Staff present included Town Manager, Julie Couch; Assistant to the Town Manager, Adam Wilbourn; Chief Financial Officer, Jason Weeks; Town Engineer, James Chancellor; Planning Manager, Israel Roberts; Economic Development Manager, Ray Dunlap; Town Secretary, Elizabeth Cappon; and Town Attorney, Clark McCoy.

Mayor Culbertson called the meeting to order at 6:00 p.m. and declared a quorum was present. At 6:01 p.m., the council then adjourned into executive session regarding consult with legal counsel, property acquisition, personnel and economic development negotiations.

At 7:37 p.m., Mayor Culbertson reconvened back into regular session and invited everyone to stand for the Pledge of Allegiance.

APPOINTMENTS: Mr. Dunlap introduced Bennett Pappas, Director of Sales, of the new Residence Inn by Marriott who presented a report regarding their upcoming opening.

PROCLAMATIONS, RECOGNITION AND AWARDS: Councilmember Hendricks discussed his work with the Collin County Homeless Coalition. Mayor Darion Culbertson presented a proclamation to Lance Olinski of the Collin County Homeless Coalition declaring the week of November 11th through 19th, 2017 as Homelessness Awareness Week in the Town of Fairview.

Mayor Darion Culbertson presented an Arbor Day Proclamation that proclaimed November 8, 2017 as Arbor Day in the Town of Fairview, and an Arbor Day presentation was given by town staff to observe Fairview's commitment to preserving its trees and natural beauty.

CONSENT AGENDA: All items listed under the Consent Agenda are considered routine and are 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 be considered separately. A) Approve the minutes of the August 14, 2017, special Council meeting. B) Approve the minutes of the August 21, 2017, special Council meeting. C) Approve the minutes of the September 19, 2017, special Council meeting. D) Approve the 2017 Tax Roll as submitted by the Collin County Appraisal District. E) Approve a resolution authorizing the Chief of Police to apply for and accept a grant for rifle-resistant body armor. F) Authorize the Town Manager to enter into an agreement for town depository services. G) Authorize the Town Manager to execute an agreement with Oncor for relocation of utilities on East Stacy Road. H) Approve a development plan for an entryway monument for the Oak Meadows Addition. The site is located near the terminus of Red Oak Trail and is zoned for the (PC) Planned Center District. Applicant: Stephen Dinapoli. I) Approve a Final Plat for the Apple Crossing Addition. The 38.5-acre site is located at the southeast corner of Highway 5 and Country Club Road and is zoned for the (CPDD) Commercial Planned

Development District with the Urban Transition sub-district. Applicant: Casey Ross, Kimley-Horn and Associates.

Mayor Culbertson requested to pull item G from the consent agenda.

Councilmember Little made a motion to approve items A through F as well as H through I of the consent agenda. Councilmember Powell seconded the motion and the motion was unanimously approved.

Mr. Culbertson asked about the timeline for the East Stacy project. Mr. Chancellor gave an update to the Council.

Councilmember Hendricks made a motion to approve item G from the consent agenda. Councilmember Lessner seconded the motion and the motion was unanimously approved.

PUBLIC HEARING – CUP - 781 STALLION COURT: Mr. Roberts gave a presentation regarding agenda item 6(a) for approval of a conditional use permit (CUP) for a sports court (tennis court). The 1.0-acre site is located at 781 Stallion Drive and is zoned for the (RE-1) One-Acre Ranch Estate District (CUP 2017-02).

He indicated that thirty public hearing notices were sent to property owners within 500 feet of the subject property. One letter of support was received from notified property owners.

Town staff recommended approval of the proposed CUP subject to the planning and zoning commission's added conditions.

Councilmember Hendricks questioned if the proposed tennis court fence was within the building setback for the subject property.

Mr. Roberts stated that the fence didn't encroach in the building setback.

Mayor Culbertson opened the public hearing.

The applicant, Hussain Abdalla, 781 Stallion Drive, stated his support for the conditional use permit. Mr. Abdalla stated the tennis court was for his children.

Mayor Culbertson closed the public hearing.

Mayor Pro Tem Adler made a motion to approve a conditional use permit (CUP) for a sports court (tennis court). The 1.0-acre site is located at 781 Stallion Drive and is zoned for the (RE-1) One-Acre Ranch Estate District. Councilmember Powell seconded the motion and the motion was unanimously approved.

PUBLIC HEARING – CUP – OFF PREMISE ADVERTISING SIGNAGE: Mr. Roberts gave a presentation regarding agenda item 6(b) for approval of a major warrant to allow off-premise advertising on a digital monument sign. The site is located on the east side of US 75 and north of Murray Farm Road and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. (MW2017-01).

Mr. Roberts explained that the Council previously approved the LED display with on-site advertising in December of 2016. Mr. Roberts stated that the only aspect being considered tonight is whether or not to allow off-site advertising on the sign.

Mayor Culbertson opened the public hearing.

Matthew Gallo, Senior Vice President of Retail Acquisitions at Lincoln Property Company, 2000 McKinney Avenue, Suite 1000 in Dallas, stated his support for the major warrant. Mr. Gallo stated it would create a draw for tenants and would assist in signing tenants. Allowing 50 percent off premise advertising provides a way to make the sign financially feasible.

Mr. Gallo stated that the ad sales and content would be controlled by the shopping center, and operating hours would be from 5:00 a.m. to midnight.

Mayor Culbertson stated his concerns regarding off-site advertising and the LED sign in general.

Mayor Pro Tem Adler inquired about the size reduction of the LED sign that was being proposed by the applicant.

Mr. Gallo stated that initially Lincoln was unclear if an agreement with DART would be approved using DART owned right-of-way so the sign could be closer to U.S. 75. The agreement with DART was approved and Lincoln Property is now able to locate the sign closer to U.S. 75.

Councilmember Nicol stated his support for the sign as an essential part of promoting the shopping center.

Councilmember Lessner stated his appreciation for the reduction in size of the sign.

Councilmember Hendricks asked about visibility of the reduced sign size and the sign brightness.

Mr. Gallo stated that the signage is self-dimming at night and the lighting can be adjusted if necessary.

Councilmember Powell stated her conflict between dark skies and supporting the center and asked for a 10:00 p.m. shut off.

Mr. Gallo stated that could be done.

Gary Carter, 1000 Timber Lane and 451 Kentucky Lane, offered his support for the operating hour change to 10 p.m. Mr. Carter also discussed the effects of light pollution and stated that this does not support the Dark Skies initiative.

Kristine Ludwinski, 521 Lakewood Drive, stated her support for dark skies initiative and her concerns regarding off-premises advertising.

Jon Cocks, 820 Quail Rise, stated his opposition to the sign.

John Harkens, 411 Oakridge Drive, River Oaks II, stated that the proposed sign is smaller and should be cheaper and that only allowing on premise advertising would be better for the tenants.

Mayor Culbertson closed the public hearing.

Councilmember Lessner stated that ordinance did not detail operating hours and will need to include those.

Councilmember Lessner made a motion to approve a major warrant to allow off-premise advertising on a digital monument sign with the conditions that the sign only be operated from 5:00 a.m. to 10:00 p.m. as well as the conditions requested by the Planning and Zoning Commission. The site is located on the east side of US 75 and north of Murry Farm Road and is zoned for the (CPDD) Commercial Planned Development District with the Urban Village Sub-district. Councilmember Little seconded the motion and the motion was approved by a vote of 5 to 2 with Councilmember Powell and Mayor Culbertson opposed.

FAIRVIEW PARKWAY DESIGN: Mr. Chancellor introduced a presentation on agenda item 7(a) regarding the design of Fairview Parkway. Mr. Chancellor introduced consultants Nathan Ante, Vice President and Engineer, Tom Grant, Vice President, and Brad Tribble, Senior Vice President of Kimley-Horn and Associates, Inc.

Mr. Ante gave a presentation on the Fairview Parkway and Frisco Road project design process.

Mayor Pro Tem Adler asked if the Apple Property plat and right-of-way are consistent with these designs.

Councilmember Powell stated Frisco Road is curved and asked if it is going over or around something.

Mr. Ante stated the curve is there to lessen the skew of the intersection. The desire was to make it more 90 degree.

Ms. Couch stated that a decision needed to be made whether Council supported the standard intersection design or the roundabout design.

Mayor Culbertson stated his support for the standard intersection.

Councilmember Lessner agreed.

Mayor Pro Tem Adler stated the roundabout is more expensive. The consensus of the Council was to use the standard intersection design rather than the roundabout design.

Ms. Couch stated that in terms of sequencing, the right-of-way acquisition is the next step and town staff will report back to Council with phasing and cost components at a later time.

ROAD MAINTENANCE: Mr. Chancellor gave a presentation on agenda item 7(b) regarding road maintenance on Lakewood Drive, Timber Lane and Old Stacy Road.

Mr. Chancellor stated there was negative feedback from citizens regarding road noise, loose gravel and that due to the lack of sidewalks the road needed to be smoother.

Mr. Chancellor stated that he as well as staff drove the roads and are of the position that road is complete.

Mayor Culbertson stated that the roads are functional but not smoother. Mayor Culbertson also stated the lifestyle objective was not achieved.

Mayor Culbertson requested town staff provide an asphalt overlay estimate.

Councilmember Hendricks stated that the road is still noisy when driven.

Councilmember Nicol stated that he has walked the road and feels the road is worse than it ever was.

Mayor Pro Tem Adler stated he recently ran the road and it isn't any smoother and the gravel seems to be patchy in some areas, while other areas have very little gravel.

Mr. Chancellor explained the process of the seal coating.

Mr. Chancellor recommended a 1 ½ inch overlay with a class C or D aggregate.

Councilmember Little asked if this would delay the current street repairs that have been promised to residents in other areas of town.

Ms. Couch stated this would not impact those repairs. Ms. Couch stated the cost of this would be between $150,000 - $250,000 which is out of scope of the street maintenance budget and that these funds would come from reserves. Ms. Couch also stated that this type of repair would not be done until the Spring.

Mayor Culbertson requested a price estimate for all three roads.

2017 BOND ELECTION OUTCOME: Ms. Couch discussed agenda item 7(c), the outcome of the 2017 bond election, next steps and selecting a date for the election canvass.

Mayor Culbertson shared his thoughts regarding the bond election.

Mayor Culbertson asked Ms. Couch to set a work session for early December.

Councilmembers Lessner and Hendricks volunteered for canvassing the election results.

BOARDS/COMMISSIONS: Discuss boards and commissions and take any necessary action.

Councilmember Powell made a motion to reappoint Scott Almay to the Planning and Zoning Commission. Councilmember Little seconded the motion and the motion was unanimously approved.

Councilmember Little made a motion to reappoint John Brown as Chairman of the Parks and Recreation Advisory Board. Councilmember Powell seconded the motion and the motion was unanimously approved.

CITIZEN INPUT:
Gary Carter, 1000 Timber Lane, stated there is a guardrail blocking traffic at Stacy Road and Old Stacy Road. The intersection is dangerous especially for cyclists.

Mr. Carter shared his dissatisfaction with drainage improvements constructed by the Town in front of his house. He stated 5 trees in his yard near that ditch have died and have had to be removed.

REPORTS FROM STAFF: Mr. Chancellor provided an update on agenda item 9(c) regarding the Stacy Road Construction.

Councilmember Nicol stated there was a traffic signal issue at 1378 and East Stacy Road.

Mr. Chancellor stated he will have TxDOT come out and perform a signal test.

Councilmember Lessner inquired about the signal analysis that was done at Meandering Way and State Highway 5.

Mr. Chancellor stated the findings did not meet the traffic warrant standards.

Ms. Couch stated Mr. Weeks was leaving for a position with the City of La Porte.

Mayor Culbertson praised Mr. Weeks work on the Town's finances.

Mr. Weeks provided an update on agenda items 9(a) and 9 (b) regarding the Monthly Financial and the Quarterly Investment Reports for the periods ending September 30, 2017.

Mr. Weeks provided an update on the audit and OpenGov.

Councilmember Hendricks gave an update on the McKinney National Airport.

Councilmember Hendricks stated that the next Planning Advisory Committee meeting will be next Monday.

Mayor Culbertson adjourned the meeting at 10:00 p.m.

Darion Culbertson, Mayor

Adam Wilbourn, Alternate Town Secretary

TOWN OF FAIRVIEW