



**City of New Fairview
City Council
Regular Meeting
999 Illinois Lane
Monday, January 6, 2025, at 7:00 pm**

WORK SESSION

1. **Call to Order and Determination of Quorum (per Texas Election Code Sec. 67.004).**
2. **Receive a report and hold a discussion regarding a Municipal Development District for New Fairview.**
3. **Adjournment**

REGULAR SESSION

1. **Call to Order and Determination of Quorum**
2. **Pledge to the Flags.**
 - A. **United States of America**
 - B. **Texas Flag Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.**
3. **Announcements & Special Recognitions:** The agenda shall provide a time when proclamations, recognitions, general reports, and updates may be presented by the City Council.
 - A. **National Law Enforcement Appreciation Day Proclamation**
4. **City Administrator's Report:** The City Administrator's Report may provide information on status of current city projects and other projects affecting the City, meetings and actions of the city's boards and commissions, upcoming local community events, including but not limited to departmental operations and capital improvement project status. No action will be taken with respect to this report.
5. **Public Comment:** The City Council invites persons with comments or observations related to city issues, projects, or policies to briefly address the City Council. Anyone wishing to speak should sign in with the City Secretary before the beginning of the City Council Meeting. In order to expedite the flow of business and to provide all citizens with the opportunity to speak, there is a three-minute limit on any person addressing the City Council. State law prohibits the City Council from discussing or taking action on any item not listed on the posted agenda.
6. **Consent Agenda:** All matters as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. An item can be removed from the consent agenda by the City Administrator, Mayor, or any member of the City Council and will be considered after approval of the consent agenda.

- A. Approve the City Council Meeting minutes for December 2, 2024.
- B. Approve the November 2024 Financial Report.
- C. Approve the FY 2024-25 1st Quarter Investment Report

7. **New Business:** All matters listed in New Business will be discussed and considered separately.

- A. Hold a public hearing, and receive, consider, and take appropriate action on an Ordinance (202501-02-118) for a proposed text amendment to a "PD" Planned Development Zoning District for property on approximately 1807.64 acre tract of land situated in the Smith County School Land Survey, Abstract No. 744, I. Davis Survey, Abstract No. 247, J. Beebe Survey, Abstract No. 56, T. Samuel Survey, Abstract No. 757 and the J. C. Bateman Survey, Abstract No. 1154, Wise County, Texas and the T. Samuel Survey, Abstract No. 1148, JC Brumley Survey, Abstract No. 1581, M.E.P. & P. RR. Co. Survey, Abstract No. 914, W. Chambers Survey, Abstract No. 1520, and the A. Pulen Survey, Abstract No. 1057, Denton County, Texas, located generally north of FM 407 (Oliver Creek Ranch). The zoning is requesting a text amendment change of the Planned Development district to modify the number of trees planted per lot; modify fencing requirements; modify masonry requirements; modify design elements; modify permitted uses; modify parking requirements; and modified concept plan.
- B. Receive, consider, and take action on the First Amended and Restated Development Agreement by and between NF FM 407, L.P., a Texas limited partnership, successor in interest to ROCKHILL CAPITAL AND INVESTMENTS, LLC (the "Developer") and the City for the Planned Development on approximately 1,807.64 acre tract commonly known as Oliver Creek Ranch, formerly Shoop Ranch.
- C. Receive, consider, and act on a Resolution (202501-01-151) awarding a road repair project for Chisholm Hills Drive, to 3H Concrete, Inc. for a total of \$47,275.50, and establishing a not-to-exceed amount of \$49,500.
- D. Receive, consider and act on an Ordinance (202501-01-117) allowing police officer initiated non-consent tows within the city.

8. **Executive Session:** Recess to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; discuss IT network or critical infrastructure security pursuant to §551.089, Texas Government Code; and to consult with the City Attorney pursuant to §551.071, Texas Government Code. The Council may go into closed session at any time when permitted by Chapter 551, Texas Government Code or Chapter 418, Texas Tax Code. Before going into closed session, a quorum of the Council must be present, the meeting must be convened as an open meeting pursuant to proper notice, the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code authorizing the closed session.

In accordance with Texas Government Code, Chapter 551, the City Council will recess into Executive Session pursuant to the following sections:

A. § 551.071, Attorney Consult: consultation with an Attorney on a matter 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 this chapter regarding:

1. Calvin Eugene Rhodes vs City of New Fairview

B. § 551.087: to include commercial or financial information that the governing body has received from certain business prospects.

1. A manufacturing business prospect (Project Reflection) is asking for economic development incentives.

9. **Return to Open Session:** Discuss and take appropriate action, if any, resulting from the discussions conducted in Executive Session.

10. **Mayor & Council Member Announcements:** The City Council may hear or make reports of community interest provided no action is taken or discussed. Community interest items may include information regarding upcoming schedules of events, honorary recognitions, and announcements involving imminent public health and safety threats to the city. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

11. Adjournment

I, the undersigned authority, do hereby certify the above notice of the meeting of the City Council of New Fairview, is a true and correct copy of the said notice that I posted on the official posting place at New Fairview City Hall, FM 407, New Fairview, Texas, a place of convenience and readily accessible to the general public at all times, and on its website, said notice being posted this 3rd day of January, 2025 at 5:00 PM at least 72 hours proceeding the meeting time.



Susan Greenwood, City Secretary

SEAL:



This facility is wheelchair accessible; parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at City Hall 817-638-5366 or fax 817-638-5369 or by email at citysecretary@newfairview.org for further information.