

SPECIAL CITY COUNCIL

February 24, 2020

7:00 P.M.

New Fairview City Hall

999 Illinois Ln.

New Fairview TX 76078

MINUTES

**STATE OF TEXAS
COUNTY OF WISE
CITY OF NEW FAIRVIEW**

THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING , THE SAME BEING OPEN TO THE PUBLIC, THE 24th DAY OF FEBRUARY 2020 IN THE NEW FAIRVIEW CITY HALL AND NOTICE OF SAID MEETING GIVING THE TIME, PLACE AND SUBJECT THEREFORE HAVING BEEN POSTED AS PRESCRIBED BY ARTICLE 5 OF THE TEXAS GOVERNMENTAL CODE, WITH THE FOLLOWING MEMBERS PRESENT:

Pursuant to Section 551.071 of the Texas Government Code, the Council may convene into Executive Session(s) from time to time as deemed necessary during the meeting for any posted agenda item and may receive advice from its attorney as permitted by law.

CITY COUNCIL

Mayor Pro Tem Scott Johnson

Councilman Rick White

Councilwoman Rebecca McPherson

Councilman Charlie Stumm

Councilman William Payne

PRESENT

City Secretary Monica Rodriguez

City Clerk Brooke Boller

City Attorney Bradley Anderle

ITEM NUMBER 1. CALL TO ORDER:

Mayor Pro Tem Scott Johnson called the meeting to order at 7:08 PM

ITEM NUMBER 2. ROLL CALL:

Roll call with the above-mentioned names present

ITEM NUMBER 3. CONSENT AGENDA

All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

ITEM NUMBER 4. OPEN FORUM:

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 the opportunity to speak, there is a three-minute limitation 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.

1. Chris Larrick – Would like to know if the new homes and subdivisions will have to adhere to the current ordinances. Council says yes, they will. He has seen some, like in Falcon Ridge, that have six-foot fences and the ordinance states five foot. He would like to go to 6-foot fence and that is actually how most are sold too. Why are they approving some 6-foot but others are told no? Falcon Ridge is a planned development (PD) which means they set up their PD Zoning. Mayor Pro Tem Johnson states he believes the fences should be set at what ever they come off the truck and if it is written differently, they should look into that. However, Falcon Ridge is aa PD which means they set their rules and the council approves. The other plan developments are not in the city limits but they have been granted approval rights.

ITEM NUMBER 4. NEW BUSINESS

A. Discuss, consider and act on approving Sunset Mesa Final Plat

Attorney Anderle states there was mention at the last meeting that the Final plat had been presented and needed to be reviewed at this point the reviews have been completed everything substantively about the plat is ready to go except for the one issue of what is the street construction within this development. The developer is requesting that the Wise County Street section standard be followed in place of the asphalt section in the city regulations. It would still have asphalt. Wise County Specs are 8 inches of TXDOT grade road base chip sealed and 2 inches of asphalt versus New Fairview’s road plan which is scarfar dirt and mix in lime stabilize and mix in asphalt which means no road base.

Councilman Charlie Stumm states the road was originally constructed at Wise County specs and has lasted this long. He doesn’t see a difference in one method versus the other, except having a base that can be reworked and reworked. Council will vote to allow either road.

Councilman Rick White made a motion to approve final plat with county road specs. Motion seconded by Councilman Charlie Stumm. All in favor. Passes. Will have preconstruction meeting.

B. Discuss, consider and act on Strategic Government Resources Interim Services Agreement

Attorney Anderle has met with some candidates last week and the agreement was presented at that time. The agreement has been amended to reference the city administrator and by the removing the indemnification clause. There is no other legal issues to be addressed. They are here for interim services only and are not looking for permanent. Mayor Pro Tem Scott Johnson inquired into the “TBD” listed. Attorney Anderle stated that usually housing, mileage and such is not included but could be determined later. Since he lives in the area this

is not necessary. **Councilman Rick White made a motion to approve Agreement with Strategic Government Resources Interim Services. Motion seconded by Councilman William Payne. All agree. Passed**

C. Discuss, consider and act on Ordinance creating City Administrator

Everyone has been saying City Manager but due to type of Government it would be City Administrator who would be Chief Operating Officer for the city. New Fairview has not adopted a City Manager form of Government. City Council will create an Ordinance outlining the job function of City Administrator. 2020-02-197 Ordinance number. City Administrator will fall under City Council. Mayor is head of duties. City Administrator then Mayor then council. **Councilman Charlie Stumm made a motion to approve Ordinance 2020-02-197 creating City Administrator. Motion seconded by Councilman Rick White. All in favor. Passed.**

D. Discuss, consider and act on Ordinance repealing duties of Mayor

Ordinance 2020-03-198 – repeals 2019-01-188 severability clause says that if anything in here is illegal it will just be taken away, but the overall act will be in place. **Councilman Charlie Stumm makes motion to approve Ordinance 2020-03-198 repealing the duties of the Mayor. Rick White second. All agree. Passed.**

E. Discuss, consider and act on Ordinance appointing Alan Guard as Interim City Administrator

The City Council interviewed two individuals for administrator. Two spectrums. One was young and energetic, and one was more seasoned with a finance background. Unanimous vote for Alan Guard. No payment for mileage. He lives in Pilot Point. Alan has 40 years of city work with over 20 years in the financial side. **Councilman Rick White makes a motion to approve Ordinance appointing Alan Guard as Interim City Administrator. Motion seconded by Councilman Charlie Stumm. All agree. Passed.**

ITEM NUMBER 5. EXECUTIVE SESSION

A. Advice from Attorney: Pursuant to Sec. 551.071 of the Texas Government code, the Board of Aldermen reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law. In addition, the Board may convene in executive session to receive advice from its attorney regarding the following:

- a. Pending or contemplated litigation or a settlement offer**
- b. 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 the chapter; and**
- c. Constellation Lakes Development Agreement.**

ITEM NUMBER 7. ADJOURN

Mayor Pro Tem Scott Johnson adjourned the meeting at 10:00PM

APPROVED:

Mayor Joe Max Wilson

Mayor Pro Tem Scott Johnson

Councilman Rick White

Councilwoman Rebecca McPherson

Councilman Charlie Stumm

Councilman William Payne

ATTEST:

City Secretary Monica Rodriguez