

**MINUTES  
CITY COUNCIL MEETING  
February 3, 2020  
7:00 P.M.**

**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 6TH DAY OF JANUARY 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 Joe Max Wilson  
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 Joe Max Wilson called the meeting to order at 7:11 PM**

**ITEM NUMBER 2. ROLL CALL**

**Roll call with the above-mentioned names present**

**ITEM NUMBER 3. CONSENT AGENDA**

**A. Monthly Financial Report**

a. See reconciliation summary.

**B. Approve Minutes December 2, 2019, January 6, 2020, January 10, 2020 & January 20, 2020**

**C. Discuss, consider and act on Sunset Mesa Preliminary Plat-Response**

a. Engineer states they have not received any trial plat for approval from Sunset Mesa Preliminary.

**D. Discuss, consider and act on Professional Services Agreement with Bloomfield Homes and Royal Crest Properties for Constellation Lakes Development**

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.

A. Heather Segura states she has lived in the Hilltop area three years and states it is the worst neighborhood. She paid \$1000 for new tires and rims and had to pay another \$100 today to fix her rim. She has called city all several times.

b. Heather also states more than one trash company comes into the neighborhood 3 times a week One for dumpsters and one for trash.

C. Councilman Rick White states now that they have tax money coming in they will look into repairing the roads in Hilltop.

#### **ITEM NUMBER 5. OLD, CONTINUING BUSINESS**

##### **A. Discuss, consider and act on Pioneer Ranch Preliminary Plat Application**

- a. Before anything can be done, they need to fix the roads because the concrete trucks and other trucks will tear those roads up.
- b. Have they thought about start building on the back of the property instead of the front? Yes, they have but they want to make sure everything is in place.
- c. They want the developers to pave the roads in front of their houses.
- d. Constellations Lakes is using Concrete and County line roads will be concrete.
- e. They need to get the engineering done and they will have a special meeting with Barry Hudson.
- f. Continuation – Councilman Scott Johnson made motion, Councilman Rick White seconded and all in favor.

##### **B. Discuss, consider and act on Pioneer Ranch Final Plat Application**

- a. Scott Wooley would like a continuance
- b. They will get with Barry Hudson for further information.

##### **C. Discuss, consider and act on First Amendment to Fairview Meadows Development Agreement**

- a. Don Allen summarizing
  - i. Recognize Fairview Meadows is in County, but City will do permits.
  - ii. They will be able to do their plats and they will be able to move on with the houses.
  - iii. Allow use of 3<sup>rd</sup> party inspector
- b. They want to use a Farmhouse architecture which has different plans and it will have brick and concrete but also a concrete siding.
- c. Council has questions about the 3<sup>rd</sup> party inspector and they want to make sure they have the city's best interest at heart.
- d. Councilwoman Rebecca McPherson believes a 3<sup>rd</sup> party inspector is a conflict of interest.
- e. Councilman Scott Johnson stated the companies are governed by the state and do not necessary work for Don Allen he just pays their fees.
- f. McPherson stated she has checked with Flower Mound and Roanoke and they said 3<sup>rd</sup> party inspections are not good.

- g. Don Allen stated the city can use their own inspector Jim Estep if he can show up in a timely manner which he did not when they were building Rio Rancho.
- h. Don Allen would like to start building in April if it stops raining
- i. Attorney Anderle said they can approve 40.5A amendment then not approve 40.5B until they finalize the verbiage. Essentially meshing the two amendments.
- j. Scott Johnson made motion and Rick White second. All in favor. Approved.

**D. Discuss and report on General and Special Election May 2, 2020**

- a. Monica and Attorney Anderle will attend a meeting with the County to do the elections in the City Hall. To make City Hall one of the locations.
- b. They will set all the details with the County.
- c. They will figure out about the early voting.
- d. The deadlines are posted on the website.

**E. Discuss and report on Wise County Tax Office working on the core city and ETJ properties.**

- a. Mayor Joe Wilson has received several complaints by those who live in the ETJ have been charged taxes.
- b. They will get with Mickey Hand.

**F. Discuss, consider and act on building permit fees. We need to have our meeting with the builders and developers for input**

- a. Requests to get rid of the \$800 Plat fee and just do the \$1.00 a sqft of the home.

**G. Discuss, consider and act on a third-party inspector of houses.**

- a. Metrocode – Johnathon speaking on 3<sup>rd</sup> party inspections.
- b. Currently work in Lewisville.
- c. They are contracted.
- d. He has put together a packet with all the certifications to do inspections. Cities are struggling to get that qualified people. They can pay their inspectors more than most cities.
- e. City inspectors are not always as qualified because cities can hire anyone to do their inspections.
- f. They only work with builders who like to do the right thing. Not with companies that like to cut corners.
- g. He doesn't find these inspectors he trains them to be the best.
- h. He has a bachelor's degree in Inspection technologies.
- i. He took over the company in 2010.
- j. Less work for the city. All the city would be required to do is quality control.
- k. McPherson believes they need to do more investigation into the 3<sup>rd</sup> party and maybe have some more come to the meeting and explain.
- l. Scott Johnson states the 3<sup>rd</sup> party would have their certifications at stake and would not risk that. He isn't sure they have that through Jim Estep.
- m. Mayor Joe Wilson wants to know if they put together a list of 3<sup>rd</sup> party companies they could use would the council feel more comfortable and McPherson stated yes. They will start gathering information on different companies.

**H. Discuss, consider and act on street repairs, street signs, mowing etc.**

- a. The street signs, stop signs, speed limit signs, the weight signs have all been replaced.
- b. Juan has been filling potholes.
- c. Juan has been mowing the city streets,
- d. Decatur busses refuse to go down Wilson Court.

**I. Discuss, consider and act on gravel road maintenance grading by county and Devon**

- a. Engineer asks would you prefer to grade with gravel at 30-40,000 that will only last a bit or asphalt and have it last 20 Plus years.

- J. Discuss, consider and act on getting bids on repairing four sections of road that are already established in New Fairview. This is to get estimates, examples of how much road work construction will cost. Review the prior estimates for road construction repair on Montana Ct.**
- Prior to next meeting Monica and Brooke will get estimates on the roads. Find old estimates and get new estimate.
  - Hilltop road is out of life. The base is gone.
  - They need to set up a bidding process.
  - They will look at the neighborhood and the 20-year plan.
- K. Discuss, consider and act on city code process. Stages of the code inspections and process.**
- Don Strange goes out when they get a complaint and he tries to work 20 hours a week and turns in a report at the end of the week. Don will give the violators 14 days. He has been sending out notices and then goes back out and ensures they are making progress.
  - He does not want to make undo hardship but does makes sure they are making progress.
- L. Discuss, consider and act on report working with TXDOT on 407 and 2264. Future traffic during the next five, ten, twenty years. 407 needs to be a six-lane road from Justin to 287. 2264 needs to be a four-lane road. County line road needs to be a four-lane road.**
- Need to start presenting case with TXDOT to make roads wider and quicker.
- M. Discuss, consider and act on city website**
- Kevin has explained to Brooke how to update the website and all else is good to go.
  - Election information is under News and Information.
  - Newfairview.org
- N. Discuss, consider and act on bookkeeping systems and procedures**
- Software is not up to date. This software continues to crash.
  - Scott Johnson has been looking into contracting financial advisor who could recommend a better program
- O. Discuss, consider and act on hiring a city manager and or finance advisor**
- Perhaps the city does not have the work required to keep a city manager busy 40 hr a week for a year.
  - Consider getting a consultant city manager to make a five-year plan.
  - Scott Johnson has received resumes for Interim city managers, and he has emailed them to council.
- P. Discuss, consider and act on hiring a CPA, or a city accountant, to set up new bookkeeping system, new computer software etc.**
- See above
- Q. Discuss, consider and act on hiring the third, or more, office employees**
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#### **ITEM NUMBER 6. NEW BUSINESS**

- A. None**

#### **ITEM NUMBER 7. 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.

**8. ADJOURN**

**Meeting adjourned at 10:00PM**

**APPROVED**

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**Mayor Joe Max Wilson**

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**Mayor Pro Tem Scott Johnson**

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**Councilman Rick White**

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**Councilman Charley Stumm**

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**Councilman William Payne**

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**Councilwoman Rebecca McPherson**

**ATTEST:**

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**City Secretary Monica Rodriguez**