

CITY COUNCIL MINUTES

May 4, 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 4th DAY OF MARCH 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

Councilwoman Rebecca McPherson

Councilman Charlie Stumm

Councilman William Payne

PRESENT

City Manager Allen Guard

City Secretary Monica Rodriguez

City Clerk Brooke Boller

City Attorney Bradley Anderle

City Engineer Ryley Paroulek

ITEM NUMBER 1. VIDEO CONFERENCE

A. This City Council Meeting will be held via Videoconference. The City Council will participate remotely via videoconference. The facility will not be open to the public. Members of the public are entitled to participate remotely via broadcast through Cisco Webex at the following URL location.

<https://meetingsamer11.webex.com/join/cnfcclerks>

Instructions on how to change the settings within the meeting app to call in are below. Please note that if you do not call in through the Cisco Webex app with the Access Code and Attendance ID you will only be able to hear the meeting and will not be able participate. It is highly recommended that everyone follows the instructions attached. We will still be streaming the meeting so that everyone will have a visual as well.

Calling in using a computer and telephone
Calling in using an Android device
Calling In using an Apple device

Access Code: 298-437-804

ITEM NUMBER 2. CALL TO ORDER:

Mayor Wilson called the meeting to order at 7:13 PM

ITEM NUMBER 3. ROLL CALL:

Roll call with the above-mentioned names present

ITEM NUMBER 4. EXECUTIVE SESSION

Advice from City Attorney: Pursuant to Sec. 551.071 of the Texas Government Code, the Board of Aldermen reserves the right to convene in Executive Sessions(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.

ITEM NUMBER 5. 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.

A. Approve minutes for April 20,2020

B. Approve letter agreement concerning development agreement for Constellation Lake

C. Discuss, consider and act to extend the application for Pioneer Ranch preliminary plat till the next monthly meeting in June.

D. Discuss, consider and act to extend the application for Pioneer Ranch final plat till our next monthly meeting in June.

Councilman Stumm made a motion to approve the minutes. Motion seconded by Councilwoman Rebecca McPherson seconds. Motion passed unanimously. All in favor – all topics pass.

ITEM NUMBER 6. 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. No items were presented for Open Forum

ITEM NUMBER 7. NEW BUSINESS:

A. Discuss, consider and act on Presentation on street conditions and recommendations for repair.

Ryley Paroulek of Pacheco Koch with a presentation of street conditions and recommendations for repair. This is the report he spoke about before. he checked Chisholm Hills, Montana Court. Most are in extremely poor condition. The recommendation with the matrix has the existing conditions, the traffic and weighed in the cost for each road. It is now very poor asphalt and no bar ditches so the water runs along the road and washes out the road. This moisture is a big issue in this area. When he went it had just rained so he could see the drainage issues. It stays wet. These ditches do not drain. A lot of them are full of debris which causes a lot of the issues. With the trucks and garbage trucks are making the roads worse which is why a lot of these roads are not going to be patch jobs they need to be torn down with a new base material and a completely new surface with ditch work. Some of the roads just need new surface repavement and fix the base which is a bit cheaper. How to pay for this? Listed are four different pay methods.

The first one is a complete new road

The second is just re paving and some fixing of the base and ditch.

The third tier is the base is intact they more just need maintenance.

The fourth is the road is passable but needs maintenance to keep it as such so it doesn't need a new road five years from now.

Tier five is no repair needed at all.

This matrix starts with Wilson Court which needs a new overhaul because the school busses will not even go down the road. It is clearly at Tier one.

Many of the roads that are very poor in Chisholm do not have high traffic so the roads with high traffic would be most important.

Not every single road needs the entire road repaired. Hilltop and Wilson court is the worst intersection it has a lot of traffic.

Twenty five sections of road need to be repaired.

The costs include a 20% markup for anything that may be missed. The totals are rough estimates and could go up or down depending.

Please see the presentation handout for a list of roads and what their rating is at this point.

The Annual street program was put together with the help of Allen Guard and it basically states the city can decide which road or roads to be repaired each year to alleviate the full cost at one time. It has been split up into a three and four year plan.

For instance the city can take care of 8-10 roads the first year and then the less damaged roads could be completed the second year and so on.

Councilman Stumm states the presentation is a very good one but he would like to see a map or sketch identifying the roads and labeled them so everyone can see which roads would be completed first.

The total cost of the program is about 2.5 million but this could actually be lower. The city could have a 10 or 15 year payment plan.

The gravel roads at Fairview Meadows are in good shape and have a good base.

B. Discuss, consider and act on Ordinance No. 2020-11-101 adopting a residential homestead exemption for property owners who are disabled veteran or the surviving spouse of a deceased veteran in accordance with the Texas Tax Code.

Bradley created these Ordinances, but the council needs to approve them one at a time.

The city does not have a homestead exemption. At this point the city only has a freeze on the 65 and over.

The only city in Wise County with Homestead is Runaway Bay.

With a Veteran exemption they may be able to apply for two.

Councilman Stumm makes a motion to approve Ordinance No. 2020-11-101 adopting a residential homestead exemption for property owners who are disabled veteran or the surviving spouse of a deceased veteran in accordance with the Texas Tax Code.

Motion seconded by Councilman Payne. Motion passed unanimously.

- C. Discuss, consider and act on Ordinance No. 2020-12-102 adopting a residential homestead exemption for property owners who qualify for disability benefits under the Federal Old Age, Survivors and Disability Insurance Program in Accordance with the Texas Tax Code.**

Mayor Pro Tem Scott Johnson makes a motion to approve Ordinance No. 2020-12-102 adopting a residential homestead exemption for property owners who qualify for disability benefits under the Federal Old Age, Survivors and Disability Insurance Program in Accordance with the Texas Tax Code. Motion seconded by Councilman Stumm. Motion passed unanimously. All in Favor.

- D. Discuss, consider and act on Ordinance No. 2020-13-103 adopting a residential homestead exemption for property owners who are 65 or older in accordance with the Texas Tax Code.**

This will have a \$10,000 reduction.

Councilman Stumm makes a motion to approve Ordinance No. 2020-13-103 adopting a residential homestead exemption for property owners who are 65 or older in accordance with the Texas Tax Code. Motion seconded by Councilwoman Rebecca McPherson. Motion passed unanimously. , all in favor.

- E. Discuss, consider and act on moving forward with a city initiated zoning amendment for that certain 129.494 acre tract or parcel of land situated in the Smith CSL Survey, Abstract No. 744 and the F.W. Thornbug Survey, Abstract No. 853, Wise County, Texas, being generally located south of FM 407 and east of Pioneer Road and planned to be the Pioneer Estates development.**

Related to the issue with gas wells.

Bradley has handled all the communications on this. Pioneer Estates. There are still some issues with the gas wells and this request was brought back. The Council would need to zone the property for residential. Mayor Pro Tem Scott Johnson asks if the council would have a say after the zoning. This would just apply to the PZ to determine what the restrictions would be. Bradley suggests a public hearing and tonight the council just needs to give permission for Bradley and Allen to move forward.

To allow houses to be built up to 200 ft of a gas well.

Bradley states on the legal side he does not see a downside.

If it is adopted it will stay adopted until council changes it.

Councilwoman McPherson makes a motion to move forward, Mayor Pro Tem seconds, all in favor.

- F. Discuss, consider and act to approve an agreement with SAFEbuilt of Loveland, Co to perform the building inspection services and authorize the interim city administrator to sign the agreement.**

Allen explains that with all the new housing editions, Jim Estep will need a lot of assistance in doing building inspections. And part of our agreement with Constellation Lakes is to have enough inspectors to keep up with their construction. Allen and Jim looked at three proposals and created a matrix to determine the best company and clearly SAFEbuilt was the best and has gotten a five. Estep has recommended SAFEbuilt and he has worked with all three of the companies they received quotes from. SAFEbuilt has a main office in Loveland Colorado but they have offices all over the country. Mayor Wilson stated all three got above a 4 on the rating system and he would like to know if any of them are local. Allen stated the other companies sometimes do "drive bys" and charge a base fee on top of the inspection fee and so SAFEbuilt has better rates.

Estep is close to retiring but he can supervise others in the inspections.

SAFEbuilt representative Lee stated he has an office in Fort Worth and has 32 local employees and New Fairview is in their wheelhouse and they can give the city the attention they need and deserve.

The inspectors fees come right out of the building fees.

Councilman Stumm makes a motion to approve agreement with SAFEbuilt. Motion seconded by Councilwoman McPherson. Motion passed unanimously. All in favor.

G. Discuss, consider and act to approve an agreement with William Spore to perform the audit of City financial information from September 30, 2015 through September 30, 2019.

Councilman Stumm states he does not think they need to discuss because this audit needs to happen for transparency.

Allen states William Spore has done financial audits for Pilot Point, Roanoke and Lewisville. He should be available by June 1 and finish in time to do the 2020 audit. This would get the city all caught up.

Audits have been on the agenda for 8 months or so.

Councilwoman McPherson makes a motion to hire William Spore to perform the audit of City financial information from September 30, 2015 through September 30, 2019.

Motion seconded by Councilman Stumm. Motion passed unanimously. All in favor.

H. Discuss, consider and act to approve a Resolution adopting a Council Procedures and Decorum Policy.

Postponed until the Council Retreat

I. Discuss, consider and act to approve a Resolution adopting a Pay Plan.

Allen took an average of other comparable cities to create a pay plan for the employees. Monica would be at a Step 5 and Brooke at Step 2.

Salary schedule which could be used for budgeting.

Councilwoman McPherson makes a motion to Postponed until June 1st so that the council can research further. Motion seconded by Councilman Stumm. Motion passed unanimously. All in favor.

J. Discuss and consider on presentation of monthly financial report through March 31, 2020

Allen states the year to date revenue is \$732,848. Most of which is property tax. The revenue is very good.

Legal services are the bulk of the expenditures.

At the end of march we had \$462,496 when the year started at \$67,000.

Allen says if you have any questions about the budget come see him and bring donuts.

No action.

ITEM NUMBER 8. ADJOURN:

Councilwoman McPherson made a motion to adjourn the meeting at 8:45PM. Motion seconded by Councilman Payne. Motion passed unanimously.

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



