

**CITY COUNCIL MEETING**

**May 18, 2020**

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 18<sup>TH</sup> DAY OF MAY 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:**

**CITY COUNCIL**

**Mayor Joe Max Wilson**

**Mayor Pro Tem Scott Johnson**

**Councilman Charlie Stumm**

**Councilman Bill Payne**

**Councilwoman Rebecca McPherson**

**ABSENT**

**Councilman Rick White**

**PRESENT**

**Interim City Administrator Alan Guard**

**City Secretary Monica Rodriguez**

**City Clerk Brooke Boller**

**City Attorney Bradley Anderle**

**City Planner Barry Hudson**

**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/cnfclerks>

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 to 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 Joe Max Wilson called the meeting to order at 7:07 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.

**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.

**ITEM NUMBER 7. NEW BUSINESS:**

**A. Public hearing on the proposed annexation by the City of New Fairview, Texas of approximately 11.41 acres of land in the R.A. Walker Survey, Abstract #1392, Denton County, Texas, as Phase II of Falcon Ridge Estates.**

Mayor Wilson opened up the Public Hearing at 7:12 PM

No comments

Mayor Wilson closed the Public Hearing at 7:13 PM.

**B. Discuss, consider and act on ordinance annexing into the City of New Fairview approximately 11.41 acres in the R.A. Walker Survey, Abstract #1392, Denton County, Texas, as Phase II of Falcon Ridge Estates.**

This property was in the Fort Worth ETJ at the time and could not be annexed until the ETJ boundary adjustment agreement was approved between the City of New Fairview and the City of Ft Worth. Councilman Payne asked that they have to ask for the annexation. City Attorney confirmed that was correct. The property owner is requesting voluntary annexation of the remainder of the overall Falcon Ridge property. This annexation includes the 10.98 acre tract which is the southeast portion of the overall 138.101 acre Falcon Ridge preliminary plat plus the northern half of the FM 407. **Mayor Pro Tem Johnson made a motion to approve Ordinance 2020-14-206 annexing into the City of New Fairview approximately 11.41 acres in the R.A. Walker Survey, Abstract #1392, Denton**

County, Texas, as Phase II of Falcon Ridge Estates. Motion seconded by Councilwoman McPherson. Motion passed unanimously.

**ORDINANCE 2020-14-206**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION INTO THE CITY OF NEW FAIRVIEW OF PROPERTY DESCRIBED BELOW AND DEPICTED ON EXHIBIT "B", LOCATED WITHIN THE CURRENT ETJ OF THE CITY OF NEW FAIRVIEW, TEXAS, FOR ALL MUNICIPAL PURPOSES; DIRECTING AMENDMENT OF THE OFFICIAL MAPS; ESTABLISHING THE RIGHTS AND DUTIES OF INHABITANTS IN THE ANNEXED AREA; PROVIDING FOR FILING NOTICE OF THIS ANNEXATION IN DEED RECORDS OF DENTON COUNTY AND WITH THE DENTON COUNTY APPRAISAL DISTRICT; APPROVING A SERVICE AGREEMENT FOR SUCH TERRITORY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE EXCLUSION OF AREAS EXCEPTED FROM ANNEXATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**SECTION 10.  
EFFECTIVE CLAUSE**

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**PASSED AND APPROVED ON THIS 18TH DAY OF MAY 2020.**

**C. Public hearing on the proposed zoning by the City of New Fairview, Texas of approximately 11.41 acres of land in the R.A. Walker Survey, Abstract #1392, Denton County, Texas, as Phase II of Falcon Ridge Estates.**

Mayor Wilson opened up the Public Hearing at 7:17 PM.

City Planner Barry Hudson said this was extending the same regulations as in Phase I.

Mayor Wilson closed Public Hearing at 7:19 PM.

**D. Discuss, consider and act on ordinance zoning approximately 11.41 acres in the R.A. Walker Survey, Abstract #1392, Denton County, Texas, as Phase II of Falcon Ridge Estates.**

Councilman Stumm made a motion to accept zoning ordinance. Motion seconded by Mayor Pro Tem Johnson. Motion passed unanimously.

**ORDINANCE 2020-15-207**

**AN ORDINANCE OF THE CITY OF NEW FAIRVIEW, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF NEW FAIRVIEW ADOPTED BY ORDINANCE NO. 2010-01-149 BY DESIGNATING THE ZONING CLASSIFICATION OF A PARCEL OF LAND BEING 11.41 ACRES IN THE R.A. WALKER SURVEY, ABSTRACT 1392, WHICH WAS RECENTLY ANNEXED INTO THE CITY OF NEW FAIRVIEW FOR THE DEVELOPMENT OF PHASE II OF FALCON RIDGE ESTATES, LOCATED NORTHEAST OF THE REVERSE CURVE OF FM 407 (ILLINOIS LANE) AT THE INTERSECTION WITH SOUTH COUNTY LINE ROAD AND ON THE SOUTH SIDE OF B. JUDGE LANE, AS PD – PLANNED DEVELOPMENT FOR SINGLE FAMILY RESIDENTIAL. THE PARCEL IS SHOWN GRAPHICALLY ON EXHIBIT "A" AND DESCRIBED BY THE LEGAL DESCRIPTION PROVIDED ON EXHIBIT "B"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES;**

**PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**Section 8**

This Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

**PASSED AND APPROVED ON THIS 18TH DAY OF MAY 2020.**

**E. Discuss consider and act on resolution calling Public Hearing to consider the zoning by the City of New Fairview, Texas of approximately 140.246 acres of land situated in the James C. Jack Survey, Abstract No. 679, Denton County, Texas located on the southeast corner of the City—bordered on the north by Dove Hollow Lane and bordered on the west by South County Line Road.**

Mayor Wilson opened up the Public Hearing at 7:21 PM

This property is already in the ETJ. They would come back after an agreement was worked out with Ft Worth ETJ. City Planner said this was to set a zoning hearing. City Attorney Bradley Anderle said this will be brought back in 2 weeks. The first public hearing will be on June 15. Notice published in the paper on May 27. The developer is requesting a development agreement from the city for his development with one acre lots. **Councilman Stumm made a motion to call public hearing to consider zoning. Motion seconded by Councilwoman McPherson. Motion passed unanimously.**

**RESOLUTION 2020-11-101**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW FAIRVIEW, TEXAS, CALLING PUBLIC HEARINGS TO RECEIVE PUBLIC COMMENT ON PROPOSED ZONING APPLICATION; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICES OF THE PUBLIC HEARING, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**SECTION 5.**

This Resolution shall become effective from and after its date of passage and approval in accordance with law.

**PASSED AND APPROVED THIS THE 18TH DAY OF MAY 2020.**

**F. Discuss, consider and act on resolution accepting petition for the voluntary annexation by the City of New Fairview, Texas of approximately 140.246 acres of land situated in the James C. Jack Survey, Abstract No. 679, Denton County, Texas located on the southeast corner of the City—bordered on the north by Dove Hollow Lane and bordered on the west by South County Line Road.**

The developer of this property, Ben McCaslin will be partnering with Don Dystra. Mayor Wilson asked if the reason he was doing one acre lots was because of the sewage. The developer said that one acre lots is better served in that area. **Councilwoman McPherson made a motion to approve Resolution accepting petition for the voluntary annexation of approximately 140.246 acres of land. Motion seconded by Councilman Payne. Motion passed unanimously.**

**G. Discuss, consider and act on approving a Resolution adopting Financial Procedures.**

City Interim Administrator Guard did some research with some other cities. Most of it came from City of Pilot Point. Budget procedures, audits, build policy manual, how operations are handled, how budgets are prepared, modernized organization and put policy in place. **Councilman Payne made a motion to**

approve resolution adopting financial procedures. Motion seconded by Councilman Stumm. Motion passed unanimously.

**RESOLUTION 2020-12-102**

**A RESOLUTION OF THE CITY OF NEW FAIRVIEW, TX ADOPTING FINANCIAL PROCEDURES**

**PRESENTED AND PASSED** on this 18<sup>th</sup> day of May, at a meeting of New Fairview City Council.

**H. Discuss, consider and act on approving an Ordinance adopting a Procurement Policy.**

City Interim Administrator Guard read to council the purpose of this policy. Anything over \$3,000 requires a bid. He is looking out for the best interest of the city. The policy conforms to Texas State Law. This policy has been reviewed by the city attorney. The policy sets authority limits for staff and city council. Councilman Stumm suggested that we amend the expenditures to \$25,000. **Councilman Stumm made a motion to accept Ordinance adopting a Procurement Policy with amendment. Motion seconded by Councilman Payne. Motion passed unanimously.**

**ORDINANCE 2020-16-208**

**AN ORDINANCE OF THE CITY OF NEW FAIRVIEW, TX ADOPTING A PROCUREMENT POLICY**

**PRESENTED AND PASSED** on this 18<sup>th</sup> day of May, at a meeting of the New Fairview City Council.

**I. Discuss, consider and act to approve a Resolution adopting a Debt Management Policy.**

City Interim Administrator Guard got information for cities our size. The policy conforms to Texas and federal law. The city may have to sell debt to fund capital projects next year and in order to do that the city should have a debt management policy in place. This policy has been reviewed by the city attorney. These procedures address policy, methods of acquiring debt, selecting financial advisors and bond counsel, working with bond rating agencies and required disclosures, adopting these procedures is the best practice recommended by the Government Finance Officers of America. **Councilwoman made a motion to approve Resolution adopting a debt management policy. Motion seconded by Councilman Stumm. Motion passed unanimously.**

**RESOLUTION 2020-13-103**

**A RESOLUTION OF THE CITY OF NEW FAIRVIEW, TX ADOPTING A DEBT MANANGEMENT POLICY**

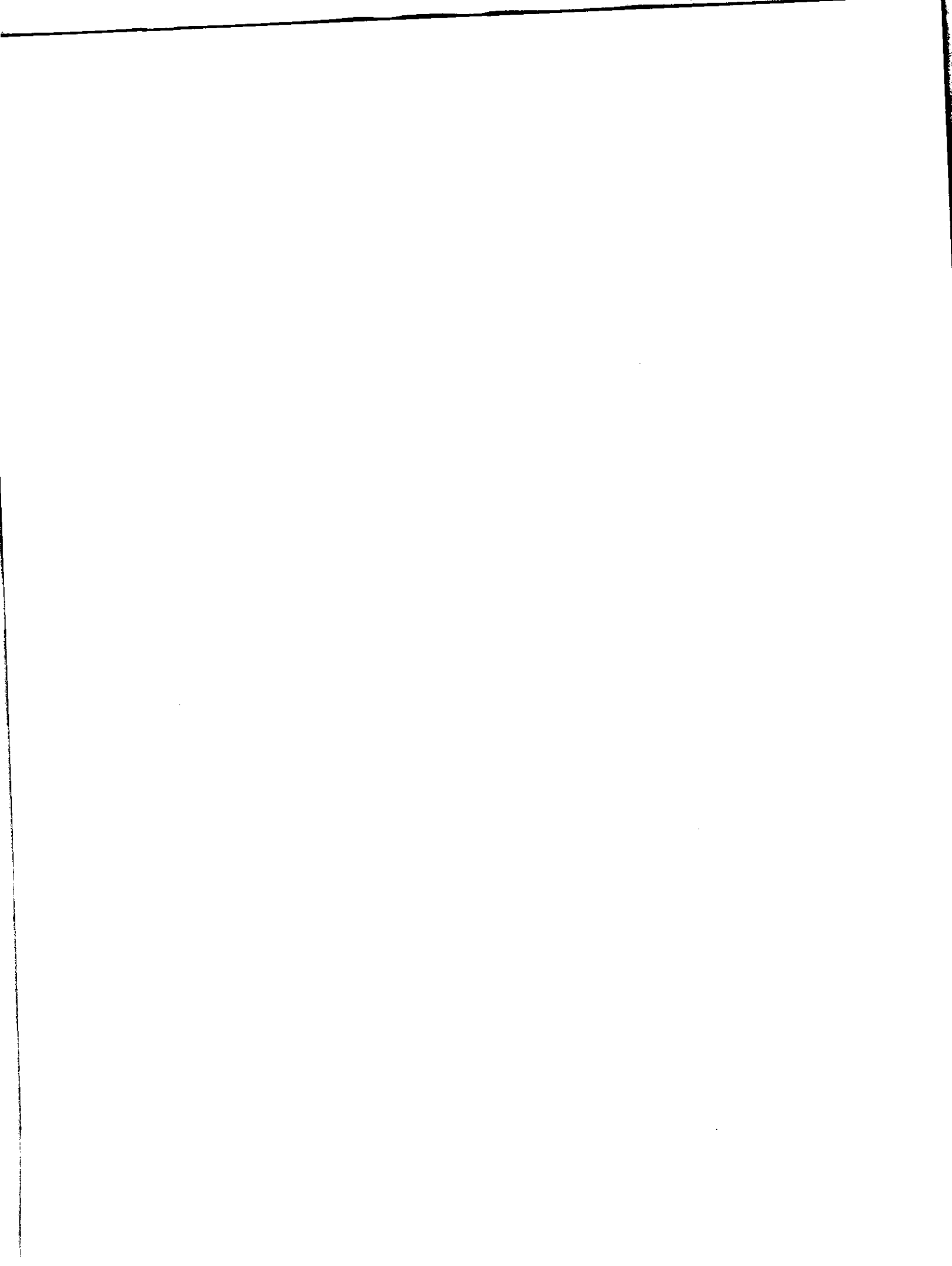
**PRESENTED AND PASSED** on this 18<sup>th</sup> day of May, at a meeting of the New Fairview City Council.

**ITEM NUMBER 8. ADJOURN:**

**Mayor Wilson adjourned the meeting at 9:07 PM**

**APPROVED:**

  
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**Mayor Joe Max Wilson**



*Scott Johnson*

Mayor Pro Tem Scott Johnson

Councilman Rick White

*Bill Payne*

Councilman Bill Payne

*Charlie Stumm*

Councilman ~~Scott Johnson~~ Charlie Stumm

*Rebecca McPherson*

Councilwoman Rebecca McPherson

ATTEST:

*Monica Rodriguez*

Monica Rodriguez, City Secretary

SEAL:



