

**MINUTES
CITY COUNCIL MEETING
November 18, 2019
7:00 PM**

**State of Texas
County of Wise
City of New Fairview**

The City Council convened into a Council Meeting. The same being open to the public, the 18th day of November 2019 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
Councilwoman Rebecca McPherson
Councilman Bill Payne
Councilman Charley Stumm**

**PRESENT
City Secretary Monica Rodriguez
Don Allen**

**ABSENT
Councilman Rick White**

**ITEM NUMBER 1. CALL TO ORDER:
Mayor Wilson called the meeting to order at 7:19 PM.**

**ITEM NUMBER 2. ROLL CALL:
Roll call with the above-mentioned names present.**

**ITEM NUMBER 3. EXECUTIVE SESSION
Pursuant to authorization by title 5, Chapter 551, of the Texas Government Code: Section 551.071 closed session consultation with city attorney to discuss items in agenda if needed. Regular meeting may be adjourned into Executive Session at any time to consult with city attorney.
Entered into Executive Session at 8:48 PM; returned to open meeting at 9:58 PM.**

**ITEM NUMBER 4. OPEN SESSION:
A. Discuss, consider and act on necessary items discussed in Executive Session.**

**ITEM NUMBER 5. NEW BUSINESS:
Open Discussion from Citizens:**

Steve Misner:

- He wanted to clarify that he said for the council not to do something stupid; he did not call anyone stupid and apologized if he was misunderstood.
- He is not mad at Mayor Wilson and he doesn't think he has done anything wrong.

- He did not initiate the petition for the Mayor’s recall but he does support it. It’s nothing against the Mayor but he feels that the Mayor has been in that seat too long, should be limited to 2 terms.
- Remove or replace the City Attorney.
- Wants the ordinance back in place for the 1 acre lots with no exceptions.
- Go back to the old ordinance with the 600 ft setbacks.
- Fix existing roads before building any new roads.

Ricky Ramey: Stated he was never notified that the Planning and Zoning was being dissolved; he saw it in the news paper. He would gladly take a position on the Planning and Zoning Commission again.

Mayor Pro Tem Scott Johnson: Stated the Planning and Zoning Commission was disassembled due to no one showing up to the meetings. If you (Ricky) would like to sign up again; we would love to have you.

A. Discuss, consider and act on Fairview Meadows Development to approve Phase 1 Final Plat and Construction Plans, including a requested variance on storm drain pipe materials – Don Allen.

Don Allen with Riverside Home Builders, LTD: Requesting approval on the final plan and construction plan. We agree with the comments of the City Planner Barry Hudson. One variance we are requesting, is to use an arched pipe. It is a little more expensive and is allowed in the county standards up to 36 inches. However TXDOT allows them larger than the 36 inches. City engineer can not approve it without city approval. The road will be maintained by the MUD; not be the city. He has also spoken to Don Strange and will set up a pre-development meeting.

Mayor Pro Tem Scott Johnson: I don’t see a problem; they are both concrete.

Don Allen: Fairview Meadows Final plat of Phase 1 – Total of 60 ft – 30 ft right of way – Northern half. This plat does not connect with the unpaved Pioneer Road. The other Phase will be on the unpaved part of Pioneer Road. City Planner Barry Hudson has been working on the plans and engineer as well; there is a whole process we go through.

Mayor Joe Max Wilson: Don Allen pays for all expenses for consultants.

Mayor Pro Tem Scott Johnson: 16 ft drainage is needed. Interpretation was that he thought it was presented that the City needed to own.

Don Allen: All of this road is not in New Fairview; it’s all county at this Phase. The other part will be in the city limits. There are 118 lots in the Phase on 142 acres. There is not a problem with the existing drainage.

Mayor Joe Max Wilson: Its an agreement to allow us to plat and build to our standards.

Don Allen: Anything that fronts Pioneer will be 1 acre lots.

Mayor Joe Max Wilson: The law firm we use also represent Boyd, Bridgeport, Rhome and Northlake. They consult and work with each other. The 200 ft setback is per our development agreement. It’s not in the city – the state setback is at 200 ft also.

Don Allen: We need a motion to approve the plat and pipe construction variance. All 911 addresses will be sent to 911 before they are put on plat, to make sure they are not repeated.

Mayor Pro Tem Scott Johnson made a motion to approve the Fairview Meadows development Phase 1, construction materials and pending the 9 addresses and is subject to comments per consultants. Motion seconded by Councilwoman Rebecca McPherson. Motion passed unanimously.

B. Discuss, consider and act on Fairview Meadows Development regarding pipes and type of culverts in the Fairview Meadows – New Fairview Special Project.

C. Discuss and consider Lake Water Pipelines

1. Water from Lewisville Lake System that is in Justin- Plans to come to County Line Road.

<http://www.cityofjustin.com/government/departments/public-works/water-department/>

2. The Texas Lake Water Systems... for DFW

https://images.search.yahoo.com/yhs/search;_ylt=AwrWmjAfUc5dvxAakRIPxQt.;_ylu=X3oDMTByNWU4cGh1BGNvbG8DZ3ExBHBvcwMxBHZ0aWQDBHNlYwNzYWw--?p=Rhome+Texas+Lake+water+supply+system&fr=yhs-Lkry-SF01&hspart=Lkry&hsimp=yhs-SF01

3. Rhome Lake Water System:

Mayor Joe Max Wilson: For future studies – Lake water pipelines. Rhome has lake water. Justin – Lake Lewisville down 407 to Argyle then to Northlake and into Justin. There is talk that they are going to expand to County Line Road. Fort Worth is also working on the pipeline to Hwy 114 and 407. Fort Worth during the next 5 yrs to 10 yrs – County Line Road to Ponder – Justin – Keller. The links on the Agenda show about 25 lakes and gives you information; new agreements have been made. Kings Rest – ran another line to get water to Falcon Ridge Development to take care of the houses under construction at this time. Aqua Texas is working on this currently. The City will not get into the business of water and sewage; due to the amount of work required.

D. Discuss, consider and act on amount of money from property tax to be spent on present city roads.

Mayor Joe Max Wilson: Monica has been working with Mickey Han to get all of the properties corrected and make sure everyone in the city is taxed.

Citizen: Freeze the tax until everyone is situated and then move forward.

Steve Misner: Without the exemptions, my taxes would be \$1,500. We truly can not afford a city tax.

Councilwoman Rebecca McPherson: The appraisal office has known since before this last summer that the city tax was coming; it wasn't done overnight.

Mayor Pro Tem Scott Johnson: We are following the law.

Mayor Joe Max Wilson: Go back and look – The tax has been discussed back 3 years ago – The new city taxes were discussed for 1 year and we worked on the process with the tax precincts – we talked about the rate – the tax office has known about it.

Ricky Ramey: Why are we not applying for grants – now that we have a tax. What grants are we going to get? There is going to be a delay. Are we bringing in someone to do grants?

Mayor Joe Max Wilson: We will be applying for grants. We postponed the taxes for as long as we could. We thought we would bring in more sales tax from Pilot; but we can't get a sales tax from the sale of fuel, only the items sold in the store. The sales tax decreased instead of increasing. We need to work out a salary for a City Manager and apply for grants.

Citizen: The tax should have been voted in by the Citizens.

Jamee: Is there an option to be able to share a City Manager with another city?

Mayor Joe Max Wilson: The city buildings were paid for with the income from gas and wells and we did some road repairs.

Mayor Pro Tem Scott Johnson: Wilson Ct. needs to be repaired; the school bus will not go down the road.

Councilman Charley Stumm: We need to get rental equipment and fix the roads right now; next year we can fix and patch them right.

Mayor Joe Max Wilson: If there is a huge inconvenience – Please let us know.

ITEM NUMBER 6. OLD BUSINESS:

A. Discuss legal issues concerning the Fort Worth ETJ Agreement

B. Discuss, consider and act on the Ft Worth-New Fairview ETJ Agreement

ITEM NUMBER 7. ADJOURN:

Mayor Pro Tem Scott Johnson made a motion to adjourn the meeting at 9:59 PM. Motion seconded by Councilwoman Rebecca McPherson. Motion passed unanimously.

APPROVED:

Mayor Joe Max Wilson

Mayor Pro Tem Scott Johnson

Councilman Bill Payne

Councilman Charlie Stumm

Councilwoman Rebecca McPherson

ATTEST:

City Secretary Monica Rodriguez

Date