

**MINUTES
SPECIAL MEETING
November 4, 2019
7:00 PM**

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

The City Council convened into a Special Meeting. The same being open to the public, the 4th 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
Councilman Rick White
Councilman Charley Stumm
Councilman Bill Payne**

**PRESENT
City Planner Barry Hudson
City Attorney Bradley Anderle
City Secretary Monica Rodriguez
City Clerk Shauna Blackwell
City Clerk Brooke Boller
Ryley Paroulek
Don Allen**

**ABSENT
Councilwoman Rebecca McPherson**

**ITEM NUMBER 1. CALL TO ORDER:
Mayor Wilson 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:
Steve Misner: Website – Jessica. 3 seats up for election; Warn/Advise that they will run against them, win and over turn the taxes.
Paula Tarbet: (Read) Sister’s letter (Connie Burgoon) – Request for Council consideration for Surface Use Agreement, setbacks and noise ordinance waivers. Parents owned property since 1969 but the sisters are now at an advanced age and not living in the area, it has become necessary to sell the property.

Vicki McNeil: Lived in the community for the last 15 years, it was a good community until now. She states she has taken good care of the property – mowing the easements. Now that the new tax is in place then the easement in front of her home and across the street from her home needs to be mowed weekly just like she used to do but will no longer do for the city.

Jamee Ruhl: Some how, give us information on the positions coming up for the election seats and regarding Planning & Zoning.

ITEM NUMBER 5. OLD & NEW BUSINESS:

A. Report and discuss on consultants and finances – Monica Rodriguez will present

Mayor Joe Max Wilson: Decisions made at City Hall are not made by 2 individuals; we always use city consultants to help us.

1. **Our consultants for the last 10 years** - we always use city consultants to help us.
2. **6-year finance report** – Progression of income and expenditures in the next 6 years is why we have the \$.30 city tax.
3. **12 projects the council will be working on the next 5 years** – North West High School was quoted in the Fort Worth Star Telegram that between the next 25 to 30 years NWHS will have 100,000 students.
4. **Where the main city income comes from Discuss, consider and act on variance request from Avondale** – Mayor Joe Max Wilson: Possible high tax base in the future; 20 million in the next 10 years – Grants – Employees – Salaries. We have to prepare and look at the future.

B. Discuss consider and act on Ordinance 2019-08-195 to approve a tax freeze for anyone 65 years plus or disabilities.

Bradley Anderle: Apply the tax freeze for anyone 65 years plus or a disabled person. Discussion was about the 2 options: Freeze and/or Exemption. Freeze will hold the amount of tax in place and never increase. Exemption would reduce the amount of the value of the current property but could increase with any “new addition” built on the property.

Councilman Bill Payne: I don’t like being called stupid. We need this; the tax had to be in place before it could be frozen for the next year. **Mayor Pro Tem Scott Johnson:** Think of the core New Fairview citizens that are supporting the tax right now.

Councilman Bill Payne made a motion to adopt Ordinance 2019-08-195 to approve a tax freeze for anyone 65 years plus or disabilities. Motion seconded by Councilman White. Motion passed unanimously.

C. Report and discuss on the Wise County Tax Office, New Fairview Core City limit adjustments and addresses for ad valorem, property tax collections.

City Secretary Monica Rodriguez: The tax office had to verify New Fairview’s city limits and city maps with City Attorney Bradley Anderle and City Planner Barry Hudson.

D. Report and discussion on Pioneer Rd. regarding cost to build a new Pioneer Rd. Ryley

Paroulek with Pacheco Koch: The road needs to be widened to 40 ft to make it a collector street and to match the thoroughfare plan. The expansion will need to be from the East side due to the power poles along the West side of the street. 10 to 15 ft will need to be acquired for right away. 16 ft on both sides needed to keep the bar ditches for rain runoff. Cost would run 2.6 million for Materials and construction only; this price does not include the cost to acquire the land needed for the right of way. This advice is just for future reference.

E. Report and discussion on maps of land owners connected to Pioneer Rd – core city and/or county (ETJ). Financial responsibility.

- 1. If the county (ETJ) is on both sides of the road then the county is responsible for the finance of construction**
- 2. If the core city is on both sides of the road then the core city is responsible for the finance of construction**
- 3. If the core city is on one side of Pioneer Rd and the county ETJ is on the other side of the road then the city and county are responsible for half of the finance construction**

Barry Hudson: 21 tracts on both sides of Pioneer Road have multiple owners. Right of way is in the City limits; lots 6, 7 and 8 are Dossier tracts. The subdivision ordinance supports their cost to help out with the cost. County roads became city roads.

Mayor Wilson: Is there any Legal challenge regarding the county roads now being city roads?

F. Discuss and report on website, Facebook and email system.

Brooke Boller: Facebook was up within the week of the last council meeting ending. Citizen email address has changed. Website theme was from India and was 90% secure. Per Doctor Kevin, the cost of the combination of the 3 plugins needed for security will cost \$240.00 per year. We can shut down Google Docs. We have over 800 pages of ordinances that we will leave on Google Drive and take everything else off. Once the website is on we will get the ordinances up. Permits will be added on to the website.

G. Report and discuss gas well setbacks - some information will be provided to discuss. Shauna Blackwell:

Texas Railroad Commission (Texas RRC) states “A well may not be drilled in the thickly settled part of the municipality or within 200 ft of a private residence.” I pulled city ordinances from 6 surrounding cities and all have a setback distance at 600 ft. New Fairview had an ordinance back on Dec. 19, 2006 set at 1,000 ft, as of March 20, 2007 the distance changed to 500 ft and as of Aug. 7, 2007 the last change to Ordinance 2007-11-126 was to change the setback distance to 200 ft. In the last 10 years New Fairview has only issued gas well permits for 3 wells back in 2009 and none since.

Bradley Anderle: Fire code restrictions require a 200 ft setback.

H. Report and discuss new building permit fees-some information will be provided.

Shauna Blackwell: Passed around a Permit Fee packet to each council member. Reminded everyone about the House Bill No. 852 that was passed as of September 2019 that states “Prohibition on certain value-based building permit and inspection fees.” I researched all types of permitting fees and compared fees from 8 surrounding cities to insure that New Fairview fees were inline with other cities. Example of the cost of a New Construction Building Permit based on a 2,000 sq ft home: Building Permit: \$600 + \$2,000 = \$2,600; Plan Review: \$2,600 / 2 = \$1,300; Total cost: \$3,900

I. Discuss consider and act on Pioneer Ranch Preliminary Plat application.

J. Discuss consider and act on Pioneer Ranch Final Plat application.

Barry Hudson: Item I. And J. were discussed as 1 item. Received email to continue both applications. Received the submitted prelim and final plat; will need another extension. Will continue until the City decides on what to do on Pioneer Road.

Mayor Pro Tem Scott Johnson made a motion to grant a 30 day extension. Motion seconded by Councilman White. Motion passed unanimously.

K. Report and discussion on gas well setbacks for the Dossier tracts.

Barry Hudson: This has already been discussed. Fairview Meadows setback is at 200 ft. I recommend it to be set at 300 ft like Falcon Ridge. The absolute minimum is 200 ft.

Don Allen: I have had experience in multiple developments with Devon. We have a good relationship with them. When there is multiple wells on the property, we will use the existing well site. There are 9 sites on the new property. Bought all property (124 acres) to the west side. Devon needs resolutions passed in order to move on. Then we can finalize our land plan and do our zoning application.

Councilman Charley Stumm: Set the setback distance and make it that way for all.

Councilman White: We need to set the setbacks, so we never have to have this discussion again.

Mayor Pro Tem Scott Johnson: 300 ft in the city limits.

ITEM NUMBER 6. ADJOURN:

Mayor Pro Tem Scott Johnson made a motion to adjourn the meeting at 9:45 PM. Motion seconded by Councilman White. Motion passed unanimously.

APPROVED:

Mayor Joe Max Wilson

Mayor Pro Tem Scott Johnson

Councilman Bill Payne

Councilman Charlie Stumm

Councilman Rick White

ATTEST:

City Secretary Monica Rodriguez

Date