

**MINUTES
SPECIAL MEETING CITY COUNCIL
September 28, 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 28th DAY OF SEPTEMBER 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 Pro Tem Scott Johnson
Councilman Charlie Stumm
Councilwoman Rebecca McPherson**

**PRESENT
City Administrator Ben Nibarger
City Secretary Monica Rodriguez
City Clerk Brooke Boller**

**ITEM NUMBER 1. WORKSHOP WITH CITY ADMINISTRATOR: 6:00PM
Workshop postponed.**

**ITEM NUMBER 2. CALL MEETING TO ORDER:
Mayor Pro-Tem Johnson called the meeting to order at 7:03 P.M.**

**ITEM NUMBER 3. ROLL CALL:
Roll call with the above-mentioned names present. Councilman Rick White and Mayor Joe Wilson were absent.**

**ITEM NUMBER 4. PLEDGE TO FLAGS
A. United States of America**

**B. Texas Flag
Honor the Texas Flag, I pledge allegiance to thee,
Texas, one state under God, one and indivisible**

**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 September 14, 2020
B. Approve to extend the application for Pioneer Ranch preliminary plat till next monthly meeting in October**

C. Approve to extend the application for Pioneer Ranch final plat till the next monthly meeting in October

Councilman Charlie Stumm makes a motion to approve the Consent Agenda. Councilwoman Rebecca McPherson seconds. All in favor. Passes unanimously.

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.

John Scantora: He lives on Judge Court and noticed the land across from Hilltop is listed for sale and he would like to know if a development was expected and if New Fairview will be staying with the one acre lots or if that will change.

City Administrator Ben Nibarger states that property changes hands all of the time and it doesn't mean they will have a development but at this time no one has filed or presented anything to the city and since this topic was not on the agenda they cannot speak on it. By law it is already zoned for agricultural, but nothing has been filed just yet.

John also questioned the need for consultants. City Administrator Ben Nibarger states the consultants have the knowledge and the ability to assist the city in obtaining more funds and the ability to mediate with the State to get things done quicker. Mayor Pro-Tem Scott Johnson states the council does not know how to do a lot of this stuff. They need experts to help guide them through the processes to get things done correctly. John stated he understood.

It was also noted the city is not paying for the consultants, they are being funded by the third-party developers.

ITEM NUMBER 7. NEW BUSINESS:

- A. Consider a resolution authorizing the City to join the BuyBoard National Purchasing Cooperative to help streamline the purchasing process.

Please see motion below. Item A and B will be combined.

- B. Consider a resolution authorizing the City Administrator to enroll the City in the BuyBoard National Purchasing Cooperative, the Texas SmartBuy Membership Program, as well as other unnamed cooperative purchasing entities in the future, to provide a variety of purchasing options for supplies and equipment that have already gone through the competitive bidding process and established state contracts.

BuyBoard and The Local Government Purchasing Cooperative is an administrative agency created in accordance with Section 791.001 of the Texas Government Code. Its purpose is to obtain the benefits and efficiencies that can accrue to members of a cooperative, to comply with state bidding requirements, and to identify qualified vendors of commodities, goods, and services. The Cooperative also relieves the burdens of governmental purchasing by effectively using current technology and realizing economies of scale.

BuyBoard membership is free and open to all local governments, nonprofits, and other political subdivisions of the state of Texas. The following entities must be active, associate, or affiliate members of the Texas Association of School Boards (TASB) in order to participate in the BuyBoard:

Revenue to operate the system and the Cooperative comes primarily from a service fee payable by participating vendors. This will be a free service to the city.

Councilwoman Rebecca McPherson makes a motion to approve both A - resolution authorizing the City to join the BuyBoard National Purchasing Cooperative & B-resolution authorizing the City Administrator to enroll the City in the BuyBoard National Purchasing Cooperative, the Texas SmartBuy Membership Program, as well as other unnamed cooperative purchasing entities in the future. Mayor Pro-Tem Scott Johnson seconds the motion. All in Favor. Both A & B pass unanimously.

C. Conduct a public hearing and consideration of an Ordinance adopting the revised budget for the fiscal year ending September 30, 2020, adopting the proposed operating and capital budget for the fiscal year ending September 30, 2021, including an investment policy, financial procedures, and debt management policy.

City Administrator explained the following budget to the citizens and the council.

General Fund - FY 2020-2021					
	FY 2019 Actual	FY 2020 Amended	FY 2021 Assessm	Amount Chg FY 20 Amended FY 20 Amended	%Chg FY 20 Amended FY 20 Amended
REVENUES FUND BALANCE	43,270	45,181	54,647		
Revenues					
Current Property Tax		487,132	476,743	10,389	2.1%
Delinquent Property Tax		9,741	9,525	216	2.2%
Fees/Grants		1,748	1,840	92	5.3%
Sanitation/Utility Tax	123,144	129,450	130,207	2,757	2.1%
Licenses and Permits	31,846	430,471	770,497	340,026	78.5%
Franchise Fees	46,214	44,444	4,144	2,488	5.7%
Charity Fees	13,648	27,400	47,400	20,000	74.0%
Other Revenue	47	74,500	12,300	11,553	15.6%
TOTAL REVENUE	221,477	1,111,462	1,179,738	68,276	6.1%
EXPENDITURES					
FY 2019 Actual	FY 2020 Amended	FY 2021 Assessm	Amount Chg FY 20 Amended FY 20 Amended	%Chg FY 20 Amended FY 20 Amended	
Payroll & Benefits	89,739	245,818	264,411	118,673	48.3%
Utilities & Fuel	78,138	128,857	141,139	112,647	14.5%
Supplies & Services	143,224	248,847	179,388	136,478	31.0%
Transfer Out	5,251	15,000	15,000	147,000	1,200.0%
TOTAL EXPENDITURES	212,224	438,515	439,938	127,284	2.9%
REV OVER/UNDERLEAF	11,253	283,294	142,217		
Change to Fund Balance	11,253	283,294	142,217		
ENDED FUND BALANCE	42,017	144,475	146,194		
% Fund Balance Increase	41.3%	34.8%			
Expenditures by Department					
FY 2019 Actual	FY 2020 Amended	FY 2021 Assessm	Amount Chg FY 20 Amended FY 20 Amended	%Chg FY 20 Amended FY 20 Amended	
City Council	1,148	17,000	20,248	19,052	162.6%
Administration	23,114	25,754	292,491	17,235	74.6%
City Secretary	45,475	144,229	109,414	15,495	34.1%
Grant	71,237	46,339	153,446	15,148	32.7%
Public Works	146,342	124,800	87,246	27,560	22.1%
Total	212,224	438,515	439,938	127,284	2.9%

City of New Europe CAP Fund - FY 2020-2021					
	FY 2019 Actual	FY 2020 Amended	FY 2021 Assessm	Amount Chg FY 20 Amended FY 20 Amended	%Chg FY 20 Amended FY 20 Amended
REVENUES FUND BALANCE					
Revenues					
Transfer In - CA			14,000	140,000	
Bond Proceeds			1,250,000	1,330,000	
TOTAL REVENUE			1,264,000	1,470,000	
EXPENDITURES					
FY 2019 Actual	FY 2020 Amended	FY 2021 Assessm	Amount Chg FY 20 Amended FY 20 Amended	%Chg FY 20 Amended FY 20 Amended	
Capital Outlay			2,750,000	1,500,000	
Debt Service			2,800,000	1,300,000	
TOTAL EXPENDITURES			5,550,000	2,800,000	
REV OVER/UNDERLEAF			280,000	142,000	
Change to Fund Balance			280,000	142,000	
ENDED FUND BALANCE			52,000	190,000	

City Administrator Ben Nibarger stated they are working with their financial advisor to get the timing in place for the road repairs.

The increase in employee pay is due to the city currently offering health insurance to the employees.

The operating expenses has increased due to new software and other items to ensure the city works efficiently.

The cost to keep the road repaired was over \$100,000 and this cost will decrease due to repaving the roadways will cut down on the need for asphalt and other repair items.

Open for Public Hearing and Questions from the citizens:

John asks could the city not use the current contractors to pave the roads in Hilltop and piggyback on whoever is here. Specifically, if the property across from Hilltop builds up. Wouldn't this be cheaper if they are already on site?

Mayor Pro-Tem Scott Johnson stated, the property across from Hilltop, if it were to build up, would not be for several more years and he knows the citizens do not want to wait that long for repairs.

Candidate Julie Burger asks why is the city spending the third party, developer money on consultants and would that money be better spent on the city.

Mayor Pro-tem Scott Johnson stated they can not use the third party money for the city gain. That money is for the betterment to assist the development and the city.

Julie asked why they are paying a consultant who is unable to make any changes to FM 407 or any authority to do anything.

City Administrator states the consultant they have hired for FM 407 has already pulled money from the Dallas County for the repairs for FM 407. Our developers are paying his fee and he has already facilitated the money from Dallas County and has already started it in motion with TXDOT.

Julie thinks the money could go for police presence, to fix the roads where the school busses will not go down, etc. She would like to also help the people who have already been here not just new developments

City Administrator states, the impact fees from the developers which go to things like the FM 407 road and assists with the water concerns, help everyone in the city whereas just repairing the roads only helps those on that road. They can't use that money to just repair roads that have nothing to do with the new development.

Mayor Pro- Tem Scott Johnson closes the Public Hearing at 7:55 PM and the Council meeting is reopened.

Councilwoman Rebecca McPherson makes a motion to approve the revised budget, Councilman Charlie Stumm seconded. All in Favor the motion passes unanimously.

D. Consider a resolution ratifying the property tax as reflected in the operating budget for the fiscal year ending September 30, 2021.

The council redirected the City Administrator to keep the current tax rate and amend the budget to reflect the current tax rate.

They have a tax freeze for 65 Years Old or Older, Veterans (and spouses of deceased veterans) and Disabled. Their taxes will never go over .30.

Councilman Charlie Stumm makes a motion to approve ratifying the property tax as reflected in the operating budget to reflect the current tax rate. Councilwoman Rebecca McPherson seconds. All in Favor and it passes unanimously.

E. Consider a resolution authorizing the City Administrator to negotiate and sign an agreement for a municipal management software solution not to exceed \$25,000.

Civicgov is a software which will help facilitate the city business, create spreadsheets, create a timeline of inspections, build permits, track how many times things are being repaired and various other duties.

Several cities of all sizes use this software.

The software itself costs \$25,000 and will be \$7000 a year for upkeep.

City Administrator Ben Nibarger goes over the several options with the council and citizens.

Citizen David Randolph via online asks are you going to run any tests to see if this software will work for New Fairview? Will it do other duties, will it be difficult to learn or will it cause an issue while they learn?

City Administrator Ben Nibarger stated they can get references and there would be a training and learning period and it will be fit into the current schedule.

Councilwoman Rebecca McPherson makes a motion to table this topic so they can do further investigation. Mayor Pro Tem Scott Johnson seconds. All in favor. Topic is tabled until next meeting.

F. Update the Council on the updated permit process for burning yard waste and debris in the City limits.

Citizens who wish to burn will need to register their burn through the city not the county. There is an ordinance that has been in place for several years but never enforced. Those who wish to burn should get a permit. The fee for these permits will be waived but the permit needs to be in place prior to burning. The city has made this easier by doing an online request. The permit will be filed and both the Sheriff's Office and the Fire Department will receive notification. These entities need to be aware to avoid the fire department or deputies being called out to a fire, where there is no issue. This just lets them aware that if someone sees smoke that the fire is under control.

Household waste is prohibited. Brush is allowed.

Citizens are urged to send Council a request if they believe the ordinance should be amended.

David Randolph asks can he burn in his firepit without a permit. City Administrator Ben Nibarger states it is just notification and should be done if you are burning anything that will create smoke.

Julie Burger asked if the city has checked with the Sheriff's Office and the Fire Department if this is how they want them to do and do they know what the city is asking them to do?

This is already in place.

G. Update the Council on the agreement with Hilltop Securities as the City's Financial Advisor.
City Council had already approved the agreement and the contract has been sent in and it is in place.

H. Update the Council on current projects and seek their input.

East Wise Fire has stated since they have moved into the New Fairview Bay they have cut their response times in half.

They wish to use another bay and an office to become even more efficient.

This does not affect the city council or any money.

This building was originally built for the fire department and they did not wish to join at that time. Now the Fire Marshall will conduct audits once a year to ensure the fire department is operating adequately.

They are now in partnership with the Fire Department.

City Council approves the use of another bay and an office. There will be a workshop next Meeting.

8. ADJOURN: Mayor Pro-Tem Scott Johnson adjourned the meeting at 9:10 PM

I, the undersigned authority, do hereby certify the above notice of the meeting of the City Council of New Fairview, is a true and correct copy of the said notice that I posted on the official posting place at New Fairview City Hall, FM 407, New Fairview, Texas, a place of convenience and readily accessible to the general public at all times, and said notice posted this 25th day of September 2020 at 5:00 PM at least 72 hours preceding the meeting time.

ITEM NUMBER 8. ADJOURN:

Mayor Pro-Tem Scott Johnson adjourned the meeting at 9:39 P.M

APPROVED:

Mayor Joe Max Wilson

Scott G Johnson

Mayor Pro Tem Scott Johnson

Councilman Rick White

Charlie Stumm

Councilman Charlie Stumm

Rebecca McPherson

Councilwomen Rebecca McPherson

ATTEST:

Monica Rodriguez

Monica Rodriguez, City Secretary