

**MINUTES  
CITY COUNCIL MEETING  
October 12, 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 12<sup>th</sup> DAY OF OCTOBER 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  
Councilman Rick White  
Mayor Joe Max Wilson**

**PRESENT  
City Administrator Ben Nibarger  
City Secretary Monica Rodriguez  
City Clerk Brooke Boller  
Dr. Warren – Northwest ISD**

**ITEM NUMBER 1. CALL MEETING TO ORDER:  
Mayor Pro-Tem Johnson called the meeting to order at 7:00 P.M.**

**ITEM NUMBER 2. ROLL CALL:  
Roll call with the above-mentioned names present. Councilman Rick White and Mayor Joe Wilson were absent.**

**ITEM NUMBER 3. 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 4. 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 to extend the application for Pioneer Ranch preliminary plat till next monthly meeting in November.
- B. Approve to extend the application for Pioneer Ranch final plat till next monthly meeting in November.

Councilman Charlie Stumm makes a motion to approve the consent agenda items, Councilwoman Rebecca McPherson seconds. All in Favor and it passes unanimously.

- C. Back to consent agenda after executive session with a comment from Don Allen who stated they are trying to plan future water wells and other projects and requests the city to annex another 30 acres near the original plat. This will not affect the CCN and they need to hurry up and get it on the agenda. If the city ever got to the point of providing their own water they would still have that ability. This is a time sensitive matter and that is why they wanted to get it on the agenda immediately.

This would be for the Dozier and the 30-acre tract and this would not tie the city into anything at this point.

The attorney stated there was some language that needs to be cleaned up. Councilwoman Rebecca McPherson makes a motion to accept once the language is cleaned up administratively, Councilman Charlie Stumm Second, all in favor and passes unanimously.

**ITEM NUMBER 5. EXECUTIVE SESSION** The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:  
Executive Session began at 7:29PM and the meeting resumed at 8:21PM

- A. Section 551.074 - Personnel Matters; (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee; (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing; City Administrator
- B. Section 551.087 - Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) for the following: New Fairview MU

**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.

**No one signed up to speak.**

**ITEM NUMBER 7. NEW BUSINESS:**

- A. Consider a resolution designating the City Administrator as the responsible official on behalf of the City in dealing with the Texas Parks & Wildlife Department for the purpose of participating in the Local Park Grant Program; and approve the City Administrator to enter into an agreement with Stephens Engineering for professional services.**

Texas Parks and Wildlife Department has grants which could match money with the city. The odds of getting this grant are good since the city has never applied for a grant through TPWD previously. They can come up with a plan to determine what is wanted or needed in a park and submit the application. They would work with local developers and build a survey with the city to see what they would like and then work with the engineer to build the application.

Stephens Engineering is very successful in getting these grants and they do not bill the city until they have been approved for the grant and then the money would come out of the grant to help build the park. This is over and beyond what Don Dykstra had stated he would do with his development. There is a park in Hilltop area off of Stewart but it has not been maintained. They have asked Northwest and Decatur ISD for assistance with the survey and Northwest has already began and they are waiting for Decatur to answer. **Councilman Rick White makes a motion to approve resolution designating the City Administrator as the responsible official on behalf of the City in dealing with the Texas Parks & Wildlife Department for the purpose of participating in the Local Park Grant Program; and approve the City Administrator to enter into an agreement with Stephens Engineering for professional services. Motion seconded by Councilman Charlie Stumm. All in favor and it passes unanimously.**

- B. Consider a resolution authorizing the City Administrator to negotiate and sign an agreement for a municipal management software solution not to exceed \$21,500.**

One thing City Administrator Ben Nibarger did not know is that with the CARES act due to the Coronavirus would have given the city \$55 per resident however, the past Administrator opted out of the money. With this software, if for some reason the employees had to quarantine at home they would still be able to do permits and other things from home. This money also could go to the Resident Deputy and the Fire Department for personal protective equipment among other stuff for the first responders. The rest could be going toward this software. City Administrator is going to put in an application for this so he can purchase decontaminated equipment for the fire fighters and can pay for the Sheriff's Office having to help with the meetings among other benefits. The city will be coming into this application late but the city could make a good case and they will try to get the full amount. Currently they have several platforms to handle all of their duties but this software will combine all of them into one. Councilwoman Rebecca McPherson asks since the software is good up to 10 users, what will happen and how much will it cost to add users down the road. City Administrator states they won't need more than 10 users until well after the 5 year payment plan. Mayor Pro-Tem Johnson states the council has been ahead of the curve over the years and he believes this will help keep it that way.

**Councilman Charlie Stumm makes the motion to approve the resolution authorizing the City Administrator to negotiate and sign an agreement for a municipal management software solution not to exceed \$21,500. Councilwoman Rebecca McPherson seconds. All in favor and it passes unanimously.**

C. **Presentation by Dr. Warren the Superintendent of Northwest ISD regarding the district and the upcoming election.**

At this time they are tracking 81 new developments within their school district and they are anticipating an increase of approximately 1100 kids per school year. Bond Propositions and Ballot language. If this is approved this will not affect any of the tax rate and it should stay the same as it should be enough to maintain, even with that large of a number. Dr. Warren was first to speak and made mention of 7 new schools to include three elementary and 1 middle school and three renovated schools. This bond would renovate Northwest High school, Chisholm Trail and Seven hills which are schools that cover New Fairview. This would also allow for a full day pre-K program. This would add career and tech programs and would go toward keeping the kids safe as possible. The state requires each school district should put all projects into one of four propositions. On the ballot you will see four propositions and it will tell the voter whether it is a property tax increase. Mass majority is for facilities. On the ballot it will come up as A, B, C, D and you will need to vote four times. The house bill mandates they ask permission to set a tax rate from the communities.

D. **Provide the audience a summary of the workshop discussion.**

Dallas District created a new study to repair FM 407 from 35E to Hwy 287. The Water issues are well under way the engineers will move forward. They have also worked with their financial advisors to determine the time frame. Fairview Meadows has sold 57 of their homes already. Dove Hollow asked to change their name to Paloma Ranch Estates due to there being a Dove Hollow in Denton County nearby.

E. **Update the Council on current projects and seek their input.**

Councilwoman Rebecca McPherson stated she would like to ensure they have no more billboards.

**ITEM NUMBER 8. ADJOURN:**

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

**APPROVED:**

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Mayor Joe Max Wilson

*Scott G Johnson*

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Mayor Pro Tem Scott Johnson

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Councilman Rick White

*Charlie Stumm*

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Councilman Charlie Stumm

*Rebecca McPherson*

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Councilwoman Rebecca McPherson

**ATTEST:**

*Monica Rodriguez*

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City Secretary Monica Rodriguez