



CITY COUNCIL AGENDA

December 14th, 2020

7:00 P.M.

New Fairview City Hall

999 Illinois Ln.

New Fairview TX 76078

AGENDA

I. CALL MEETING TO ORDER:

II. ROLL CALL:

III. PLEDGE TO FLAGS:

A. United States of America: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

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

IV. INVOCATION: By invitation of the Mayor

V. 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. Consider approval of the November 2, 2020 City Council minutes.

B. Consider approval of the November 17, 2020 City Council minutes.

C. Consider approval of the November 2020 Financial Report.

D. Consider an ordinance of the City of New Fairview, Texas, adopting Flood Damage Prevention Ordinance; providing that this ordinance shall be cumulative of all ordinances; providing a savings clause; providing a severability clause, providing for a penalty; providing a publication clause; and providing an effective date.

E. Consider approval of a Development Agreement for approximately 10 acres in the New Fairview ETJ waiving the current platting requirements; provided that the construction is limited to a single-family home; provided that the property owner

and successors must abide by the city's design standards in the future if additional improvements or subdivision of the property is requested.

- VI. 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.
- VII. EXECUTIVE SESSION:** The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:
- 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 551.074 - 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 Secretary
- VIII. NEW BUSINESS:** The Council will discuss and consider taking action on the following items:
- A.** Consider and select the Mayor Pro Tem by majority vote of the City Council from among its own membership; providing that the mayor pro tem's term is one year; providing that the mayor pro tem retains the right to vote on all matters before the Council while performing the duties of the mayor (Local Government Code Sections 22.037 and 23.027).
 - B.** Consider a resolution accepting the 2019-2020 annual audit report presented by William Spore, CPA.
 - C.** Consider a resolution approving and authorizing publication of a notice intention to issue certificates of obligation and resolving other matters incident and related thereto.

- D.** Conduct a public hearing and consider the Proposed Annexation by the City of New Fairview approximately 22.22 acres of land located on the J.B. Atkinson Survey, Abstract Number 2, Wise County, Texas, being a certain called 22.22 acre tract described in Clerk's file Number 201911010, Official Records, Wise County, Texas; being contiguous to the current city limits of New Fairview in the City's Extraterritorial Jurisdiction.
- E.** Conduct a public hearing and consider the Proposed Zoning by the City of New Fairview approximately 22.22 acres of land located on the J.B. Atkinson Survey, Abstract Number 2, Wise County, Texas, being a certain called 22.22 acre tract described in Clerk's file Number 201911010, Official Records, Wise County, Texas; being contiguous to the current city limits of New Fairview in the City's Extraterritorial Jurisdiction.
- F.** Consider a resolution authorizing the City Administrator to enter into a Development Agreement with Lackland Fairview, LLC, that reimburses the City of New Fairview for the survey, engineering and design of Pioneer Road and enter into an agreement with Pacheco Koch to complete the survey, engineering, and design of Pioneer Road from FM 407 heading south for approximately 10,500 linear feet, ending at the paved section of Pioneer Road, traveling east and west.
- G.** Consider a resolution approving a depository agreement with Wilmington Trust for the Constellation Lake Public Improvement District (PID).
- H.** Discuss and consider authorizing the City Administrator to negotiate a development agreement and disannexation of approximately 127 acres of land situated in the G.B. Buchanan Survey, Abstracts No. 31 and 32, bordered on the south by County Road 4730, consisting of that portion of a 141.49 acre tract described by metes and bounds and shown in Exhibit A within the New Fairview corporate limits; requested by Matt Spaethe, owner of the property.
- I.** Discuss and consider authorizing the City Administrator to enter into agreement to purchase and install an electronic monument sign for installation along FM407 at City Hall.
- J.** Discuss establishing term limits for the Mayor and City Council members; providing a consecutive three-term limit for all elected positions; providing that any elected official, reaching the term limit, may seek re-election following the lapse of two-terms.
- K.** Discuss the single-family residential zoning requirements.
- L.** Discuss the City of New Fairview property tax rate and exemptions.
- M.** Discuss the City of New Fairview hydrocarbon well setbacks.

IX. ADJOURN: 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 November 2020 at 7:00 PM at least 72 hours proceeding the meeting time.

Monica Rodriguez, City Secretary

SEAL:

This facility is wheelchair accessible; parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at city hall 817-638-5366 or fax 817-638-5369 or by email at citysecretary@newfairview.org for further information.