



CITY COUNCIL MINUTES

September 13, 2021

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 13TH DAY OF SEPTEMBER 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 GOVERNMENT CODE WITH THE FOLLOWING MEMBERS PRESENT:

CITY COUNCIL

Mayor Nolan Schoonmaker

Councilman John Taylor

Councilwoman Cindy Poe

Councilwoman Julie Burger

Councilman Scott Johnson

STAFF

Ben Nibarger, City Administrator

Brooke Boller, Interim Deputy City Secretary / City Clerk

Larry Collister, City Attorney

ABSENT

Councilman Steve Misner

WORK SESSION: 7:00 PM

1. Call to Order and roll call. **(Work Session called to order by Mayor Nolan Schoonmaker at 7:00 pm; Roll call with the above-mentioned names present.)**
2. Discussion of all items on tonight's meeting agenda.
 - A. Review and discuss the deep dive audit report with the city auditor. **(The city auditor, Bill Spore, presented the Council with an update on the deep dive audit; Bill informed the Council that he has finished the review of all expenditures and documents through March 2021 and that has seen nothing out of the ordinary; Bill informed the Council that he has investigated all the specific questions presented to him by the City Attorney and provided the invoices and support documentation for each of the transactions that had occurred, finding nothing out of the ordinary; Bill informed the Council that he would complete the audit in the near future and prepare a formal report for their review.)**
3. Adjournment.

Motion: Councilman John Taylor

Second: Councilwoman Cindy Poe

Vote: 4 in favor; 0 in opposition; 0 abstained

Result: Work Session adjourned at 8:26 pm.

REGULAR SESSION: 7:00 PM or immediately following the Work Session.

3. Call to Order and roll call. **(Regular Session called to order by Mayor Nolan Schoonmaker 8:31 pm; Roll call with the above-mentioned names present.)**
4. Pledge to the flags. **(Mayor Nolan Schoonmaker led the pledges of allegiance to the United States and Texas Flags.)**
5. **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.

Matt Spaethe - presented materials to the Council regarding the transportation impact fees; wanted to know how it would specifically impact him if he built a metal building with a living space and then built a home at a later time; stated that the city needed to incorporate service areas no greater than six-miles.

Steven King - asked if the transportation fees would impact the existing development or only new projects; City Administrator responded these would be forward looking only.

6. CONSENT ITEMS: 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. Accept the July and August 2021 Financial Reports.

B. Accept the July 16, and 19, 2021 City Council Meeting Minutes; the August 2, 16, 23, and 30, 2021 City Council Meeting minutes.

Motion: Councilman Scott Johnson

Second: Councilwoman Cindy Poe

Vote: 3 in favor; 0 in opposition; 1 abstained (Councilwoman Julie Burger)

Result: The City Council accepted the consent items as presented.

7. NEW BUSINESS: All matters listed as New Business will be discussed and considered separately.

A. Conduct a public hearing on the adoption of impact fees. The purpose of the hearing is to consider the adoption of a transportation impact fee. The proposed impact fee per residential service unit is \$2,828.79. Any member of the public has the right to appear at the hearing and present evidence for or against the plan and proposed fee. **(Public hearing opened at 8:48 pm. No comments. Public hearing closed at 8:54 pm.)**

B. Discuss, consider and act on a resolution adopting the Transportation Impact Fees. **(Council discussed the required public notification that was missed prior to their consideration in August 2021 and why this was back on the agenda. Councilwoman Julie Burger stated the fee was high. The Council discussed the possibility of making exemptions for the impact fee, considering several scenarios, including the one presented in the open forum by Matt Spaethe. The Council discussed how they could change this fee at a future time if needed. The Council discussed how this places the cost of transportation improvement onto those individuals that are making the new roads necessary.)**

Motion: Councilman John Taylor

Second: Councilwoman Cindy Poe

Vote: 4 in favor; 0 in opposition; 0 abstained

Result: The Council approved the resolution, adopting the transportation impact fee, provided that, if any applicant is replacing a manufactured housing unit with a stick-built housing unit, on a concrete foundation, the Maximum Fee for Single Family Unit fee shall be adjusted to 50%.)

- C. Discuss, 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). **(The Mayor discussed the duties of the Mayor Pro Tem, their responsibility to act as the mayor in their absence; Councilwoman Cindy Poe made a motion to nominate Councilman Scott Johnson but received no second; Councilwoman Julie Burger made a motion to nominate John Taylor and received a second from Councilman Scott Johnson.)**

Motion: Councilwoman Julie Burger

Second: Councilman Scott Johnson

Vote: 4 in favor; 0 in opposition; 0 abstained

Result: Councilman John Taylor was appointed to the position of Mayor Pro Tem for a term of one year.

8. **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 10th day of September, 2021 at 7:00 PM at least 72 hours preceding the meeting time.

Motion: Councilman Scott Johnson

Second: Mayor Pro Tem John Taylor

Vote: 4 in favor; 0 in opposition; 0 abstained

Result: Meeting was adjourned at 9:11 pm.

An audio recording of this meeting will be retained in the City Secretary's office.

MINUTES APPROVED ON THIS, THE 18TH DAY OF OCTOBER 2021:


Nolan Schoonmaker (Oct 21, 2021 08:59 CDT)

Mayor Nolan Schoonmaker


Scott G. Johnson (Oct 22, 2021 10:16 CDT)

Place 2 Councilman Scott Johnson


John Taylor (Oct 21, 2021 09:41 CDT)

Mayor Pro Tem John Taylor

Place 3 Councilman Steve Misner


Cindy Poe (Oct 22, 2021 08:58 CDT)

Place 1 Councilwoman Julie Burger

Place 4 Councilwoman Cindy Poe

ATTEST:



**Brooke Boller,
Interim Deputy City Secretary**



