



**CITY COUNCIL MINUTES
October 4, 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 4TH DAY OF OCTOBER 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
Mayor Pro Tem John Taylor
Place 1 Councilwoman Julie Burger
Place 2 Councilman Scott Johnson
Place 3 Councilman Steve Misner**

STAFF

**Ben Nibarger, City Administrator
Brooke Boller, Interim Deputy City Secretary / City Clerk
Larry Collister, City Attorney**

ABSENT

Place 4 Councilwoman Cindy Poe

WORK SESSION: 7:00 PM

1. Call to Order and roll call. **(Regular 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 the agenda.
3. Work Session discussion items:

- A. Discuss with staff the City's financial policies and procurement process.

The Council and staff discussed the current procurement policy, the amounts allowed per the law and delegated authority to the City Administrator; the Council asked for a weekly report to be provided to the Council for all expenditures that are greater than \$10,000; the Council asked for two signatures to be added to the city checks (Mayor, Mayor Pro Tem, and staff to be signers on the account).

- B. Discuss with staff the City Administrator's delegated supervisory duties.

The Council and staff discussed the current delegated supervisory duties and decided to make no changes.

- C. Discuss with staff the City's franchise agreement with Frontier Waste Solutions to include monthly bulk trash pickup services.

The Council discussed the \$2.95 monthly price increase and felt that it was high but that it would likely help with code enforcement and generally the issues of trash throughout the community; staff stated that there was no rush on this decision and that we could bring it back up in the future.

- D. Discuss with staff the executive summary of the deep dive audit.

The Council and staff discussed the summary of findings from the deep dive audit; the auditor's summary stated: *"There were a few transactions that were not properly approved and some that were not supported by paid invoices. These errors were all with vendors that the City uses recurringly (for example, inspectors, contract police, contract maintenance workers). None of these exceptions were deemed to be of a fraudulent nature. All checks were properly signed."*

"In reviewing the general ledger postings multiple miss posting were identified, i.e., checks posted to the incorrect the expense accounts. Theses items will be corrected during the upcoming financial audit. I believe that all of the miss posting are unintentional errors which are mostly related to the unfamiliarity of the new accounting software and the new chart of accounts. As the City moves forward these types of errors should be reduced."

- E. Discuss with staff the streets improvement project.

The Council and staff discussed an unanticipated issue related to the nine 60" CMP culverts that convey storm water under Hilltop Trail; the culverts were corroded and initial estimates for replacement/repair were \$350,000; staff was working with the construction team and our consulting engineers to determine the best path forward and value engineered costs to be presented to the Council at a future meeting.

- 4. Adjournment.

Motion: Councilman Steve Misner
Second: Councilman Scott Johnson
Vote: All in favor; none opposed
Result: Work Session adjourned at 9:43 pm

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

- 5. Call to Order and roll call. **(Regular Session called to order by Mayor Nolan Schoonmaker at 9:50 pm; Roll Call with the above-mentioned names present.)**
- 6. Pledge to the 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.
- 7. **EXECUTIVE SESSION:** The City Council will conduct a closed session pursuant to Section 551.087 (Deliberation Regarding Economic Development Negotiations) of the Texas Government Code to (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: (a) Settler's Glen; (b) Paloma Ranch; and (c) Satellite City Holdings, LLC.

Adjourned to Executive Session at 10:00 pm; reconvened in Regular Session at 11:07 pm.

- 8. **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.

Steven King **The max tax rate set by the Council allowed for a tax increase; the budget slides showed the cost of new services; Councilman Mickey Malone made a motion for the de minimis rate; taxes could have been increased even though the budget presented to the Council by staff was \$0.30 per \$100 of valuation.**

Rudy Sanchez **Stated that he was Monica Rodriguez’s fiance and that he did not believe that the Council and staff should discuss these items without her being present; asked the City Administrator direct questions and was asked by the Mayor to address the Council as a whole.**

9. 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 minutes for the September 13 and 27, 2021, City Council meetings.**

Motion: Mayor Pro Tem John Taylor
Second: Councilman Steve Misner
Vote: All in favor; none opposed
Result: Consent items accepted by Council.

10. ADJOURN:

Motion: Councilman Scott Johnson
Second: Councilman Steve Misner
Vote: All in favor; none opposed
Result: Meeting adjourned at 11:12 pm

MINUTES APPROVED ON THIS, THE 1ST DAY OF NOVEMBER 2021:


Nolan Schoonmaker (Nov 3, 2021 20:58 GMT+2)

Mayor Nolan Schoonmaker


Scott G Johnson (Nov 3, 2021 16:07 CDT)

Place 2 Councilman Scott Johnson


John Taylor (Nov 2, 2021 20:16 CDT)

Mayor Pro Tem John Taylor


Steve Misner (Nov 6, 2021 16:47 CDT)

Place 3 Councilman Steve Misner

Place 1 Councilwoman Julie Burger

ATTEST:





**Brooke Boller,
Interim Deputy City Secretary**












20211004 - City Council Minutes Minutes

Final Audit Report

2021-11-06


Created:	2021-11-02
By:	Benjamin Nibarger (ben@newfairview.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA9AhRK0LwxWXQLarWb-c63cZmie1NX2_6

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