



**City Council
Regular Meeting Minutes
999 Illinois Lane
Monday, July 18, 2022**

**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 18th DAY OF JULY 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 John Taylor
Mayor Pro Tem Steven King
Place 1 Councilman Harvey Lynn Burger Jr
Place 2 Councilman John Fissette
Place 3 Councilman Walter Clements
Place 5 Jimmy Royston**

City Staff

**John Cabrales Jr, City Administrator
Roberta (Robin) Cross, City Attorney
Brooke Boller, City Secretary
Susan Greenwood, Court Administrator/Assistant City Secretary**

WORK SESSION

- 1. Call to Order and Determination of Quorum (Meeting called to order by Mayor John Taylor at 7:35 pm; Roll Call with the above-mentioned names.)**
- 2. Receive a report and hold a discussion regarding possible inclusion in the creation of an Emergency Service District for Fire and EMS in Denton County.**

Council Heard from Charles Williams, Ponder Fire Chief & Matthew Mitchell, Justin Fire Chief on creating an Emergency Services District with Ponder, Justin and New Fairview. They are hoping to have this on the ballot in May.



3. Receive a report and hold a discussion on amending the City Council Procedures and Decorum Policy.

City Administrator John Cabrales Jr informed Council of the difference between an excused vs an unexcused absences. The only excused absence is when a council member or family member is sick, and they cannot miss more than 3 consecutive meetings. Council is also allowed to view the meeting virtually, but as a private citizen, they will not have voting rights. John informed council that we would not be able to enforce a possible dress code for council during meeting and trainings. But that business casual would be recommended. Council wants to mirror the state law rules on excused and unexcused absences.

4. Receive a report and hold a discussion regarding the Fiscal Year (FY) 2021-22 budget trends and the projections and priorities for FY 2022-23 annual budget.

City Administrator John Cabrales Jr gave a presentation to council showing where we stood currently and where we are looking to be for the next fiscal year. Council was shown where they had approved a Safety Inspection Fee which was said to bring in \$240,000.00 this year but that \$0 had been collected; This was due to the gas well inspections not being done. He informed council we needed to adopt the budget before September 29th. John also informed council that next years budget would be based on a .30 or less property tax rate which would not include Falcon Ridge.

5. Adjournment

Motion: Councilman Walter Clements

Second: Councilman John Fissette

Vote: All in Favor

Result: Meeting was adjourned at 9:26 pm.

REGULAR SESSION

1. Call to Order and Determination of Quorum (**Meeting called to order by Mayor John Taylor at 9:28 pm; Roll Call with the above-mentioned names.**)
2. 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.
- 3. Public Comment: 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.
- 4. Consent Agenda: All matters as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. An item can be removed from the consent agenda by the City Administrator, Mayor, or any member of the City Council and will be considered after approval of the consent agenda.
 - A. Approval of the June 2022 Financial Report and third quarter Investment Report.
 - B. Approve the City Council Meeting minutes for June 20, 2022.
Motion: Councilman Walter Clements
Second: Councilman Steven King
Vote: All in Favor
Result: Council approved the June 2022 financial/investment reports & the June 20, 2022 minutes.
- 5. New Business: All matters listed in New Business will be discussed and considered separately.
 - A. Receive and consider Mayor's Election Order for Dis-annexation of Falcon Ridge Estates from the City of New Fairview, Wise County, Texas.
 - 1. Receive, consider, and act upon a Resolution authorizing the City Administrator to execute election services agreements with Wise and Denton Counties, for the Dis-annexation of Falcon Ridge Estates from the City of New Fairview, upon receipt and staff's and legal counsel's determination that the terms of the agreement are substantially similar to previous year's form of elections agreement.
Motion: Councilman Steven King
Second: Councilman Jimmy Royston



Vote: For: Councilman Harvey Lynn Burger Jr, Councilman Steven King, Councilman Walter Clements & Councilman Jimmy Royston

Against: Councilman John Fissette

Result: Council Approved a Resolution authorizing the City Administrator or Mayor to execute election services agreements with Wise and Denton Counties, for the Dis-annexation of Falcon Ridge Estates from the City of New Fairview, upon receipt and staff and legal counsel's determination that the terms of the agreement are substantially similar to previous year's forms of elections agreements.

B. Receive, consider, and act on a Resolution amending Resolution #202106-03-175 and authorizing an increase to the not to exceed cost for the improvement of County Road 4717.

Motion: Councilman John Fissette

Second: Councilman Jimmy Royston

Vote: For: Councilman Harvey Lynn Burger Jr, Councilman John Fissette & Councilman Jimmy Royston

Against: Councilman Walter Clements

Abstained: Councilman Steven King

Result: Approved a Resolution amending Resolution 202106-03-175 by increasing the not-to-exceed amount from \$100,000 to \$123,000 for the improvement of County Road 4717.

C. Receive, consider, and act on an Ordinance amending Chapter 12 "Utilities" of the Code of Ordinances.

Motion: Councilman John Fissette

Second: Councilman Steven King

Vote: All in Favor

Result: Approved an Ordinance amending Chapter 12 "Utilities" of the Code of Ordinances.

D. Receive, consider, and act on an Ordinance granting a franchise agreement with Atmos Energy Corporation.

Motion: Councilman John Fissette

Second: Councilman Harvey Lynn Burger Jr

Vote: All in Favor



Result: Approved an ordinance granting a franchise agreement with Atmos Energy Corporation.

E. Receive, consider, and act on a Resolution authorizing the city administrator to enter into a contract with Heartland Park & Recreation, LLC for the construction of a city park.

Motion: Councilman Harvey Lynn Burger Jr

Second: Councilman Walter Clements

Vote: For: Councilman Harvey Lynn Burger Jr, Councilman Walter Clements & Councilman John Fissette

Against: Councilman Jimmy Royston & Councilman Steven King

Result: Approved a resolution authorizing the City Administrator to execute an agreement with Heartland Park, LLC, in final form as approved by the City Attorney

6. Executive Session: Recess to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; discuss IT network or critical infrastructure security pursuant to §551.089, Texas Government Code; and to consult with the City Attorney pursuant to §551.071, Texas Government Code. The Council may go into closed session at any time when permitted by Chapter 551, Texas Government Code or Chapter 418, Texas Tax Code. Before going into closed session, a quorum of the Council must be present, the meeting must be convened as an open meeting pursuant to proper notice, the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code authorizing the closed session.

A. Section 551.071- Dis-annexation petition and annexed properties.

7. Return to Open Session: Discuss and take appropriate action, if any, resulting from the discussions conducted in Executive Session.

8. Adjournment

Motion: Councilman Walter Clements


Second: Councilman Harvey Lynn Burger Jr

Vote: All in Favor



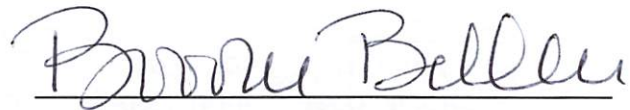
Result: Meeting was adjourned at 10:13pm.

MINUTES APPROVED ON THIS, THE 1st DAY OF AUGUST 2022



John Taylor, Mayor

ATTEST:



Brooke Boller, City Secretary