



**City of New Fairview  
City Council Minutes  
Tuesday, September 6, 2022**

**THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC, THE 6TH 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 John Taylor  
Mayor Pro Tem Steven King  
Place 1 Councilwoman Harvey Lynn Burger  
Place 2 Councilman John Fissette  
Place 3 Councilman Walter Clements  
Place 5 Councilman Jimmy Royston**

**City Staff  
John Cabrales Jr, City Administrator  
Brooke Boller, City Secretary  
Robert (Robin) Cross, City Attorney (Virtual)**

**REGULAR SESSION**

- 1. Call to Order and Determination of Quorum (Regular Session called to order by Mayor John Taylor at 7:00 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. Approve the City Council Meeting minutes for August 1, 15, and 29, 2022.**

**B. Approval of the August 2022 Financial Report**

**Motion: Councilman Walter Clements**

**Second: Councilman John Fissette**

**Vote: All in Favor**

**Result: All items listed for consent passed.**

**5. New Business: All matters listed in New Business will be discussed and considered separately.**

**A. Conduct a Public Hearing on the proposed Tax Rate for the 2022 Tax Year, FY 2022-2023.**

**Opened: 7:15pm Closed: 7:19pm**

**Richard Greene: Stated he was for the tax rate as the budget has listed for new equipment for road maintenance. As a taxpayer he feels like he is getting something.**

**B. Conduct a Public Hearing to consider the proposed budget for the fiscal year beginning on October 1, 2022 and ending on September 30, 2023.**

**Opened: 7:37pm Closed: 7:41pm**

**Richard Greene- Stated the budget was good and that the streets needed repaired.**

**Nelson Craig (Virtual)- Wanted to speak on the tax rate. City attorney stated he couldn't speak on the tax rate as we were in the budget open comment.**

**Councilman Harvey Lynn Burger- Asked if we could get used equipment until the next year's budget to try and save money for the citizens.**

**C. Discuss, consider, and act on a Resolution approving a fire protection agreement with East Wise Fire Rescue.**

**Motion: Councilman John Fissette**

**Second: Mayor Pro Tem Steven King**

**Vote: All in Favor**

**Result: Resolution approving a fire protection agreement with East Wise Fire Rescue was approved.**

**D. Discuss, consider, and act on a Joint Ordinance and Boundary Agreement with the City of Fort Worth to adjust the Extraterritorial Jurisdiction between the Cities of New Fairview and Fort Worth in Denton County.**

**Motion: Councilman John Fissette**

**Second: Mayor Pro Tem Steven King**

**Vote: All in Favor**

**Result: A Joint Ordinance and Boundary Agreement with the City of Fort Worth to adjust the Extraterritorial Jurisdiction between the Cities of New Fairview and Fort Worth in Denton County was approved.**

- E. Discuss, consider, and act on a Resolution of the City of New Fairview, Texas, awarding the Drainage Improvement project for Wilson Court and Creasser Lane to JR West Texas Construction for a total of \$426,991.50, and establish a not-to-exceed project contingency of \$50,000.

**Motion: Councilman Walter Clements**

**Second: Mayor Pro Tem Steven King**

**Vote: All in Favor**

**Result: A Resolution of the City of New Fairview, Texas, awarding the Drainage Improvement project for Wilson Court and Creasser Lane to JR West Texas Construction for a total of \$426,991.50, and establish a not-to-exceed project contingency of \$50,000 was approved.**

- F. Receive, consider, and act on a Resolution prohibiting the carrying of firearms within any meeting that is subject to the Open Meetings Act.

**Motion: Councilman Jimmy Royston**

**Second: Councilman Harvey Burger**

**Vote: All in Favor**

**Result: A Resolution prohibiting the carrying of firearms within any meeting that is subject to the Open Meetings Act Failed.**

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 for any matter on the agenda 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.

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

8. Adjournment

**Motion: Councilman John Fissette**

**Second: Councilman Walter Clements**

**Vote: All in Favor**

**Result: Meeting was adjourned at 8:47 pm.**

MINUTES APPROVED ON THIS, THE 3RD DAY OF OCTOBER 2022:



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John Taylor, Mayor



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Brooke Boller, City Secretary