



**City of New Fairview
City Council
Regular Meeting Minutes
999 Illinois Lane
Monday, October 17, 2022, at 7:00 pm**

THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC, THE 17TH 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 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)**

WORK 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. Receive a report and hold a discussion regarding Water & Wastewater needs and opportunities
Council received a presentation from City Administrator John Cabrales. Council has asked the City Administrator to start the conversation with the City of Justin regarding water & wastewater. The City Administrator was also instructed to apply for the CCN once the City hears back from Justin.
3. Adjournment
Mayor John Taylor adjourned the work session at 8:13pm and requested a 10 minute break.

REGULAR SESSION

1. Call to Order and Determination of Quorum (Regular Session called to order by Mayor John Taylor at 8:23 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 September 2022 Financial Report and fourth quarter Investment Report.

B. Approve the City Council Meeting minutes for October 3, 2022.

Motion: Councilman Walter Clements

Second: Councilman Jimmy Royston

Vote: All in Favor

Result: The Financial reports and City Council Meeting minutes for October 3, 2022 were approved.

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

- A. Receive, consider, and act on purchase of a Crack Seal Trailer.

Motion: Councilman Walter Clements

Second: Councilman Harvey Lynn Burger

Vote: For: Councilman Harvey Lynn Burger, Councilman John Fissette, Councilman Walter Clements and Councilman Jimmy Royston

Against: Mayor Pro Tem Steven King

Result: Motion was Tabled. Council would like to see three quotes

- B. Receive, consider, and act on purchase of a Hotbox Trailer.

Motion: Councilman Walter Clements

Second: Councilman Harvey Lynn Burger

Vote: For: Councilman Harvey Lynn Burger, Councilman John Fissette, Councilman Walter Clements and Councilman Jimmy Royston

Against: Mayor Pro Tem Steven King

Result: Motion was Tabled. Council would like to see three quotes

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
Council broke for executive session at 9:15pm

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

Council returned at 9:15pm.

City Secretary Brooke Boller spoke in regard to the Dis-annexations stating the following

1. A petition to “Disannex of Chisholm Hills Subdivision (Ph1,2,and 3) and Martindale Ln” was submitted to the Mayor at the Oct 3, 2022 City Council meeting.
2. The petition appeared to be an online document and it did not contain any original signatures.
3. The City Secretary is required to review and certify all signatures on a petition, and that was not possible since there were not any signatures.
4. The submitted petition is defective because it does not meet either the requirements of the Texas Local Government Code, Chapter 43, Subchapter G, nor that of the Election Code Chapter 277
5. The City Secretary will inform the person that submitted the petition that the petition is defective, and no further action can be taken on the petition.

8. Adjournment

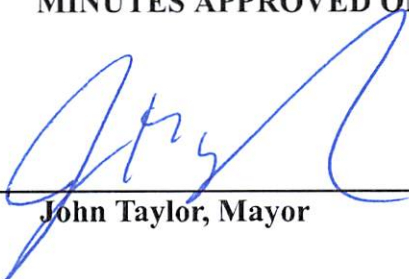
Motion: Councilman John Fissette

Second: Councilman Jimmy Royston

Vote: All in Favor

Result: Meeting was adjourned at 9:20pm.

MINUTES APPROVED ON THIS, THE 17TH DAY OF OCTOBER 2022:



John Taylor, Mayor



Brooke Boller, City Secretary