



**City of New Fairview
City Council
Regular Meeting Minutes
999 Illinois Lane
Monday, January 16, 2023**

THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC, THE 16TH DAY OF JANUARY 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
Place 2 Councilman Peter Kozlowski
Place 3 Councilman Walter Clements
Place 5 Councilman Richard Greene**

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

WORK SESSION

- 1. Call to Order and Determination of Quorum (Work Session called to order by Mayor John Taylor at 7:00pm; Roll Call with the above-mentioned names.)**
2. Receive a report and hold a discussion regarding. plan review and building inspection services.

Council heard from Lee with SafeBulit, Lawrence with Bureau Veritas and Johnathan with MetroCode; each gave a presentation on their respected companies. Council has requested references from each company as well as a recommendation from staff. Council will be voting on this matter February 6, 2023.

3. Receive a report and hold a discussion regarding amending the Chapter 3, "Animal Control" of the Code of Ordinances.

Council received a presentation from John Cabrales. Council would like the following changes to be reflected in the updated ordinance.

1. Shelter for the animals should have a 25ft setback from the property line, but there should not be a setback from the owners home.
 2. The City will allow 2 horses or mules per acre, 1 cow or donkey per acre, In the ordinance wording remove everything after curb.
 3. The city will allow a combination of 3 sheep or goats.
 4. Clarification on what is considered a Highway
 5. Show Swine – Takeout secondary
 6. Exempt potbelly pig – some are pets
 7. Bee Keeping. Remove the last sentence in Section A
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4. Receive a report and hold a discussion regarding the creation of a Parks and Recreation Board and Keep New Fairview Beautiful Committee, and park rules and regulations. Council received a presentation from City Administrator John. Council has instructed staff to look into the hours of operations of city parks in the surrounding cities.
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5. Adjournment
Motion: Councilman Walter Clements
Second: Councilman Richard Greene
Vote: All in Favor
Results: Work Session was adjourned at 9:29pm.

REGULAR SESSION

1. Call to Order and Determination of Quorum (Work Session called to order by Mayor John Taylor at 9:33pm; 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. **Announcements & Special Recognitions:** The agenda shall provide a time when proclamations, recognitions, general reports, and updates may be presented by the City Council.
4. **City Administrator's Report:** The City Administrator's Report may provide information on status of current city projects and other projects affecting the City, meetings and actions of the city's boards and commissions, upcoming local community events, including but not limited to departmental operations and capital improvement project status. No action will be taken with respect to this report.
5. **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.
6. **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 January 3, 2023.
 - B. Approval of the November and December 2022 Financial Reports.
 - C. Approval of the First Quarter 2023 Financial Report.

Motion: Councilman Walter Clements

Second: Councilman Richard Greene

Vote: All in Favor

Result: Council approved City Council Meeting Minutes for January 3, 2023, November & December Financial Reports & the First Quarter 2023 Financial Report.

7. **New Business:** All matters listed in New Business will be discussed and considered separately.
 - A. Receive, consider, and act on a Resolution to approve a Project Agreement with Wise County, Texas for improvements to Graham Road, Wilson Court, Creasser Lane, Stewart Street and the City's Park parking lot.

Motion: Councilman Peter Kozlowski

Second: Councilman Walter Clements

Vote: All in Favor

Result: Council approved a Resolution to approve a Project Agreement with Wise County, Texas for improvements to Graham Road, Wilson Court, Creasser Lane, Stewart Street and the City's Park parking lot.

- B. Receive, consider, and act on a Resolution amending Resolution 202207-02-206 and authorizing an increase to the Not-to-Exceed cost for the improvement of County Road 4717.

Motion: Councilman Walter Clements

Second: Councilman Richard Greene

Vote: For: Councilman Harvey Burger, Councilman Peter Kozlowski, Councilman Walter Clements and Councilman Richard Greene

Abstain: Mayor Pro Tem Steven King

Result: Council approved a Resolution amending Resolution 202207-02-206 by increasing the not-to-exceed amount from \$123,000 to \$128,247.30 for the improvement of County Road 4717.

- C. Receive, consider, and act on an Ordinance repealing Ordinance 2020-13-208, and a Resolution adopting the City of New Fairview Purchasing Policy.

Motion: Mayor Pro Tem Steven King

Second: Councilman Walter Clements

Vote: For: Councilman Peter Kozlowski, Councilman Walter Clements, Mayor Pro Tem Steven King and Councilman Richard Green

Against: Councilman Harvey Lynn Burger

Result: Council approved Ordinance repealing Ordinance 2020-13-208, and a Resolution adopting the City of New Fairview Purchasing Policy. With a revision stating any purchase over \$3,000 but under \$10,000 must require approval from the Mayor and Council must be notified.

- D. Receive, consider, and act on a Resolution amending Resolution 202110-01-188 and authorizing the City Administrator to execute a Professional Services Agreement with MWH Group, PC to conduct the Annual Audit for the fiscal year ending on September 30, 2021.

Motion: Councilman Walter Clements

Second: Mayor Pro Tem Steven King

Vote: All in Favor

Result: Council approved a Resolution authorizing the City Administrator to execute a Professional Services Agreement with MHW Group, PC in final form as approved by the City Attorney, to conduct the annual audit for the fiscal year ending on September 30, 2021.

8. **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.

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

10. **Mayor & Council Member Announcements:** The City Council may hear or make reports of community interest provided no action is taken or discussed. Community interest items may include information regarding upcoming schedules of events, honorary recognitions, and announcements involving imminent public health and safety threats to the city. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting

11. Adjournment

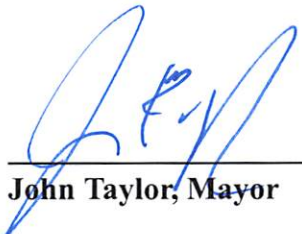
Motion: Councilman Walter Clements

Second: Councilman Harvey Lynn Burger

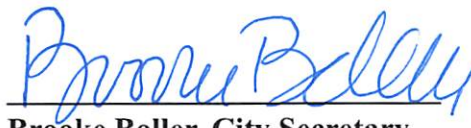
Vote: All in Favor

Result: The regular session was adjourned at 9:31pm.

MINUTES APPROVED ON THIS, THE 6TH DAY OF FEBRUARY 2023



John Taylor, Mayor



Brooke Boller, City Secretary