



**City of New Fairview
City Council
Regular Meeting Minutes
Monday, July 17, 2023**

**CITY COUNCIL
Mayor John Taylor
Mayor Pro Tem Steven King
Place 1 Councilman Harvey Lynn Burger
Place 2 Councilman Peter Kozlowski
Place 5 Councilman Richard Greene**

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

**Absent
Place 3 Councilman Sarah Adams**

WORK SESSION

1. Call to Order and Determination of Quorum
2. Receive a report and hold a discussion regarding a proposed 345kV electric transmission line by Oncor Electric Delivery Company.
Council received a presentation from City Administrator John Cabrales and heard from Jarron Taylor, a representative with Oncor who stated construction is expected to begin in 2024/2025.
3. Receive a report and hold a discussion regarding the Fiscal Year (FY) 2022-23 budget trends and the projections and priorities for FY 2023-24 annual budget.
The council received a presentation from Michelle Sanchez explaining the 2023-24 annual budget.
4. Adjournment
**Motion: Councilman Richard Greene
Second: Councilman Peter Kozlowski
Vote: All in Favor
Result: Work Session was adjourned at 7:32pm.**

REGULAR SESSION

1. Call to Order and Determination of Quorum
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.

Council received an update on the City Park & status of the Farmers Market.

Council was informed that the city will hold a school supply drive, allowing citizens to pick up supplies starting Aug 2nd.

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.

Spaethe- Wanted to speak on Item I regarding the Oncor transmission line and how it would affect his property.

Phillip Harrison - Wanted to speak on the water quality issue in chisholm hills and the budget. He had concerns that the city is growing faster than it needed to. He also stated that he wanted to see more police presences.

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 June 20, 2023.

B. Approve the June 2023 Financial Report and Third Quarter Investment Report.

Motion: Councilman Peter Kozlowski

Second: Mayor Pro Tem Steven King

Vote: All in Favor

Result: All items under the consent agenda were passed and approved

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

A. Receive, consider, and act on the annual audit for Fiscal Year 2021-22.

Motion: Councilman Peter Kozlowski

Second: Councilman Richard Greene

Vote: All in Favor

Result: Council approved the annual audit for Fiscal Year 2021-22.

B. Consider approval of a final plat for Lot 1, Block A, Reynolds Addition, 5.04 acres in Block 51, Smith County School Land Survey Abstract No. 744 generally located in the 400 Block of Graham Road.

Motion: Councilman Harvey Lynn Burger

Second: Mayor Pro Tem Steven King

Vote: All in Favor

Result: Council approved with Conditions, on the request of the Final Plat of Lot 1, Block A, Reynolds Addition, 5.04 acres in Block 51 Smith County School Land Survey Abstract No. 744 generally located in the 400 block of Graham Road.

- C. Receive, consider, and act on a Resolution authorizing the City Administrator to enter into a contract with Fund Accounting Solutions Technologies, Inc (FundView) for software management services.

Motion: Mayor Pro Tem Steven King

Second: Councilman Harvey Lynn Burger

Vote: All in Favor

Result: Council approved a Resolution authorizing the City Administrator to enter into a contract with FundView for software management services, in final form as approved by City Attorney.

- D. Receive, consider, and act on a Resolution authorizing the City Administrator to enter into a professional services agreement with Pacheco Koch Consulting Engineers, LLC, a wholly owned subsidiary of Westwood Professional Services Inc., for the survey and engineering for roadway and drainage reconstruction of certain roads in the Chisholm Hills subdivision, in an amount not to exceed \$190,000.

Motion: Councilman Peter Kozlowski

Second: Mayor Pro Tem Steven King

Vote: All in Favor

Result: Council Approved a Resolution authorizing the City Administrator to enter into a professional services agreement with Pacheco Koch Consulting Engineers, LLC for engineering services for roadway improvements in the Chisholm Hills subdivision, in final form as approved by the City Attorney.

- E. Receive, consider, and act on a Resolution authorizing the City Administrator to enter into a professional services agreement with Pacheco Koch Consulting Engineers, LLC a wholly owned subsidiary of Westwood Professional Services Inc., for an update to the New Fairview Capital Improvements Plan and Transportation Impact Fee Study, in an amount not to exceed \$15,000.

Motion: Councilman Richard Greene

Second: Mayor Pro Tem Steven King

Vote: All in Favor

Result: Council Approved a Resolution authorizing the City Administrator to enter into a professional services agreement with Pacheco Koch Consulting Engineers, LLC a wholly owned subsidiary of Westwood Professional Services Inc., for an update to the New Fairview Capital Improvements Plan and Impact Fee Study, in an amount not to exceed \$15,000.

- F. Receive, consider, and act on an Interlocal Agreement for the administration of Municipal Court Services for the City of Boyd, Texas, by the City of New Fairview, Texas.

Motion: Councilman Peter Kozlowski

Second: Mayor Pro Tem Steven King

Vote: All in Favor

Result: Council Approved an Interlocal Agreement for the administration of Municipal Court Services for the City of Boyd, Texas, by the City of New Fairview, Texas.

- G. Receive, consider, and act on the First Amendment to the contract with Caprice Garcia for Municipal Court Judge.

Motion: Councilman Richard Greene

Second: Councilman Peter Kozlowski

Vote: All in Favor

Result: Council approved a Resolution for the First Amendment to the contract with Caprice Garcia for Municipal Court Judge, contingent on the approval by the City of Boyd for the Interlocal Agreement for municipal court services.

- H. Receive, consider, and act on the First Amendment to the contract with Antonio Gabilondo for Deputy City Attorney serving as a Municipal Prosecutor.

Motion: Councilman Peter Kozlowski

Second: Councilman Richard Greene

Vote: All in Favor

Result: Council approved a Resolution for the First Amendment to the contract with Antonio Gabilondo for Deputy City Attorney serving as a Municipal Prosecutor, contingent on the approval by the City of Boyd for the Interlocal Agreement for municipal court services.

- I. Receive, consider, and act on a Joint Resolution of the City of Justin City Council, City of New Fairview City Council, and City of Rhome City Council addressing the Ramhorn Hill-Dunham 345 kV Transmission Line Project proposed by Oncor Electric Delivery Company, LLC, and expressing concern over the potential impact of this project on existing neighborhoods and proposed development projects, and seeking construction of the transmission line along a regionally preferred route.

Motion: Councilman Peter Kozlowski

Second: Councilman Richard Greene

Vote: All in Favor


Result: Council approved a Resolution approving a Joint Resolution of the City of Justin City Council, City of New Fairview City Council, and City of Rhome City Council addressing the Ramhorn Hill-Dunham 345 kV Transmission Line Project proposed by Oncor Electric Delivery Company, LLC, and expressing concern over the potential impact of this project on existing neighborhoods and proposed development projects and seeking construction of the transmission line along a regionally preferred route.

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

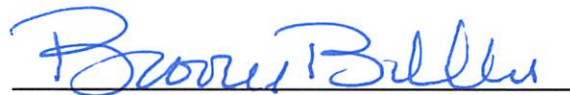
notice, the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code authorizing the closed session.

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 Richard Greene
Second: Councilman Peter Kozlowski
Vote: All in Favor
Result: Regular Session was adjourned at 9:53pm.

MINUTES APPROVED ON THIS, THE 7TH DAY OF AUGUST 2023



John Taylor, Mayor



Brooke Boller, City Secretary

