



**City of New Fairview
City Council
Regular Meeting Minutes
Monday, August 7, 2023**

**CITY COUNCIL
Mayor John Taylor
Mayor Pro Tem Steven King
Place 1 Councilman Harvey Lynn Burger
Place 3 Councilwoman Sarah Adams
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**

WORK SESSION

1. Call to Order and Determination of Quorum(**Work Session called to order by Mayor John Taylor at 6:00 pm; Roll Call with the above-mentioned names.**)
2. Receive a report and hold a discussion regarding the operations, challenges, and goals for the Justin Volunteer Fire Department.
The council received a presentation from Justin Fire Department.
3. Receive a report and hold a discussion regarding the operations, challenges, and goals for East Wise Fire and Rescue.
The council received a presentation from East Wise Fire Rescue.
4. 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, including addressing Strategic Plan priorities.
The council received a report from City Administrator John Cabrales & Financial Advisor Michele Sanchez.
5. Adjournment
**Motion: Councilman Richard Greene
Second: Mayor Pro Tem Steven King
Vote: All in Favor
Result: Work Session was adjourned at 8:15pm**

REGULAR SESSION

1. Call to Order and Determination of Quorum (**Regular Session called to order by Mayor John Taylor at 8:26 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. 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 July 17, 2023.
 - B. Approve the July 2023 Financial Report.
Motion: Councilman Peter Kozlowski
Second: Councilman Richard Greene
Vote: All in Favor
Result: After the removal of item B, Council approved the City Council Minutes for July 17, 2023.
7. New Business: All matters listed in New Business will be discussed and considered separately.
 - A. Receive, consider, and act on an Ordinance related to the issuance and sale of "City of New Fairview, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2023", including the adoption of an ordinance authorizing the issuance of such certificates of obligation.
Motion: Mayor Pro Tem Steven King
Second: Councilwoman Sarah Adams
Vote: All in Favor
Result: Council approved an Ordinance related to the issuance and sale of "City of New Fairview, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2023", including the adoption of an ordinance authorizing the issuance of such certificates of obligation.
 - B. Receive, consider, and act on approval of a final plat for Lots 1, 2, and 3, Block A, Lovely Home Addition, 6.115 acres in M.E.O & P.R.R. Co. Survey, Abstract No. 633 and A.J. Walker Survey, Abstract No. 861 generally located in the 100 block of Ridge Trail.
Motion: Councilman Richard Greene
Second: Councilwoman Sarah Adams

Vote: All in Favor

Result: Council approved without Conditions, the request to final plat Lots 1, 2, and 3, Block A, Lovely Home Addition, 6.115 acres in M.E.O & P.R.R. Co. Survey, Abstract No. 633 and A.J. Walker Survey, Abstract No. 861 generally located in the 100 block of Ridge Trail.

- C. Receive, consider, and act on an Ordinance approving the 2023 Annual Service Plan Update to the Service and Assessment Plan, including the Assessment Roll, for the Constellation Lake Public Improvement District in accordance with Chapter 372, Local Government Code, as amended.

Motion: Councilman Peter Kozlowski

Second: Councilwoman Sarah Adams

Vote: All in Favor

Result: Council Approved an Ordinance approving the 2023 Annual Service Plan Update to the Service and Assessment Plan, including the Assessment Roll, for the Constellation Lake Public Improvement District in accordance with Chapter 372, Local Government Code, as amended.

- D. Receive, consider, and act on an Ordinance amending Chapter 2, Administration and Control, Article 2.06.000, of the Code or Ordinances entitled "Municipal Court," by amending Section 2.06.031, the Building Court Security Fund; by adding a new Section 2.06.032, entitled "Local Consolidated Fee; Created," a local consolidation fee established by state law; by adding Section 2.06.033 entitled, "Municipal Court Technology Fund; Created"; adding Section 2.06.034 entitled "Local Truancy Prevention and Diversion Fund; Created"; by adding Section 2.06.03 entitled "Warrant Fee; Created"; establishing a warrant fee of \$25 authorized by Article 45.203 of the Code of Criminal Procedure; by adding a new Section 2.06.036 entitled "Municipal Jury Fund; Created"; by adding Section 2.06.037 "Juvenile Case Manager Fee; Created"; by adding Section 2.06.038 allowing collection of additional state-authorized costs and fees; and by adding Section 2.06.039 for collection costs and fees.

Motion: Councilman Peter Kozlowski

Second: Councilman Richard Greene

Vote: All in Favor

Result: Council Approved an Ordinance amending Chapter 2, Administration and Control, Article 2.06.000, of the Code or Ordinances entitled "Municipal Court," by amending Section 2.06.031, the Building Court Security Fund; by adding a new Section 2.06.032, entitled "Local Consolidated Fee; Created," a local consolidation fee established by state law; by adding Section 2.06.033 entitled, "Municipal Court Technology Fund; Created"; adding Section 2.06.034 entitled "Local Truancy Prevention and Diversion Fund; Created"; by adding Section 2.06.03 entitled "Warrant Fee; Created"; establishing a warrant fee of \$25 authorized by Article 45.203 of the Code of Criminal Procedure; by adding a new Section 2.06.036 entitled "Municipal Jury Fund; Created"; by adding Section 2.06.037 "Juvenile Case Manager Fee; Created"; by adding Section 2.06.038 allowing collection of additional state-authorized costs and fees; and by adding Section 2.06.039 for collection costs and fees.

- E. Receive, consider, and act on an Ordinance amending Article 2.03. "Officers and Employees", by adding Division 3, Section 2.03.040, "The Office of City Secretary", providing for the appointment, supervision, and removal of the City Secretary, establishing the principal duties and responsibilities of the City Secretary, and providing for a bond.

Motion: Councilman Peter Kozlowski

Second: Councilwoman Sarah Adams

Vote: All in Favor

Result: Council Approved an Ordinance codifying the position of City Secretary.

- F. Receive, consider, and act on an Ordinance amending The City of New Fairview City Code permitting various appointments, to include that of Court Administrator, authorize the City Secretary to act as a Deputy Municipal Court Clerk, as well as memorialize court procedures.

Motion: Councilman Richard Greene

Second: Councilman Peter Kozlowski

Vote: All in Favor

Result: Council Approved an Ordinance amending City Code to reflect the levels of a Municipal Court Clerk, of a Municipal Court I, II and Municipal Court Administrator, as well as memorializing Municipal Court procedures.


- G. Receive, consider, and act upon a Resolution accepting the proposed property tax rate; establishing dates for public hearings on the proposed property tax rate for the Fiscal Year 2023-2024 Budget; providing for the dates for the City Council to approve the property tax rate and Fiscal Year 2023-2024 Budget; and providing for publication of public hearing notices as provided by Texas law
Item G. was pulled from the agenda.

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: Work Session was adjourned at 9:16pm.

MINUTES APPROVED ON THIS, THE 21ST DAY OF AUGUST 2023




John Taylor, Mayor


Brooke Boller, City Secretary