

**CITY COUNCIL MEETING**

**JULY 13, 2020**

**7:00 P.M.**

**New Fairview City Hall**

**999 Illinois Ln.**

**New Fairview TX 76078**

**MINUTES**

**STATE OF TEXAS**

**COUNTY OF WISE**

**CITY OF NEW FAIRVIEW**

**THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING, THE SAME BEING OPEN TO THE PUBLIC, THE 13<sup>TH</sup> DAY OF JULY 2020 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 GOVERNMENTAL CODE, WITH THE FOLLOWING MEMBERS PRESENT:**

**CITY COUNCIL**

**Mayor Joe Max Wilson**

**Mayor Pro Tem Scott Johnson**

**Councilman Bill Payne**

**Councilwoman Rebecca McPherson**

**Councilman Charlie Stumm**

**Councilman Rick White**

**PRESENT**

**Interim City Administrator Alan Guard**

**City Secretary Monica Rodriguez**

**City Clerk Brooke Boller**

**City Planner Barry Hudson**

**City Attoreny Bradley Anderle**

**ITEM NUMBER 1. VIDEO CONFERENCE**

**A. This City Council Meeting will be held via Videoconference. The City Council will participate remotely via videoconference. The facility will not be open to the public. Members of the public are entitled to participate remotely via broadcast through Cisco Webex at the following URL location.**

<https://meetingsamer11.webex.com/join/cnfcclerks>

Instructions on how to change the settings within the meeting app to call in are below.  
Please

note that if you do not call in through the Cisco Webex app with the Access Code and Attendance ID you will only be able to hear the meeting and will not be able participate. It is

highly recommended that everyone follows the instructions attached. We will still be streaming

the meeting so that everyone will have a visual as well.

Calling in using a computer and telephone

Calling in using an Android device

Calling In using an Apple device

Access Code: 298-437-804

#### **ITEM NUMBER 2. CALL MEETING TO ORDER:**

Mayor Wilson called the meeting to order at 7:02 PM

#### **ITEM NUMBER 3. ROLL CALL:**

Roll call with the above-mentioned names present

#### **ITEM NUMBER 4. EXECUTIVE SESSION**

**Advice from City Attorney:** Pursuant to Sec. 551.071 of the Texas Government Code, the Board of Aldermen reserves the right to convene in Executive Sessions(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

#### **ITEM NUMBER 5. CONSENT AGENDA:**

All matters listed as Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

**A. Approve minutes for June 1, June 10, June 15, June 18 and June 22, 2020**

**B. Approve to extend the application for Pioneer Ranch preliminary plat till the next monthly meeting in August 2020**

**C. Approve to extend the application for Pioneer Ranch final plat till the next monthly meeting in August 2020**

Mayor Pro Tem Johnson made a motion to approve consent agenda items. Councilwoman seconded the motion. Motion passed unanimously.

#### **ITEM NUMBER 6. OPEN FORUM**

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.

**ITEM NUMBER 7. NEW BUSINESS:**

**A. Discuss, consider and act on Annexation Services Agreement related to the annexation by the City of New Fairview, Texas of approximately 140.246 acres of land situated in the James C. Jack Survey, Abstract No. 679, Denton County, Texas located on the southeast corner of the City- bordered on the north by Dove Hollow Lane and bordered on the west by South County Line Road, known as the Dove Hollow development.**

The property owner submitted a petition for the annexation of the property into the city on May 4, 2020. City Council held a public hearing on June 15, 2020. This annexation request has been reviewed by City Planner Barry Hudson. A service agreement will be made with Aqua Texas for water service. **Mayor Pro Tem Johnson made a motion to approve the development agreement with Dove Hollow Annexation Service Agreement. Motion seconded by Councilman White. Motion passed unanimously.**

**B. Discuss, consider and act on Ordinance No. 2020-17-209 for the annexation by the City of New Fairview, Texas of approximately 140.246 acres of land situated in the James C. Jack Survey, Abstract No. 679, Denton County, Texas located on the southeast corner of the City-bordered on the north by Dove Hollow Lane and bordered on the west by South County Line Road, known as the Dove Hollow development.**

City Attorney Bradley Anderle said everything legally has been done to move forward. Councilwoman McPherson made a motion to approve Ordinance 2020-17-209 for the annexation of Dove Hollow development. Motion seconded by Councilman White. Motion passed unanimously.

**ORDINANCE NO. 2020-17-209**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION INTO THE CITY OF NEW FAIRVIEW OF PROPERTY DESCRIBED IN EXHIBIT "A" AND DEPICTED ON EXHIBIT "B", LOCATED WITHIN THE CURRENT ETJ OF THE CITY OF NEW FAIRVIEW, TEXAS, FOR ALL MUNICIPAL PURPOSES; DIRECTING AMENDMENT OF THE OFFICIAL MAPS; ESTABLISHING THE RIGHTS AND DUTIES OF INHABITANTS IN THE ANNEXED AREA; PROVIDING FOR FILING NOTICE OF THIS ANNEXATION IN DEED RECORDS OF DENTON COUNTY AND WITH THE WISE AND DENTON COUNTY APPRAISAL DISTRICTS; APPROVING A SERVICE AGREEMENT FOR SUCH TERRITORY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE EXCLUSION OF AREAS EXCEPTED FROM ANNEXATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**PASSED AND APPROVED ON THIS 13TH DAY OF JULY 2020.**

**C. Continue Public Hearing on the proposed zoning by the City of New Fairview, Texas of approximately 140.246 acres of land situated in the James C. Jack Survey, Abstract No. 679, Denton County, Texas located on the southeast corner of the City-bordered on the north by Dove Hollow Lane and bordered on the west by South County Line Road.**

Public Hearing opened at 7:15 PM. No comments. Public Hearing closed at 7:19 PM.

**D. Discuss, consider and act on Ordinance No. 2020-18-210 zoning approximately 140.246 acres of land situated in the James C. Jack Survey, Abstract No. 679, Denton County, Texas located on the southeast corner of the city-bordered on the north by Dove Hollow Lane and bordered on the west by South County Line Road-as Planned Development for Single-Family Residential.**

Councilwoman McPherson made a motion to approve Ordinance 2020-18-210 including the roof pitch minimum change. Mayor Pro Tem Johnson seconded the motion. Motion passed unanimously.

#### **ORDINANCE NO. 2020-18-210**

**AN ORDINANCE OF THE CITY OF NEW FAIRVIEW, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF NEW FAIRVIEW ADOPTED BY ORDINANCE NO. 2010-01-149 BY DESIGNATING THE ZONING OF A PARCEL OF LAND BEING APPROXIMATELY 140.246 ACRES OF LAND IN THE JAMES C. JACK SURVEY, ABSTRACT NO. 679, DENTON COUNTY, TEXAS, BORDERED ON THE NORTH BY DOVE HOLLOW LANE AND ON THE WEST BY SOUTH COUNTY LINE ROAD, FROM UNZONED (EXTRATERRITORIAL JURISDICTION) TO PD - PLANNED DEVELOPMENT FOR SINGLE-FAMILY RESIDENTIAL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**PASSED AND APPROVED ON THIS 13th Day of July 2020**

**E. Discuss, consider and act to approve a contract with Benjamin Nibarger as City Administrator for New Fairview.**

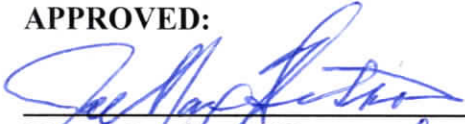
The contract has been drafted and reviewed by the City Attorney Bradley Anderle.

Councilwoman McPherson made a motion to approve the contract. Councilman White seconded the motion. Motion passed unanimously.

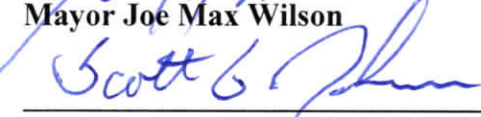
**ITEM NUMBER 8. ADJOURN:**

Mayor Pro Tem Johnson made a motion to adjourn meeting at 7:35 PM. Motion seconded by Councilwomen McPherson. Motion passes unanimously.

**APPROVED:**



**Mayor Joe Max Wilson**



**Mayor Pro Tem Scott Johnson**



**Councilwoman Rebecca McPherson**

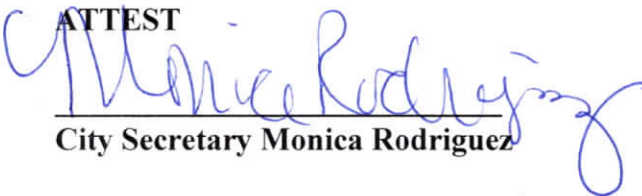


**Councilman Scott Johnson**

**Councilman Rick White**

**Councilman Bill Payne**

**ATTEST**



**City Secretary Monica Rodriguez**