

**MINUTES
CITY COUNCIL
August 3, 2020
7:00 P.M.**

**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 3RD DAY OF AUGUST 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 Rick White
Councilman Charlie Stumm
Councilwoman Rebecca McPherson**

**PRESENT
City Administrator Ben Nibarger
City Secretary Monica Rodriguez
City Clerk Brooke Boller
City Attorney Bradley Anderle**

ITEM NUMBER 1. CALL MEETING TO ORDER:

Mayor Wilson called the meeting to order at 7:06 P.M.

ITEM NUMBER 2. ROLL CALL:

Roll call with the above-mentioned names present

ITEM NUMBER 3. PLEDGE TO 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**

ITEM NUMBER 4. 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 July 13 & July 17, 2020

Mayor Pro Tem Johnson made a motion to approve minutes. Motion seconded by Councilwoman McPherson. Motion passed unanimously.

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

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

Option expired August 20. City Admin Nibarger said that they have come to an agreement. He met with them and they will be working on it. City Admin Nibarger said that they will move forward with what improvements need to be done. Councilman Stumm said that the city is far away from doing anything on Pioneer Rd. City Admin Nibarger talked with Don Allen regarding his participation on improving Pioneer Rd. Because of the access in and out he will need Pioneer Rd. Don Allen has already mentioned doing some work, but he will know for sure when he talks to Scott with Pioneer Ranch and move forward. IT can be done with both developers working on it together. Engineering will take a couple of months. Need to talk with Don Allen to know exactly what to do. Scott is excited about the change and time frame on place, but they will work with him. Arrangements will be worked out. There are other options. We can do impact fees too. Pioneer Rd is low, and the road needs to be built up. **Mayor Pro Tem Johnson made a motion to approve to extend the applications till the next month. Councilman Stumm seconded the motion. Motion passed unanimously.**

ITEM NUMBER 5. 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 6. NEW BUSINESS:

A. Discuss, consider and act on approving an application packet for participation in the Texas Cooperative Liquid Assets Securities System Trust Program (Texas CLASS) and authorize the Mayor to sign the Resolution to Participate

The city adopted an investment policy in June 2020. PFIA requires diversity of deposits. Texas CLASS provides an interest bearing account with high liquidity, access within 24 hours.

Mayor Pro Tem Johnson made a motion to approve the application with Texas CLASS and authorizing the mayor to sign the resolution to participate. Motion seconded by Councilman White. Motion passed unanimously.

B. Discuss, consider and act on Resolution to approve agreement with the East Wise Fire Rescue Fire Department

Currently the city does not have a formal agreement in place with East Wise Fire Rescue. They are currently providing fire protection to the city. The agreement is similar to the one that was just completed with Justin. In the agreement the City of New Fairview will agree to pay the department \$1,000 each year and fence off the east bay and provide keyless entry. This will benefit everyone. **Mayor Pro Tem Johnson made a motion to approve the Interlocal Cooperation Agreement and \$2,000 for chain-link fence to add privacy to their end. Motion seconded by Councilman White. Motion passed unanimously. The department will put up a sign for East Wise.**

C. Discuss, consider and act on adopting the International Building Code 2015 (IBC 2015)

Currently the city is using the IBC 2009. The most current version is IBC 2018 and scheduled for another update in 2021. This impacts the city's insurance service office rating, which directly impacts the insurance rates for our residents. The 2016 legislature required all cities to adopt the IBC 2015.

Councilman White made a motion to adopt the International Building Code 2015. Motion seconded by Councilman Stumm. Motion passed unanimously.

D. Discuss, consider and act on approving an amendment to the employee handbook that allows the City Administrator to make changes on an as needed basis. The document, if amended by the City Administrator, shall be presented to the City Council on an annual basis for review.

City Admin Nibarger said that there were several things that he could approve staying in budget without having to go to council. The policy adjustments that do not impact budget authority can reside with the City Administrator. Every year there is a review and adoption with the city council to provide legislative protection from litigation.

Councilman White made a motion to approve an amendment to the employee handbook that allows City Administrator to make changes on an as needed basis. Motion seconded by Councilwoman McPherson. Motion passed unanimously.

E. Discuss, consider and act on transitioning the City of New Fairview to an electronic record keeping system

City Admin Nibarger suggested to go electronic and back up to google cloud. Councilman Stumm suggested that we have it stored in house as well. This way it will be safer and keep files safe from fire, natural disaster, and easily accessible. We can adopt it or if not come to some agreement as stated. **Councilman White made a motion to approve the transition to an electronic record keeping system. Mayor Pro Tem Johnson seconded the motion. Motion passed unanimously.**

F. Discuss, consider and act on options regarding the City's streets maintenance program following the lapse of the Devon Energy Road Maintenance Agreement.

City Admin Nibarger said that Martindale is a private road. We can require them to bring it up to code and then give it to the city. Councilwoman McPherson asked if the city could do a contract with the new company that bought Devon Energy. The agreement was no longer in place once the city implemented a property tax. The agreement was that Devon Energy would maintain Martindale Rd, Graham Rd and Pioneer Rd as long as the city didn't have a tax and once it did the maintenance agreement would end.

G. Discuss, consider and act on enforcement of Ordinance 1998-05-0014 as amended by 2007-12-127 regarding code enforcement

We are going to start cleaning up the roads, brush removal and trash. City Admin Nibarger will go down with Don Strange and look at the properties. The city has been lenient for the last several years in enforcement. Overgrown weeds and changes in the water flow is directly impacting the failure of city roads. Councilwoman McPherson asked if they will allow the citizens that are not in compliance have the opportunity to fix it.

H. Present and discuss the no-new-revenue tax rate and its impact on the 2020/2021 budget

City Admin Nibarger gave a city budget update. 2019 taxable value for Wise and Denton County together was \$146.5MM. In 2020 taxable value for Wise County and Denton Ct was \$155 MM. We are still waiting on Denton information. The current tax rate is \$.30/100

The No-New-Revenue (NNR) tax rate is \$0.361026/\$100. The city has several developments going on in the city, Fairview Meadows, Falcon Ridge, Dove Hollow, Constellation Lake and Pioneer Ranch that will add revenue in fees and in taxes as well. City Admin Ben Nibarger mentioned to the council about the possibility of doing a water study. The ability to offer a variety of services improves the cities negotiating power and a good source of revenue for the city.

I. Future agenda items

No discussion

ITEM NUMBER 7. EXECUTIVE SESSION


Pursuant to Sec. 551.074, deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

No discussion

ITEM NUMBER 8. ADJOURN

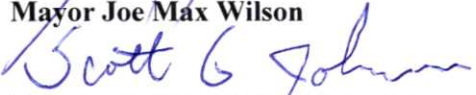
Mayor Wilson adjourned the meeting at 10:00 P.M.

APPROVED:



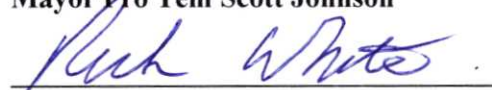
Mayor Joe Max Wilson

Mayor Joe Max Wilson



Mayor Pro Tem Scott Johnson

Mayor Pro Tem Scott Johnson



Councilman Rick White

Councilman Rick White



Councilwoman Rebecca McPherson

Councilwoman Rebecca McPherson

Councilman Charlie Stumm

ATTEST:



Monica Rodriguez, City Secretary

Monica Rodriguez, City Secretary

SEAL:



