

City of Newark
City Council Minutes
January 16, 2014

I. Call to Order

Mayor Gary Van Wagner called the meeting to order at 7:00 p.m. on January 16, 2014 in the Newark Municipal Building located at 209 Hudson Street, Newark, Texas. Those present were: Mayor Gary Van Wagner, Mayor Pro Tem Bob Wells, Councilmember Linda Anderson, Councilmember Dan Sessler, and Code Enforcement Officer Jimmy Duvall. Councilmember Doug Anderson, Councilmember Taylor Burton, and City Administrator Diane Rasor were absent.

II. Invocation – Mayor Van Wagner delivered the invocation.

III. Citizens' Comments

Ms. Laura Pixler is against inspecting and regulating rental properties. She believes it is neither right nor fair to landlords. She also requested that the City not take money from the Fire Department.

Ms. Nancy Crow is also against inspecting rentals. She complained about the new water connections not being hooked up and the City not putting new meters in her vacant lots. Her yard and driveways were not repaired after the construction. She said the men at the church she attends plan to tear down and remove the house at 111 Deborah.

Ms. Sue Webb complimented the road crew that paved Deborah Drive.

Ms. Monique Murray spoke against the rental regulations stating she did not want the City in her business. She believes the ordinances are too organized and the City should allow the residents to make up their own minds concerning the way they live.

Mr. Michael Murray stated he understands charging fees to regulate rentals are meant to keep residents safe, however he thinks the City is punishing a small group of people. He is concerned about the decisions the current council is making.

Mr. Tony Biggers is against the \$100 the City is proposing to charge to inspect the rental property.

IV. Consent Agenda – A. Approval of Minutes, B. Approval of Accounts Payables, C. Approval of Budget and Financials, D. Approval of Staff Reports

Mayor Pro Tem Wells moved to approve the consent agenda; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

V. Regular Meeting

1. Consider and act on recommending abatement proceedings be commenced pursuant to Section 3.04.006 of the Newark Code of Ordinances by scheduling a Public Hearing on February 20, 2014 at 7:00 p.m. to determine if the building located at 111 Deborah Drive complies with the standards set out in Section 3.04.004 of the Newark Code of Ordinances, "Conditions Constituting Substandard Buildings".

Mayor Pro Tem Wells stated the City went to a large expense to have the City's ordinances codified and put on-line for the citizens. These ordinances have been passed and approved by Councils since 1951. The City has discussed with Ms. Crow the condition of the house at 111 Deborah expressing that it is dangerous and needs to be removed. There is thirty (30) days until the public hearing scheduled for February 20, 2014 and then if the City Council decides to issue an order to have the building removed, Ms. Crow will have an additional 30 days to have the building removed herself.

Councilmember Linda Anderson moved that abatement proceedings be commenced pursuant to Section 3.04.006 of the Newark Code of Ordinances by scheduling a public hearing on February 20, 2014 at 7:00 p.m. to determine if the building located at 111 Deborah Drive complies with the standards set out in Section 3.04.004 of the Newark Code of Ordinances, "Conditions Constituting Substandard Buildings"; Mayor Pro Tem Wells seconded the motion. All approved. Motion passed.

2. Consider and act on the development of a community integrity program by: A. Amending the City of Newark Code of Ordinances to include an ordinance establishing registration and inspection of regulations of rental properties in the City of Newark. B. Approving an information manual for owners and tenants explaining the purpose, goals, and requirements of the City Rental Registration and Permit Program. C. Approving a Rental Registration Application. D. Amending the City of Newark Code of Ordinances Fee Schedule by setting a fee for a Rental Registration and Permit.

Councilmember Linda Anderson brought this forward to set safety standards within the community. Mayor Pro Tem Wells stated the fee of \$100.00 is incorrect. The ordinance the City is considering modeling is the City of Little Elms, which has a checklist, and the fee is \$65.00. Councilmember Sessler is against regulating rental properties.

Jimmy Duvall said he submitted Little Elm's because it is simple. Councilmember Linda Anderson suggested having a task force. Mayor Pro Tem Wells requested that citizens volunteer for the task force by submitting it to City Hall. Mayor Pro Tem Wells and Monique Murray would like to be members of the task force. Councilmember Linda Anderson suggested Jimmy Duvall be on the task force. A committee selection will be on the next agenda.

3. Consider and act on increasing the Code Enforcement Official's duties and hours per week.

Currently the Code Enforcement Officer Jimmy Duvall is authorized to work ten (10) hours per week. His responsibilities will increase when the mowing season begins and liens may need to be filed on the properties and/or citations issued. Councilmember Linda Anderson and Mayor Pro Tem Bob Wells recommend increasing Mr. Duvall's hours to at least fifteen (15) per week.

Councilmember Sessler moved to increase Jimmy Duvall's hours to fifteen (15) a week; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

4. Consider and act on approving the purchase of a metal building from MBMI Metal Buildings to replace the maintenance building on 898 Rogers Road.

The maintenance building was destroyed in the ice storm. Mayor Pro Tem Wells received several bids on the project and after reviewing the bids with Mayor Van Wagner it was decided that MBMI was the best building and value. There is no action that needs to be taken on this item at this time.

5. Discussion and possible action on the budgeted funds for the Newark Volunteer Fire Department.

For a number of years the City has authorized a payment from the City to the Fire Department of \$6,000. Last year the City paid the Fire Department \$7,214 because their electric and telephone bills were also paid. Mayor Pro Tem Wells recommended continuing with the \$6,000. No action needs to be taken.

6. Adjourn. The meeting is adjourned.

APPROVED:

Gary Van Wagner, Mayor

Date

ATTEST:

Diane Razor, City Administrator