

City Council Minutes
Thursday, June 20, 2013 – 7:00 P.M

I. Call to Order

Mayor Pro Tem Wells called the meeting to order at 7:00 p.m. on Thursday, June 20, 2013 in the Newark Municipal Building located at 209 Hudson Street. Those present were Mayor Pro Tem Wells, Councilmember Linda Anderson, Councilmember Dan Sessler, Councilmember Doug Anderson, and City Administrator Diane Razor. Mayor Matt Newby was absent.

II. Invocation – Councilmember Doug Anderson delivered the invocation.

III. Citizens Comments

Ms. Nancy Crow, owner of the mobile home park on Deborah Drive, asked who would be responsible for connecting the new main line and water meters to the service lines going to the homes and the vacant lots. She requested this item be placed on the next agenda for discussion.

Ms. Sue Webb, a resident on Deborah Drive, thanked the City for all they do, however she is concerned about all the mud due to replacing the water lines. She also requested the issues on Deborah Drive be placed on the next agenda.

IV. Consent Agenda – A. Approval of the May 16th and May 30th minutes, B. Approval of Accounts Payables, C. Approval of the Budget and Financials, D. Approval of Staff Reports.

Councilmember Linda Anderson moved to approve the consent agenda items A-D; Councilmember Dan Sessler seconded the motion. All approved. Motion passed.

VI. Regular Meeting

1. Consider and act on Ordinance No. A-394 adopting rate schedule “RRM – Rate Review Mechanism” for Atmos Energy Corporation.

Mr. Randy West with Atmos Energy explained the ordinance authorizes a mechanism to review the gas rates every year without having to go through a full blown rate case, which is not only easier, but also saves the consumer money. Rate cases are so complex that the cities have formed the Atmos Cities Steering Committee and normally take the recommendations of the steering committees’ attorneys as to whether or not to approve the cases. If the City Council disagrees with the recommendation, then they may appeal the case to the Railroad Commission at their own expense.

Councilmember Doug Anderson moved to accept Ordinance A-394; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

2. Discussion on "winter averaging" and/or capping sewer rates.

Mayor Pro Tem Wells did a study on winter averaging for the Chisholm Trail residents and concluded that ten (10) out of twenty-one (21) homes use less than 7,000 gallons per month on the average. The residents using over the 7,000 gallons per month normally showed a huge increase from May – August. He does not believe that winter averaging is a viable option.

Mayor Pro Tem Wells suggested the residents purchase a flow meter to attach to their irrigation system or water hose used to fill a pool that will measure the amount of water used for those purposes. The City would check the readings on these meters and deduct that amount of water used to calculate their sewer bills.

3. Consider and act on Ordinance No. A-397 amending the Newark Code of Ordinances, Chapter 8 – Offenses and Nuisances, Article 8.05 – Junk Vehicles, Section 8.05.002 – Definitions, the definition of Deputy.

City Administrator Diane Rasor explained the reason for this amendment is so the City Council may give the code enforcement officer and the city administrator the authority to enforce this ordinance since the City no longer has a resident deputy.

Councilmember Doug Anderson moved to accept Ordinance A-397; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

4. Consider and act on authorizing the City Administrator and Code Enforcement Officer to enforce the Newark Code of Ordinances, Chapter 8 – Offenses and Nuisances, Article 8.05 Junk Vehicles.

Councilmember Sessler moved to authorize the City Administrator and Code Enforcement Officer or the Deputy's authorized representative to enforce the junk vehicle ordinance; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

5. Consider and act on directing the public works employees to remove the fence that was constructed across Ram Horn Hill Road that is blocking the City's right-of-way to water wells #3 and #4 and the standpipe water tower.

Councilmember Sessler moved to spend up to \$1,000 for replacing the current fence with a gate and authorize City employees to accomplish the task; Councilmember Doug Anderson seconded the motion. All approved. Motion passed.

6. Discussion and possible action on way finding signs.

The lowest bid Mayor Pro Tem Wells received to replace the outdated sign at the entrance to the city complex was \$311 from K&S Signs. Councilmember Linda Anderson requested a sign on FM 718 with the words "City Hall" and an arrow pointing towards Hudson Street.

Councilmember Linda Anderson moved to approve signage by K&S Signs for the way finding signs for the city complex as well as signage for FM 718 and authorize up to \$500; Councilmember Doug Anderson seconded the motion. All approved. Motion passed.

7. Discussion on calling an election in November to redirect one-half cent of the City's sales tax allocation.

City Administrator Diane Rasor explained that currently one-half cent (1/2¢) was being used to reduce the City's property taxes, however the tax may be used for other options, such as street maintenance if voted on by the public. The City Council requested more information on this item before making a decision.

8. Discussion and possible action on allowing the citizens of Newark to vote on the City and/or "Welcome" logo for the water tower on FM 718.

Councilmember Linda Anderson moved to market three (3) logos that the City Council chose as the "People's Choice" allowing the citizens to vote on one to be painted on the FM 718 water tower; Councilmember Doug Anderson seconded the motion. All approved. Motion passed.

9. Consider and act on a Resolution nominating a candidate to fill a vacancy on the Wise County Appraisal District Board of Directors.

This item was tabled.

10. Discussion on the creation of an Emergency Management Committee.

Councilmember Linda Anderson stated she was bringing this item before the City Council to make them aware of some preliminary plans for creating an emergency management committee. With the recent tornados she was wondering what her role would be as a councilmember if a disaster were to occur in Newark. She would like to have a meeting with all of the key people in Wise County. It was suggested that she contact Ramah Burns or Jo Ann Wilson to get the name of a faith based emergency coordinator.

11. Consider and act on selecting budget workshop dates.

Thursday, July 25th at 6:00 p.m. was decided on for the first budget workshop.

The City Council entered into executive session at 8:52 p.m. and returned to open session at 9:56 p.m.

V. Executive Session: Texas Government Code, Chapter 551, Section 551.071, Consultation with Attorney; Closed Meeting. A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation.

(Contacted City Attorney by Phone) City Code Violation – Customary Home Occupations – 538 Oak Hills Drive

12. Consider and act on executive session. None

13. Adjourn.

The meeting adjourned at 9:59 p.m.

APPROVED:

Matt Newby, Mayor

Date

ATTEST:

Diane Rasor, City Administrator