

**City of Newark  
City Council Minutes  
Thursday, July 25, 2013**

**I. Call to Order**

Mayor Matt Newby called the meeting to order at 6:08 p.m. on Thursday, July 25, 2013 in the Newark Municipal Building located at 209 Hudson Street, Newark, Texas. Those present were: Mayor Matt Newby, Mayor Pro Tem Bob Wells, Councilmember Linda Anderson, Councilmember Dan Sessler, Councilmember Doug Anderson, Wastewater Operator William Allen, and City Administrator Diane Rasor.

**II. Invocation** – Councilmember Doug Anderson delivered the invocation.

**III. Citizens Comments** - None

**IV. Consent Agenda: A. Approval of the June 20, 2013 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 A, B, C and D; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

**VI. Regular Meeting**

**1. Discussion and possible action on funding service lines to homes and vacant lots on Deborah Drive and the substandard structures issues on Deborah Drive.**

Ms. Nancy Crow, owner of the mobile home park on Deborah, asked how and when the water meters are going to be hooked up to the houses on Deborah. Mayor Newby stated that after the STEP grant was completed, the City would begin hooking up the lines one by one. The City will install meters to all lots including the empty lots. If a trailer moves into the Park, the meter will be installed at that time if it has not already been installed.

Ms. Crow is concerned that the City is not going to replace the infrastructure she already has in place. Councilmember Bob Wells stated that the new meters are in the right of way, but the original meters were put in at the back of the lots by the City. The City will run the water lines from the new meter boxes to the old meter boxes and then the owner will be required to hook up the line to the home and will be responsible for any repairs needed from the new meter box to the home. If a meter box is damaged, the person responsible for the damage will be charged. If the person is not identified, then the City will be responsible for the damage. The City will replace the base and the gravel in the driveways.

The process has begun to abate the substandard homes at 110 and 111 Deborah. If the City ends up having to abate the homes, the cost will be approximately \$3,500 each, which will be

charged back to Ms. Crow. Ms. Crow stated she is trying to do the work herself and will be in touch with the code enforcement officer. Ms. Sue Webb presented pictures of the drainage issues since the construction began on Deborah.

**2. Consider and act on authorizing funds to purchase a second air conditioning unit and the roof work needed for installation at the Library.**

Mayor Pro Tem Wells presented options to resolve the Library's issues of being too hot in the summer and too cold in the winter. Williams Air Conditioning quoted \$5,500 for installing a second unit on the roof, adding additional power will cost \$500, and the roof penetration will cost \$700 for a total of approximately \$8,000.

A second option is for Gorman Mechanical to rearrange some of the ducting, close off some of the registers, and then run pipe to the south side of building, which would theoretically cool the south wall for a cost of \$1,475. At the same time CD Electric would install a 60 amp breaker and run wires so the full load of heat strips would be operational during the winter for a cost of \$525.00. The Library will be approximately \$4,400 under budget at the end of this fiscal year, which will offset some or all of the cost.

Councilmember Sessler moved to hire Gorman Mechanical and CD Electric for up to \$2,000 to repair the air-conditioning and heating at the Library; Councilmember Doug Anderson seconded the motion. All approved. Motion passed.

**3. Consider and act on approving the logo for the FM 718 water tower.**

City Administrator Diane Rasor stated the "People's Choice" was for the round City of Newark logo. Two logos on the tower may cost up to \$6,000. It was recommended to take the black border off of the round logo. The paint rusting issue on the water tower need to be resolved before the work is done on the logo.

Councilmember Linda Anderson will get a "hard" quote on painting two logos on the tower and action on this item will be postponed until the August meeting.

**4. Discussion on the one-half cent of the City's sales tax allocation used to reduce property taxes.**

City Administrator Diane Rasor explained that 1/3 of the revenue the City receives in sales tax is used to reduce the property tax rate. 1/3 of the City sales tax for the last four (4) quarters was \$32,502. The equivalent tax rate amount is .08. This amount is subtracted from the highest tax rate (the rollback rate) that the City may adopt without being subject to a rollback election. She recommended keeping the sales tax as is since it allows more flexible use of the revenue than any of the other sales tax use. The tax rate was discussed and the Council recommended raising the maintenance and operations rate minutely to .50 plus the required interest and sinking rate of .0735 for a total tax rate of .5735.

**5. Consider and act on Ordinance No. A-398 amending the Newark Code of Ordinances, Chapter 13 – Utilities, Article 13.03 – Water and Sewer Service, Section 13.03.003 – General Regulations by adding (f) flow meters allowed on outside water spigots and hoses to measure the amount of water used for landscape and/or filling swimming pools to deduct the usage in order to calculate a resident’s sewer charges.**

The residents from Chisholm Trail stated that this ordinance did not accomplish anything. The City of Rhome insists on a Rhome meter being placed on the irrigation system to measure the water usage. The residents suggested a fair resolution to this problem would be to either raise the sewer rate a flat \$5.00 for all residents or place a cap on the sewer rate.

Councilmember Doug Anderson moved to cap the sewer charges at forty-five dollars (\$45) for single-family homes only, not for multifamily homes, and definitely not for commercial; Councilmember Linda Anderson seconded the motion. Ayes: Councilmember Linda Anderson, Councilmember Sessler, and Councilmember Doug Anderson. Nays: Mayor Pro Tem Wells. Abstentions: None. The motion passed with three (3) ayes and one (1) nay and zero (0) abstentions. The ordinance will be approved at the next meeting.

**6. Discussion and possible action on the zoning violation at 538 Oak Hills Drive in Thousand Oaks.**

City Administrator Diane Rasor stated that the owner has refused to submit a Special Use Permit to request continuation of his home business. At this point, the Council needs to decide whether to amend the “Home Occupations” ordinance or enforce the ordinance as is. The Council directed the City Administrator to enforce the ordinance.

**V. Budget Workshop - Discuss and review revenues, expenditure, capital improvement projects, and the required tax rate for the 2013-2014 fiscal year.**

City Administrator Diane Rasor reviewed the estimated end of year revenues and expenditures for the 2012-2013 fiscal year and the proposed revenues and expenditures for the 2013-2014 fiscal year. She suggested actively marketing the “ball park” property on Marshall Road and pointed out that many of the repair expenditures will go away once the City finishes the STEP project. Cost should also be lower for electricity since the City will be switching providers and the cell phone expenditures will be lower since the City has switched plans. Some of the added requests include a new “Gator” and tools for public works totaling \$15,000, a new printer for water bills for \$1,000, \$10,000 for code enforcement abatements and up to a 5% raise for employees.

The Council recommended having the “ball park” property re-appraised. The \$27,000 fine from TCEQ was not dismissed and although the City is applying for a Supplemental Environmental Project (SEP) to hopefully be able to use the fine money towards a project, the amount will need to be included in the 2013-2014 budget.

7. **Adjourn.**

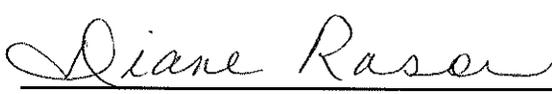
The meeting was adjourned at 9:55 p.m.

**APPROVED:**

  
\_\_\_\_\_  
Matt Newby, Mayor

08-29-2013  
\_\_\_\_\_  
Date

**ATTEST:**

  
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Diane Rasor, City Administrator