

**City of Newark
City Council Minutes
Thursday, August 29, 2013**

I. Call to Order

Mayor Matt Newby called the meeting to order at 7:00 p.m. on Thursday, August 29, 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, and City Administrator Diane Rasor.

II. Invocation - None

III. Citizen Comments

Ms. Mary Ann Wells stated that a few years ago Mr. Williams built a tennis court behind his house and she thought it was for private use. However, Mr. Williams began to teach lessons and it has evolved into a lot of students. The lessons begin at 7:30 am. and continue until 9:00 p.m. The noise is especially loud at night and illuminates her back yard. She complained to City Hall and the Council voted at the July 18th meeting to enforce the their ordinances and she request that they do so.

III. Second Public Hearing

A public hearing on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 1.13% (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code). Individual taxes may increase at a greater rte or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and tax rate that is adopted.

Mayor Newby opened the public hearing at 7:07 p.m. There were neither proponents nor opponents so Mayor Newby closed the public hearing at 7:10 p.m.

V. Executive Session – The City may enter into executive session during the meeting to seek legal advice from its attorney on any posted agenda item, or to discuss any item that is authorized by the Texas Open Meetings Act to be discussed in closed session, including: Section 551.071 – Consultation with Attorney: Closed Meeting. A governmental body may not conduct a private consultation with its attorney about: (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer.

- **Property dispute and ordinance enforcement pertaining to 538 Oak Hills Drive.**

The Council entered into executive session at 7:10 p.m. and returned to open session at 9:19 p.m.

VI. Consider and act on executive session items.

Mayor Newby stated the City will invite Mr. Williams to apply for a Special Use Permit (S.U.P.) and reserve the right to enforce their ordinance.

Councilmember Sessler moved that after consulting with the City Attorney it was determined Mr. Williams is in violation of several ordinances and the Council votes to lift the "stay"; Councilmember Linda Anderson seconded the motion.

The meeting adjourned at 9:20 p.m.

APPROVED:



Matt Newby, Mayor



ATTEST:



Diane Rasor, City Secretary