

**Minutes of the
Newark City Council
Thursday, September 20, 2012**

I. Call to Order

Mayor Matt Newby called the meeting to order at 7:01 p.m. on Thursday, September 20, 2012 in the Newark Municipal Building located at 209 Hudson Street, Newark, Texas. Those present were: Mayor Matt Newby, Mayor Pro Tem Laura Pixler, Councilmember Linda Anderson, Councilmember Chana Massey, and Councilmember Doug Anderson. Staff present: City Administrator Diane Razor and Public Works' Crew Leader Jody Slimp.

II. Invocation – The invocation was delivered by Councilmember Doug Anderson.

III. Executive Session: Texas Government Code §551.071. Consultation with Attorney; 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. Ellis vs. City of Newark -The Council adjourned into executive session at 7:02 p.m. and returned to open session at 7:42 p.m.

IV. Presentation: Northwest Independent School District bond referendum for improvements to the school district.

This item is postponed until the October 18, 2012 council meeting.

V. Citizens' Comments – There are no citizens' comments.

VI. Consent Agenda – A. Approval of August 2012 minutes B. Approval of Accounts Payables C. Approval of Budget and Financials D. Approval of Staff Reports

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

VII. Public Hearing – October 1, 2012 through September 30, 2013 fiscal year budget.

Mayor Newby opened the public hearing. There were neither proponents nor opponents. Mayor Newby closed the public hearing.

VIII. Regular Meeting

1. Consider and act on Ordinance No. A-386, adopting the budget for the fiscal year beginning October 1, 2012 through September 30, 2013.

Councilmember Massey moved to adopt Ordinance No. A-386; Mayor Pro Tem Pixler seconded the motion. All approved. Motion passed.

2. Consider and act on adopting Ordinance No. A-387, levying ad valorem taxes for the tax year 2012-2013 for the City of Newark.

Councilmember Massey moved to adopt Ordinance No. A-387; Councilmember Wells moved to second the motion. All approved. Motion passed.

3. Consider and act on the Resolution approving financing by the Newark Cultural Education Facilities Finance Corporation for the benefit of the Covenant Knights School and related matters.

Mayor Pro Tem Pixler moved to accept the Resolution approving financing by the Newark Cultural Education Facilities Finance Corporation for the benefit of the Covenant Knights School and related matters; Councilmember Wells seconded the motion. All approved. Motion passed.

4. Consider and act on a variance for the Unlimited Tires' signs.

The City Administrator explained that the owner had been given the wrong information on the allowed square footage of the face of the sign by the City Staff.

Councilmember Linda Anderson moved to approve the variance for the sign that is outside the allowed square footage (sign is 24 square feet, allowance is 16 square feet); Councilmember Doug Anderson seconded the motion.

Ayes: Mayor Pro Tem Pixler, Councilmember Linda Anderson, and Councilmember Doug Anderson. Nays: Councilmember Wells and Councilmember Massey. Abstentions: None. The motion passed with three (3) ayes, two (2) nays, and zero (0) abstentions.

5. Discussion on sponsoring the Spirit of Christmas and recommendations of volunteers to organize and carry out the event.

Ms. Jan Van Wagner and Ms. Mary Ann Wells have done the "Spirit of Christmas" the last two years and are asking for volunteers to take on the project this year. Ms. Van Wagner suggested having a one evening event for the entire community, such as the lightening of a Christmas tree. It was suggested to form a committee to decide what the "Spirit of Christmas" project should be this year. A message will be put on the next water bill and the website asking for volunteers. Councilmember Wells suggested that if there were no volunteers the money be split between the other City sponsored events.

No action was taken on this item.

6. Consider and act on "Heart for Park" procedures.

Councilmember Linda Anderson passed out a handout about asking for volunteers and the fund raiser dates. She said with the money from the fund raisers and donations the "Heart for Park" would allow the purchase of a picnic table and swing set for \$3,017. They are requesting approval of their plan. Councilmember Massey wants to see the overall plan and Councilmember Wells asked who was going to maintain the park equipment. Councilmember Doug Anderson liked the idea of re-establishing a park board.

Councilmember Doug Anderson moved to except the plan of those two (2) pieces of property with the condition that a committee be formed of at least three (3) more people and presented at the October 4, 2012 meeting; Councilmember Massey seconded the motion. All approved. Motion passed.

7. Consider and act on surveying the right-of-way in front of 200 Killough Street and digging a trench to place an 8" PVC pipe to handle the wastewater treatment discharge.

Councilmember Massey moved to survey the right-of-way in front of 200 Killough Street and dig a trench to place an eight inch (8") PVC pipe; Councilmember Wells seconded the motion. All approved. Motion passed.

8. Discussion and possible action on a plan to move forward with the repair or resurface of the eighteen (18) roads listed in the KSA Engineers exhibits and estimates.

Councilmember Wells gave a presentation on his assessment of the roads in Newark. Park, Brown, Chambers, and the south end of Sandy Bass are the worst. He presented an estimate from DFW Paving to reconstruct (base and overlay) all four roads overlay for \$75,000. Sandy Bass will need to be repaved after the water lines are replaced this year, so it will be put on hold. Contract labor may need to be used to improve the drainage. Councilmember Wells suggested dedicating the \$35,000 from the sale of the property at 310 FM 718 and the past two conduit loan's fees of \$20,000 and the conduit loan approved this evening of \$10,000 to the road repair project.

Councilmember Massey moved to adopt the "Road Repair Plan" (attached) as presented and begin with over paving Chambers, Park, and Brown Street and contract with DFW Paving for approximately \$40,000; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

9. Consider and act on purchasing cement bags or cross ties to outline the border of the drive at 209 Hudson Street.

Councilmember Massey moved to authorize the purchase of concrete bags to shore up the back of the library and the portion needed to get started on the driveway of an amount not to exceed one-thousand dollars (\$1,000); Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

10. Consider and act on authorizing the construction of a wall at the Library on the south and southwest ends for better insulation and the upgrade of the HVAC unit to handle a 20kw heat strip.

It was suggested sheetrock to insulate the south and southwest walls to allow the Library to stay cool and find someone to get the 20kw heat strip to work.

Councilmember Linda Anderson moved to authorize the construction of a wall at the Library on the south and southwest ends for better insulation and the upgrade of an HVAC unit to handle a 20kw heat strip not to exceed five thousand dollars (\$5,000); Councilmember Wells seconded the motion. All approved. Motion passed.

11. Consider and act on the Interlocal Agreement for Animal Control Services between the City of Newark and Wise County.

Councilmember Bob Wells moved to accept the Interlocal Agreement with Wise County; Councilmember Massey seconded the motion. All approved. Motion passed.

12. Consider and act on voting for four (4) candidates for Places 11-14 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. No action taken on this item.

13. Consider and act on the Contract of Service between Wise County, Texas and the Newark Public Library for Services as a County Library.

Mayor Pro Tem Pixler moved to accept the Contract of Service with Wise County; Councilmember Wells seconded the motion. All approved. Motion passed.

14. Consider and act on the election of Directors for Tri-County Electric Cooperative. No action taken on this item.

15. Consider and act on executive session item(s). None.

16. Adjourn. The meeting adjourned at 9:15 p.m.

APPROVED:



Matt Newby, Mayor

10/17/2012

Date

ATTEST:



Diane Rasor, City Administrator

Old Town Road Assessments

Street	Condition	Grade
Park St.	Surface worn-edge deteriorated-pot holes	F
Brown	Surface worn-edge deteriorated-pot holes	F
Hudson	Surface good-some surface cracks	B
Ramhorn H	Surface worn-pot hole	D
Chambers	Surface worn-pot holes	F
Mellown	Good shape except at intersections	B
Killough	Surface worn in spots-intersection bad	C
Main	Some ware to surface-over all good shape	B
Hovey	Minor surface ware-cracks	C
McCanne	Good shape	B
Crow	Some ware & bad spots-minor repair needed	B
Angela	Some cracks in surface	C
Country L	Surface worn-pot holes	D
Deborah	Surface fair-pot holes	C
Sandy B	North end fair-South end poor	F
Berke	Good shape south-North end gravel	B/D
Wise	Good shape	B
Pettit	Good shape south-North end gravel w/pot holes	B/D