

**Minutes of the  
Newark City Council  
Thursday, October 18, 2012 – 7:00 P.M**

**I. Call to Order**

Mayor Matt Newby called the meeting to order at 7:02 p.m. on Thursday, October 18, 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 Bob Wells, Councilmember Linda Anderson, Councilmember Chana Massey, Councilmember Doug Anderson, Financial Advisor Ted Christensen, City Administrator Diane Rasor, and Public Works' employee Jody Slimp.

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

**III. Pre-Session**

**1. Consider and act on appointing a person to serve on the Newark Cultural Education Facility Finance Corporation.**

Councilmember Chana Massey moved to nominate Bandy Hicks as a member on the Newark Educational Facility Finance Corporation; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

**The City Council will break for 5 minutes to allow the Newark Cultural Education Facility Finance Corporation vote on a Resolution for a Loan Agreement**

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

Northwest Independent School District's Assistant Superintendent Dennis McCreary gave a presentation on the \$255 million capital bond referendum which will to address student growth.

**V. Citizens Comments**

Ms. Jan VanWagner requested the Council schedule the cancellation of the "Spirit of Christmas" event this year due to a lack of volunteers.

**VI. Consent Agenda - A. Approval of August 30, September 20, 2012 minutes, B. Approval of Accounts Payables, C. Approval of Budget and Financials, D. Approval of Staff Reports**

Councilmember Wells asked update on City projects from the City Administrator and requested a staff report be submitted at future meetings.

Councilmember Massey moved to accept the consent agenda with the correction to the August 30, 2012 minutes; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

## **VII. Regular Meeting**

**2. Consider and act on a Resolution approving financing by the Newark Cultural Education Facilities Finance Corporation for the benefit of Goodwill Industries of Central Texas and Goodwill Temporary Services, Inc. and related matters.**

Councilmember Wells moved to adopt the Resolution approving financing for the Newark Educational Facilities Finance Corporation for the benefit of Goodwill Industries; Councilmember Massey seconded the motion. All approved. Motion passed.

**3. Consider and act on the "Understanding" between the City of Newark and William C. Spore for the audit of the financial statements for the year ending September 30, 2012.**

Councilmember Wells moved to approve the "Understanding" between the City of Newark and William Spore for the 2012 audit; Councilmember Doug Anderson seconded the motion.

**4. Consider and act on awarding the comprehensive planning services for the Texas Community Development Block Grant (TCDBG).**

Mr. Jim Delashaw, Design Services Incorporated, explained the City will have two (2) years to complete the planning grant; however he would like to have the plan completed within one (1) year. The City Engineer will need to help him with certain aspects of the grant, which will be paid for Mr. Delashaw's firm.

Councilmember Anderson moved to accept the comprehensive planning services for the Texas Community Development Block Grant; Councilmember Wells seconded the motion. All approved. Motion passed.

**5. Consider and act on the additional cost from Lone Star Sandblasting and Painting for the work on the water tower.**

Councilmember Massey spoke with Lone Star Sandblasting and Painting's representative many times during this project and was never made aware that there would be additional billing. There is no action taken on this item.

**6. Discussion and possible action on the amended City of Newark Employee Handbook.**

Councilmember Linda Anderson revised the handbook by basically combining the previous and current books. She and Councilmember Massey reviewed the revised edition. She said the City still needs to modify the employee evaluation forms and add job descriptions and salaries.

Councilmember Massey moved to approve the amendments to the City of Newark Employee Handbook; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

**7. Discussion and possible action on contracting with another Code Enforcement Officer.**

The previous Code Enforcement Officer, Don Strange, recommended a replacement officer who currently works for the City of Flower Mound. The Council requested this item be placed on the November agenda with a resume from the recommended replacement. No action was taken on this item at this time.

**8. Consider and act on reviewing and making any corrections to the current budget for accuracy.**

The following corrections were made: Line item #131, Sale of City Building, increased to \$36,000, line item #16, Donations – Parks, was moved from the expenses category to the other current liability category, line item #610, Parks & Recreation, was zeroed (0) out since the expenditures will be taken out of line item #162, Donations –Parks, line item #747, Street Repairs was increased to \$70,000, line item #933 was decreased to \$6,000, and line item #994, Grant Match Money was increased to \$49,610.

Councilmember Linda Anderson requested a balance sheet be included in the financials each month. No action was taken on this item.

**9. Consider and act on amending the City of Newark Code of Ordinances Article 3.08 Signs, Section 3.08.010, (3) (A), amending the maximum height allowed in nonresidential areas and (D), to change the gross surface area of a ground sign.**

Councilmember Wells moved to adopt Ordinance A-389, changing Section 1 (a) and (b) with the verbiage to be added later, with a maximum height of 17 feet and the surface area of the sign itself to be a maximum of 25 square feet; Councilmember Linda Anderson seconded the motion. All approved. Motion passed.

**10. Consider and possible action on the proposal from Skyway Towers for a lump sum payment for an easement on the City's cell tower.**

Councilmember Wells will review the contract and make a recommendation at the November meeting to re-negotiate the lease agreement if necessary. No action taken on this item.

**11. Consider and act on amending or authorizing the Mayor to amend the match amount on the Texas Community Development Block Grant for the 2012-2013 year in order to complete moving the discharge, Contract No. 712259.**

City Engineer Gary Burton explained that the State will not allow a project using grant funds to be split into phases. Therefore, Mr. Burton has reduced the current grant already awarded to the City to the bare minimum needed to complete the move of the discharge line. He will need the match amount of City money amended to \$49,610.

Councilmember Massey moved to amend the match amount on the Texas Community Development Block Grant for the 2012-2013 year in order to move the discharge, Contract No. 712259, to \$49,610.00; Councilmember Doug Anderson seconded the motion. All approved. Motion passed.

**12. 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 551.074, Government Code, to deliberate regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.**

- **Hire a Library Assistant**

The Council entered into executive session at 7:15 p.m. and returned to open session at 7:25 p.m.

**13. Consider and act on executive session item(s).**

Councilmember Wells moved to hire Michelle Potala for 12 hours a week at \$8.00 per hour as the Library Assistant; Councilmember Wells seconded the motion. All approved. Motion passed.

**14. Adjourn.**

The meeting was adjourned at 8:50 p.m.

**APPROVED:**

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**Matt Newby, Mayor**

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**Date**

**ATTEST:**

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**Diane Rasor, City Administrator**