

**Minutes of the Newark  
City Council  
November 17, 2011**

**I. Call to Order**

Mayor Pro Tem Pixler called the meeting to order at 7:00 p.m. on Thursday, November 17, 2011 in the Newark Municipal Building located at 209 Hudson, Newark, Texas. Those present were: Mayor Pro Tem Pixler, Council Member Bob Wells, Council Member Chana Massey and Council Member Doug Anderson. Mayor Matt Newby was absent.

**II. Invocation** – Council Member Anderson delivered the invocation.

**III. Citizen Comments:**

Mr. Casey Zandt from Community Waste Disposal requested the opportunity to submit a proposal for the residential and commercial waste and recycling services when the current contract ends. He spoke on the company's "X-treme Green Event" which allows residents to dispose of household hazardous waste, electronics, metal appliance, and tires. The current contract with Allied Waste expires September 30, 2012.

Library Director Megan Suffling reminded everyone about the grand opening on Saturday night at the library.

**IV. Mayor's Report** - None

**V. Public Hearing** - Public comment on Resolution No. 264 requiring goods-in-transit to be subject to taxation in the City of Newark.

Mayor Pro Tem Pixler opened the public hearing at 7:05 p.m.

Council Member Massey explained this ordinance will allow the City to collect tax on goods for sale that are stored in the City for more than 175 days. Mr. Ray Chaffin asked if the City will be able to exempt businesses from the goods-in-transit tax to which he was answered with a yes.

Mayor Pro Tem Pixler closed the public hearing at 7:15 p.m. and opened the regular session at 7:16 p.m.

**VI. Consent Agenda** –A. Approval of September 8 and October 20, 2011 Minutes, B. Approval of Accounts Payable, C. Approval of Financial Data for October – November 2011, D. Approval of Staff Reports, E. Approval of the Wise County Appraisal District Collection Contract for the collection of the City's ad valorem taxes.

Council Member Massey moved to accept consent agenda items B, C, D and E; Council Member Wells seconded the motion. All approved.

Council Member Massey moved to accept consent agenda item A; Mayor Pro Tem Pixler seconded the motion; Ayes: Mayor Pro Tem Pixler, Council Member Wells and Council

Member Massey. Nays: None. Abstentions: Council Member Anderson. The motion passed with three (3) ayes, zero (0) nays and one (1) abstention.

## **VII. Regular Meeting**

### **1. Consider and act on the following request by the Newark Volunteer Ladies Auxiliary:**

- A. Use of the Delora Doughty Royal Park for Santa in the Park and the Christmas Bazaar on December 3, 2011.**
- B. Road closing from 4pm-9pm.**
- C. City sponsorship of the event.**
- D. Permission to decorate the park.**

Ms. Angela Braun requested the City allow above listed items for their "Santa in the Park" event. Council Member Massey asked the Auxiliary to keep in mind the materials being used when decorating and to clean up the park after the event.

Council Member Massey moved for the City to sponsor the Newark Volunteer Fire Department Ladies Auxiliary "Santa in the Park" event including items A, B, C and D as discussed; Council Member Anderson seconded the motion. All approved. Motion passed.

### **2. Consider and act on Resolution No. 265 casting votes for a position on the Board of Directors for the Wise County Appraisal District.**

Council Member Wells moved to adopt Resolution No. 265 casting all eight (8) votes for Chana Massey for the position on the Board of Directors; Council Member Anderson seconded the motion. All approved. Motion passed.

### **3. Consider and act on Resolution No. 264 requiring taxation of goods-in-transit in the City of Newark.**

Council Member Massey moved to adopt Resolution No. 264 requiring taxation of goods-in-transit; Council Member Anderson seconded the motion. Ayes: Mayor Pro Tem Pixler, Council Member Massey, Council Member Anderson; Nays: Council Member Wells. Abstentions: None. The motion passed with three (3) ayes, one (1) nay and zero (0) abstentions.

### **4. Consider and act on the estimate to repair Post Oak and Oak Hills Drive.**

An estimate of \$3,845 was given by Tucker Service Company out of Justin to repair 3,200 square feet by sealing it with two (2) coats of asphalt sealer and sand and filling with (one and a half) 1 ½ tons of asphalt patch. An area of 2,660 linear feet will be filled with crack sealer and backing rod. Council Member Massey is opposed to this plan because it does not correspond with the City's Comprehensive Plan and there are roads much more in need of repair at this time. Council Member Wells is in favor of the repair before the road deteriorates more. Council Member Anderson stated the appraised value on his property was decreased by \$10,000 due to the poor conditions of the roads. Council Member Wells requested the Public Works Director be required to list the roads that need repair and then prioritize the list.

Council Member Wells moved to accept the bid to repair the pot holes on Post Oak and Oak Hills Drive; Council Member Anderson seconded the motion. Ayes: Mayor Pro Tem Pixler, Council Member Wells and Council Member Anderson. Nays: Council Member Massey. Abstentions: None. The motion carries with three (3) ayes, one (1) nay and zero (0) abstentions. A workshop on roads was requested.

**5. Consider and act on required documentation of Eminent Domain Authority in Texas.**

The State is now requiring this paperwork in order for a City to keep their eminent domain authority. Council Member Massey moved to accept the documentation of eminent domain as set forth in the State of Texas; Council Member Anderson seconded the motion. All approved. Motion passed.

**6. Consider and act on Resolution No. 266 opening one or more bank accounts at Woodhaven Bank for the City's debt service obligations and reserve fund.**

Council Member Wells moved to approve Resolution No. 266 to open one or more bank accounts at Woodhaven Bank for the City's debt service obligations and reserve funds; Council Member Massey seconded the motion. All approved. Motion passed.

**7. Update and possible action on web-site.**

Council Member Wells received a quote of \$1,210 from DFW Web Design to design a new website for the City. If DFW Web Design uploads our monthly information they will charge \$70.00 per hour or the City can purchase software for a cost of \$200.00, which will enable the city staff to upload the information.

**8. Consider and act on purchasing white tables for the community center.**

City Administrator Diane Rasor requested to purchase white tables from Sam's for the Newark Municipal Building (community center) before the upcoming holiday events. Council Member Massey stated she would like to take this project on and find nice chairs and tables for a reasonable price. She suggested borrowing the tables and chairs for the upcoming events.

No action taken on this item.

**9. Adjourn.** - The meeting was adjourned at 8:10 p.m.

**APPROVED:**

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

01-02-2012  
\_\_\_\_\_  
Date

**ATTEST:**

  
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Diane Rasor, City Administrator