

**MINUTES OF THE
NEWARK CITY COUNCIL
JANUARY 20, 2011**

1. Call to Order.

Mayor Matt Newby called the meeting to order at 7:03 pm on Thursday, January 20, 2011 in the Newark Public Library located at 209 Hudson Street, Newark, Texas. Those present were: Mayor Matt Newby, Mayor Pro Tem Laura Pixler, Council Member Bob Wells, Council Member Chana Massey and Council Member Doug Anderson. Council Member Bandy Hicks was absent.

2. Invocation: Council Member Anderson delivered the invocation.

Citizen's Comments:

Ms. Jan Van Wagner spoke on the different perspectives of citizens of the City.

Mr. Dan Sessler expressed his concern on the cost to the City of public information request . Since June 2010, the request have cost the City \$5,390.52 in attorney fees. Also interference from a citizen caused the City to lose a \$10,000 conduit loan.

Ms. Monique Murray stated the Library Board had an extensive meeting in December and Librarian Megan Suffling will prepare a presentation on the new library project for the February meeting.

Mr. Brad Pierson spoke about the great job being accomplished at the City's wastewater treatment plant and congratulated the Council on paying off the Texas Commission on Environmental Quality (TCEQ) fines, which have totaled over \$56,000 in the last thirteen years.

4. Consent Agenda: A. Approval of the December 2, December 11, December 13, December 16, 2010 and January 6, 2011 minutes. B. Approval of Accounts Payables. C. Approval of Financial Data for December 2010. D. Approval of City Staff Reports.

Mayor Pro Tem Pixler requested the accounts payable be discussed separately in order to explain the estimate from B & C Construction for \$2,604 for repairing a leak. The budget will need to be adjusted to include the repair.

Council Member Wells moved to approve the consent agenda with the exception of the January 2, 2011 minutes; Mayor Pro Tem Pixler seconded the motion. All approved.

5. Consider and act on the bid from ACH Properties of \$850.00 for Lot 50, Block 1, Country Living Estates.

Mr. Stephen Eaton asked the Council if they did not approve the bid, would it allow him the opportunity to place a bid? Mr. Eaton was advised that he needed to contact the Wise County Tax Office to ask about the process for bidding on properties. Council Member Massey moved to accept the

bid from ACH Properties of \$850.00 for Lot 50, Block 1, of Country Living Estates; Council Member Wells seconded the motion. All approved.

6. Consider and act on the election letter from Atmos Energy which provides the opportunity to add franchise fees to the definition of gross revenues.

Council Member Anderson moved to discontinue the opportunity of adding the charge of franchise fees on franchise fees to the definition of gross revenues; Council Member Wells seconded the motion. All approved.

7. Discussion and action on steps needed to enforce the animal control ordinance. Item 7 and 8 will be discussed and acted on together.

8. Consider and act on the Interlocal Agreement for Animal Control Services with Wise County.

Diane Rasor recommended the City approve the Interlocal Agreement naming Wise County Animal Control as the City's animal control authority, send a letter to all residents reminding them that domestic animals need to be registered with the City and increase the registration fee to \$15.00 for the first animal and \$5.00 for each additional animal.

Council Member Massey moved to accept the Interlocal Agreement with Wise County; Mayor Pro Tem Pixler seconded the motion. All approved. This agreement will be forwarded to John Thomas at the Sheriff's Office and Council Member Massey will meet with Diane Rasor to work on the steps to enforce the animal control ordinance and report back to the Council at the next meeting.

9. Consider and act on setting a date to discuss the STEP Grant before February 17, 2011.

Mayor Newby called a special meeting for February 3, 2011 at 7:00 pm to discuss the STEP Grant, which will require fifty-one percent (51%) of the work to be done by volunteers.

10. Consider and act on repaving Rogers Road.

Council Member Wells stated Wise County quoted him approximately \$15,000 to repave Rogers Road with "Chip and Seal." This is compared to \$532,000 quoted by the City Engineer and he wants to find out why the large discrepancy exists. The County's quote does not include moving the cans, culverts and meters and addressing drainage concerns. The County will not be able to do this until the temperature is at least seventy (70) degrees.

Council Member Wells moved to enter into an agreement with Wise County, Precinct 3 to resurface Rogers Road; Mayor Pro Tem Pixler seconded the motion. All approved.

11. Consider and act on Ordinance No. A-370 requiring minimum health and safety standards for pre-owned manufactured homes.

Mr. Stephen Eaton spoke against the ordinance stating it will deter owners from moving manufactured

homes into Newark. Council Member Massey moved to adopt Ordinance No. A-370 with the amendments discussed; Council Member Wells seconded the motion. All approved.

12. Consider and act on the process and advertisement for the sale of Lot 14 of the Water Board-Newark Subdivision. (The Ballpark)

Council Member Wells requested the dates on the bid advertisement be changed to March, to publish the ad in the Wise County Messenger and Fort Worth Star Telegram, and open the bids prior to the March 16, 2011 Council meeting.

13. Consider and act on having the library property surveyed to designate the land as a park.

Mayor Pro Tem Pixler moved to have the library property surveyed in order to designate it as park land and a utility easement where wells are located; Council Member Anderson seconded the motion. All approved.

14. Consider and act on hiring an administration assistant.

Council Member Wells, Council Member Massey and City Administrator Diane Rasor interviewed five candidates and recommend Nancy Castle for the position based on her qualifications and references.

Council Member Massey moved to hire Nancy Castle to replace Linda Whitmarsh; Council Member Wells seconded the motion. All approved.

15. Consider and act on Joe Gray's pay increase.

Council Member Wells recommended an eight percent (8%) raise based on Mr. Gray recently acquiring his Class D Wastewater license and because he is so far behind the other public works employee with his current salary. Council Member Massey recognizes Mr. Gray's review was stellar and he has made huge strides, however she made a commitment not to vote for employee raises considering the City's current financial position.

Council Member Wells moved to increase Joe Gray's salary to \$12.70 per hour; Council Member Anderson seconded the motion. Ayes: Mayor Pro Tem Pixler, Council Member Wells, and Council Member Anderson. Nays: Council Member Massey. Absent: Council Member Hicks. The motion passed with 3 ayes, 1 nay and 1 absent.

The meeting was adjourned at 8:30 pm.

APPROVED:

Matt Newby, Mayor

Date

ATTEST:

Diane Rasor, City Administrator