

**MINUTES OF THE  
NEWARK CITY COUNCIL  
FEBRUARY 17, 2011**

**I. Call to Order**

Mayor Matt Newby called the meeting to order at 7:05 pm. on Thursday, February 17, 2011 in the Newark Public Library located at 209 Hudson, Newark, Texas. Those present: Mayor Matt Newby, Mayor Pro Tem Laura Pixler, Council Member Bob Wells, Council Member Bandy Hicks, Council Member Chana Massey and Council Member Doug Anderson.

**II. Invocation**

Council Member Anderson delivered the invocation.

**III. Rules of Decorum**

Council Member Anderson reviewed the Rules of Decorum.

**IV. Consider and act on the recommendation of the Newark Cultural Education Facilities Finance Corporation to facilitate the financing needed by a Charter School.**

Mary Kay Thomas with Amazing Grants stated the City was interested in applying for a STEP (Small Towns Environmental Program) grant to replace old water lines. The main stipulation is that 40% of the work must be done by volunteers. She introduced Mr. Bill Hopey from the Texas Department of Rural Affairs who explained the procedures for applying for the grant. Mr. Hopey was impressed with the community turn out at the meeting and stressed the importance of volunteers in order for the grant to be successful. The City will first submit an assessment application. The State will review the initial application and then invite the City to apply. The grants are awarded in June.

**V. Public Forum/Citizen Comments**

Ms. Jan Van Wagner expressed her appreciation for all of the volunteers who attended the meeting.

**VI. Proclamation: American Red Cross Month 2011**

Mayor Newby read the Red Cross Proclamation Matt Newby declaring March Red Cross Month in the City of Newark.

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

**VIII. Consent Agenda**

- A. Approval of January 6, January 20 and February 10 minutes.
- B. Approval of Accounts Payable.
- C. Approval of Financial Data for January 2011.
- D. Approval of Staff Reports.

Council Member Massey moved to approve the consent agenda; Mayor Pro Tem Pixler seconded the motion. Ayes: Mayor Pro Tem Pixler, Council Member Massey, Council Member Anderson, Council Member Wells (with the exception of the January 20<sup>th</sup> minutes) and Council Member Hicks (with the

exception of the January 20<sup>th</sup> minutes). Nays: None. Abstentions: None.

## **IX. Regular Meeting**

### **1. Consider and act on hiring Water/Wastewater Superintendent.**

Council Member Wells moved to approve hiring Adam Ferguson as the Director of Public Works; Council Member Massey seconded the motion. All approved. Motion passed.

### **2. Consider and act on the Velma Lipsy Preliminary Plat submitted by Mary Ann and Robert Troxell for property described as 1.567 acres out of the Cain T. Bush Abstract.**

Council Member Wells moved to accept the plat for the Velma Lipsey Addition; Mayor Pro Tem Pixler seconded the motion. All approved. Motion passed.

### **3. Consider and act on amending the bylaws of the Newark Cultural Education Facilities Finance Corporation, Article II, Board of Directors, and Section 1. Powers, Numbers, and Term of Office, changing the number of Directors to from three (3) to seven (7). No action.**

### **4. Consider and act on the recommendation of the Newark Cultural Education Facilities Finance Corporation to facilitate the financing needed by a Charter School.**

Mayor Pro Tem Pixler moved to accept the Newark Cultural Education Facilities Corporation to facilitate the financing needed by a Charter School; Council Member Hicks seconded the motion. All approved. Motion passed.

### **5. Consider and act on Texas K&S Home's bid of \$9,325.00 for Lots 15, 16, 17, & 18, Block 53, City of Newark, Wise County.**

Council Member Massey moved to accept the bid from Texas K&S Home's bid of \$9,325.00 for Lots 15, 16, 17, & 18, Block 53, City of Newark, Wise County; Council Member Wells seconded the motion. All approved. Motion passed.

### **6. Consider and act on approval of preliminary plans and specifications as submitted by Gary Burton Engineering for the Wastewater Treatment Plant Improvements (TCDP710509)**

Corey Hogue, Design Engineer for Gary Burton Engineering, explained he is required to submit the plans to the City's at certain milestones for their approval. The major categories the money is going to be spent towards are a sludge de-watering box, replacing a manhole on Central Avenue, replacing sewer line on FM 718 to the lift station, and rehabilitating the Sandy Bass lift station. The preliminary plans were recently sent to the State and they are being prepared for the bidding process.

Council Member Wells moved to approve the preliminary plans and specifications as submitted by Gary Burton Engineering for the Wastewater Treatment Plant Improvements; Council Member Massey seconded the motion. All approved. Motion passed.

### **7. Consider and act on ordering a general election to be held on Saturday, May 14, 2011 and approving Resolution No. 245 calling for the election of a Mayor, Council Member Place 4, and Council Member Place 5.**

Mayor Pro Tem Pixler moved to order a general election to be held on Saturday, May 14, 2011 and approving Resolution No. 245 calling for the election of a Mayor, Council Member Place 4, and Council Member Place 5; Council Member Massey seconded the motion. All approved. Motion passed.

**8. Consider and act on the Election Services Contract between the City of Newark and the County of Wise for the rental of voting machines and equipment, and the purchase of voting supplies.**

Council Member Wells moved to approve the contract between the City of Newark and Wise County for the rental of voting machines and equipment, and the purchase of voting supplies; Council Member Anderson seconded the motion. All approved. Motion passed.

**9. Consider and act on the Ordinance A-371 amending Ordinance A-145, the City of Newark's Animal Control Ordinance, by increasing the licensing fees and Ordinance A-340, the City of Newark's Fee Schedule to include animal licensing fees.**

Mr. Troy Arnold spoke in opposition of these ordinances. Council Member Massey researched surrounding cities fees and recommended charging \$5.00 to register a pet and \$3.00 to re-register the pets annually. This ordinance has been in place for several years, however it has not been enforced.

Council Member Massey moved to accept Ordinance A-371 amending the registration fee to \$5.00 and the annual re-registration to \$3.00; Council Member Hicks seconded the motion. All approved. Motion passed.

**10. Consider and act on Ordinance A-372 authorizing the Mayor to execute the documents for the sale of city property described as Lot 14 of the Water Board-Newark Subdivision, Wise County, Texas and more commonly referred to as "the ballpark property".**

Mayor Pro Tem Pixler moved to authorize the Mayor to execute the documents for the sale for the city property described as Lot 14 of the Water Board-Newark Subdivision, Wise County, Texas and more referred to as "the ballpark property"; Council Member Wells seconded the motion. All approved. Motion passed.

**Executive Session - Amy Cromer vs. City of Newark, Texas**

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

**12. Adjourn - The meeting adjourned at 8:30 p.m.**

**APPROVED:**

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**Matt Newby, Mayor**

\_\_\_\_\_  
**Date**

**ATTEST:**

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**Diane Rasor, City Administrator**