

**CITY OF NEWARK  
CITY COUNCIL MINUTES  
MARCH 17, 2011**

**I. Call to Order**

Mayor Newby called the meeting to order at 7:00 pm on Thursday, March 17, 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 Bandy Hicks, Council Member Chana Massey and Council Member Doug Anderson.

**II. Invocation**

Council Member Anderson delivered the invocation.

**III. Citizen Comments**

Ms. Bonnie Neal read questions concerning water, sewer, the proceeds from the sell of alcoholic beverages, and the ballpark property, then passed out written copies of the questions to the Council.

Ms. Mary Ann Wells asked the Council to sponsor the Easter Egg Hunt so it will be covered under the City's liability insurance.

**V. Mayor's Report – No report.**

**VI. Consent Agenda**

- A. Approval of June 17 and July 15, 2010 and February 17, 2011 meeting minutes.
- B. Approval of Accounts Payable.
- C. Approval of Financial Data for Feb-Mar 2011.
- D. Approval of Staff Reports.
- E. Approval of the Joint Election Agreement and Contract for Election Services with the Northwest Independent School District.

Council Member Wells moved to approve consent agenda items B, C, E, & D; Mayor Pro Tem Pixler seconded the motion. All approved. Motion passed.

**VII. Public Hearing**

**The City of Newark is considering a proposed amendment to its approved 2010 Texas Community Development Block Grant Program with the Texas Department of Rural Affairs to revise the scope of work in the Performance Statement.**

Mayor Newby opened the public hearing at 7:14 pm and explained the changes that are being made to the application. There were no proponents or opponents. Mayor Newby closed the public hearing at 7:21 pm.

## Regular Meeting

**1. Consider and act on Resolution No. 256 to request an amendment to the City's TxCDBG Project Contract #170509 with the Texas Department of Rural Affairs.**

Mayor Pro Tem Pixler moved to accept Resolution No. 256 with the amendment to the City's TxCDBG Contract No. 170509 with the Texas Department of Rural Affairs; Council Member Hicks seconded the motion. All approved. Motion passed.

**2. Consider and act on Resolution No. 257 committing to comply with Section 3 of the Housing and Urban Development Act of 1968.**

Council Member Anderson moved to accept Resolution No. 257 committing to comply with Section 3 of the Housing and Urban Development Act of 1968; Council Member Massey seconded the motion. All approved. Motion passed.

**3. Consider and act on designating April as the Fair Housing Month in the City of Newark.**

Council Member Massey moved to designate the month of April as the Fair Housing Month in the City of Newark; Mayor Pro Tem Pixler seconded the motion. All approved. Motion passed.

**4. Consider and act on an Agreement for the supply of Electricity to the City of Newark.**

Angie Brogden, Stream Energy, proposed the city change electric providers quoting a rate of .0689 for thirty six (36) months. Council Member Wells contacted Cirro Energy and received a quote of- .05649 for 12 months, .05806 for 24 months, and .06073 for .36 months. The City's current contract is with TXU for a price of .0802 with a renewal offer of .0650 per kwh for 24 months. The current contract expires October 30, 2011.

The Council would like a comparison of Cirro Energy and TXU's rates and check some more retail providers for the best rates.

**5. Consider and act on the Skyway Towers (cell tower) lease amendment providing Skyway the opportunity to match any bona fide offer the City receives.**

The Mayor does not see a reason to accept this contract stating that the City does not benefit in anyway. Mayor Pro Tem Pixler said the contract needs to be reviewed because AT&T added to the tower. Public Works Director Adam Ferguson explained that the City has a contract leasing the land to Skyway Tower's and the does not have any say in who Skyway allows to use the tower.

No action.

**6. Consider and act on Ordinance No. A-374 dedicating the city property that surrounds and is occupied by the Newark Public Library as park land.**

This item postponed until the April 21, 2011 meeting.

**7. Consider and act on accepting the offer from the City of Boyd on the police vehicles and equipment.**

A representative from Boyd requested the council name a price for the police vehicles and equipment. The City estimated the Charger is worth \$15,000 and the other two vehicles are only worth the equipment inside them.

Council Member Massey moved to submit an offer to Boyd of \$17,000 for the police department fleet; Council Member Anderson seconded the motion. All approved. Motion passed.

**8. Discussion and possible action on the Upper Trinity Groundwater Conservation District fees.**

Mayor Newby stated that the City does not take in as much as they pay out to Upper Trinity. Public Works Director Adam Farguson stated he made a report sheet so the fire department can keep up with the water they use on fire calls since that usage is allowed to be deducted from the total usage. The City paid the current invoice plus an advance payment for the next six (6) months thinking we would receive a 10% discount for paying annually. However, that only applies if we pay for a full year beginning in January, so we would actually need to pay for another six months.

Mayor Pro Tem Pixler stated we should ask for the overpayment back and start the annual payment when it is due next time.

**9. Discussion and possible action on the sale of the Community Center land to the Newark Fire Department.**

Mayor Newby talked to Assistant Fire Chief Jerry Taylor, they are willing to buy the property, the City just needs to prepare the paperwork.

**10. Discussion and possible action on the sale of the Ball Park property (on the corner of Marshall and Rogers Road.)**

Council Member Wells stated the City closed the bids on March 15, 2011 at 5:00 pm and there were no bids. He suggested the City set this aside for now and start the bid process over in May or June.

**11. Consider and act on the City website.**

Council Member Massey gave an update on the new website.

**12. Consider and act on the City of Newark sponsoring an Easter Egg Hunt.**

Council Member Wells moved for the City to sponsor the Easter Egg Hunt on the 16<sup>th</sup> of April; Council Member Pixler seconded the motion. All approved. Motion passed.

**13. Adjourn**

The meeting adjourned at 8:15 pm.

**APPROVED:**

---

**Matt Newby, Mayor**

---

**Date**

**ATTEST:**

---

**Diane Rasor, City Administrator**