

**MINUTES OF THE NEWARK CITY COUNCIL CALLED MEETING
THURSDAY, APRIL 7, 2011 – 7:00 PM
NEWARK PUBLIC LIBRARY, 209 HUDSON, NEWARK, TEXAS 76071**

I. Call to Order

Mayor Matt Newby called the meeting to order at 7:03 p.m. Those present were Mayor Matt Newby, Mayor Pro Tem Laura Pixler, Council Member Bob Wells, Council Member Bandy Hicks, and Council Member Doug Anderson.

II. Invocation

Council Member Doug Anderson delivered the invocation.

III. Public Hearing - Regarding the submission of an application to the Texas Department of Rural Affairs for STEP funding for water improvements.

Mayor Newby opened the public hearing at 7:04 p.m. and called for comments.

Ms. Bonnie Neal asked if the designation of where the water lines were to be placed had been determined. Mayor Newby said it was not 100% decided, but possibly in the three mobile home parks, on Rogers Road and FM 718.

Mayor Newby closed the public hearing at 7:08 p.m.

IV. Action Items

1. Consider and act on a Resolution authorizing the City Council to submit an application to the Texas Department of Rural Affairs for STEP funding for water improvements and authorizing the Mayor to act as the authorized representative or the City in all matters pertaining to the application.

Council Member Wells moved to accept and adopt Resolution No. 258; Council Member Hicks seconded the motion. All approved.

2. Consider and act on selling the two Crown Victoria police cars at the Renee Bates Auction.

Council Member Wells moved to authorize selling the two Crown Victoria police cars and the equipment at the Renee Bates Auction; Council Member Anderson seconded the motion.

V. Executive Session

Texas Government Code §551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING. A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

- Code Enforcement and Related Policies.

Texas Government Code § 551.074. PERSONNEL MATTERS; CLOSED MEETING. (a) This chapter does not require a governmental body to conduct an open meeting: (1) deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public officer or employee; or (2) to hear a complaint or charge against an officer or employee.

- City Attorney

The City Council entered into executive session at 7:10 pm and returned to open session at 8:44 pm.

3. Consider and act on executive session item(s). None.
4. Adjourn

Meeting adjourned at 8:45 pm.

APPROVED:

Matt Newby, Mayor

Date

ATTEST:

Diane Rasor, City Administrator

**CITY OF NEWARK
CITY COUNCIL MINUTES
THURSDAY, APRIL 21, 2011**

I. Call to Order

Mayor Matt Newby called the meeting to order at 7:00 pm on Thursday, April 21, 2011 at 209 Hudson Street, Newark, TX 76071. Those present were Mayor Matt Newby, Mayor Pro Tem Laura Pixler, Council Member Bob Wells, Council Member Bandy Hicks, Council Member Chana Massey, Council Member Doug Anderson, Public Works Administrator Adam Farguson, Librarian Megan Suffling, and City Administrator Diane Rasor

II. Invocation

Council Member Anderson delivered the invocation.

III. Citizen Comments

Ms. Mary Ann Wells gave a report on the Easter Egg Hunt stating that it was a lot of fun and thanked all the volunteers who helped.

Mr. Dan Sessler thanked the Council for the good job they are doing. He would like for the Council to speak each meeting concerning where they stand on projects and what the next step for each project entails.

V. Report

Mayor

Will start painting the Library this weekend so a lot of volunteers are needed. Next weekend the moving will take place. Boyd has bought one of the police cars and the Renee Bates' auction is scheduled for May 20, 2011.

Library Director

Megan Suffling reviewed the budget, timeline and estimates concerning the library remodel. She is still working with the State to receive the reimbursement from the grant which has been very slow in coming. Outside paint colors were discussed and there was a consensus on color "2C".

Council Member Massey thanked Ms. Suffling for over seeing the project stating she went above and beyond her duties to help accomplish this goal.

Public Works Director – Wastewater Priority List

There was a TCEQ Water Inspection on April 5, 2011 and we had no violations. We need an assessor map that showing our 150 foot boundary around our well sites. Adam Farguson reviewed the list of wastewater priorities. (Attached) He also asked to utilize the money from the sale of the police car (\$15,000) on the priorities list. It would be added to the remaining funds in the "lift station" line item which is currently \$11,500.

VI. Consent Agenda A. Approval of February 17, 2011, B. Approval of Accounts Payable C. Approval of Financial Data for Mar-Apr 2011, D. Approval of Staff Reports, E. Appoint Nancy Castle and Linda Whitmarsh as early voting clerks.

Council Member Wells recommended a budget workshop to revise some line item figures. Mayor Newby suggested we have a budget workshop after the election on May 26, 2011 at 7:00 pm.

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

VI. Regular Meeting

1. Consider and act on returning items that were donated to the City by the Bounds' family.

Mr. Bounds' father was an ex-mayor who donated items to the City, in particular an American flag, a proclamation, a portrait, some softballs and softball trophies. He would like these items returned to him in so he may pass the items down to his grandchildren. The proclamation has been located and was returned to Mr. Bounds at the meeting. The Council and staff committed to finding the other items. The items were donated in March 1991.

Mayor Pro Tem Pixler moved to release back to the Bounds' family all of the items that were donated in 1991 in honor of their father; Council Member Massey seconded the motion. All approved. Motion passed.

2. Consider and act on purchasing fencing for: Lift Stations and Wastewater Treatment Plant.

Council Member Wells moved to purchase the fencing; Council Member Hicks seconded the motion. All approved. Motion passed.

3. Consider and act on the future plan for Well #2.

Adam Ferguson stated that during the water inspection, the inspector asked if there were any plans for the tank on FM 516. If we weld the top hatch shut, the City can take down the fences. We can utilize it as a welcoming sign or landmark. There is a well there and it could be used as an emergency or standby well, however that would require a lot of work. If you want to abandon the well then it would need to be plugged.

Council Member Wells moved to cap Well #2 and decide at some future time what we are going to do with the tank; 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.

Cirro Energy, TXU Energy, and Simple Competitive Energy (an agent) submitted rates for the contract which is up in November. Cirro Energy offers significant savings. Green Mountain

Energy is only slightly higher. None of the Council Members had ever heard of Amigo Energy and although the lowest rate, did not feel comfortable with the company.

Council Member Anderson moved to delegate this to Council Member Wells for further research but not to exceed .05806; Council Member Wells seconded the motion. All approved. Motion passed.

5. Consider and act on the 2011 Consumer Price Index Adjustment to the Municipal Telecommunications Right-of-Way Access Line Rates.

This is to raise the City's franchise fee on the telephone companies' charges to use lines through our City. Council Member Wells moved to decline the default increase in rates; Council Member Anderson seconded the motion. All approved. Motion passed.

6. Consider and act on the Interlocal Agreement between Wise County and the City of Newark for Additional Law Enforcement Protection.

City Administrator Diane Rasor recommends approving this agreement so we may use a Wise County Sheriff for security if we cannot get a Rhome officer. City Attorney Walt Leonard reviewed the agreement and said it was a standard agreement.

Council Member Massey moved to approve the Interlocal Agreement between Wise County and the City of Newark for Additional Law Enforcement Protection; Mayor Pro Tem Pixler seconded the motion. All approved. Motion passed.

7. Consider and act on Resolution No. 259 authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of five cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. No action.

8. Consider and act on Ordinance No. A-374 dedicating 3.9 acres of City property located at the corner of Hudson Street and Ram Horn Hill as park property.

Council Member Wells moved to adopt Ordinance No. A-374 dedicating 3.9 acres of City property located at the corner of Hudson Street and Ram Horn Hill as park property; Mayor Pro Tem Pixler seconded the motion. All approved. Motion passed.

9. Adjourn - Meeting adjourned at 8:52 p.m.

APPROVED:

Matt Newby, Mayor

Date

Diane Rasor, City Administrator