

**MINUTES OF THE  
NEWARK CITY COUNCIL  
THURSDAY, JUNE 16, 2011**

**I. Call to Order**

Mayor Matt Newby called the meeting to order at 7:00 pm on Thursday, June 16, 2011 in the Newark Municipal Building located at 209 Hudson Street, Newark, TX 76071. Those present were Mayor Matt Newby, Council Member Bob Wells, Council Member Bandy Hicks, Council Chana Massey, Council Member Doug Anderson, Public Works Director Adam Farguson, City Attorney Walt Leonard and City Administrator Diane Rasor.

**II. Invocation**

Council Member Anderson delivered the invocation.

**III. Citizens Comments – None**

**IV. Mayor's Report**

Mayor Newby announced that Newark received the STEP Grant to work on water lines and the Wastewater Treatment Plant Improvements Project funded by a \$350,000 grant from the State has just been put out for bid.

**V. Consent Agenda – Approval of Minutes, Approval of Accounts Payable, Approval of Financial Data for May – June 2011, Approval of Staff Reports**

Not all of the council members received the April minutes ready for approval and the accounts payable were approved by Mayor Newby but not sent to the council.

Librarian Megan Suffling gave a brief update on the move into the new library building. One of the inside glass panes in the front window of the building has cracked, either due to the heat or the ground settling.

Public Works Director Adam Farguson gave an update on the mowing schedule and the clean up at Delora Doughty Park including re-painting the sign. He reminded the Council that the Hazardous Waste drop off would be in the parking lot of the Newark Municipal Building at 209 Hudson on Saturday. He reported the leak on Central Drive and described how it was repaired.

Council Member Wells moved to accept consent agenda items C & D; Council Member Hicks seconded the motion. All approved. Motion passed.

**1. Consider and act on sponsoring the Heart for Parks Summer Fun Day.**

The City needs to sponsor this event so Texas Municipal League Property and Liability Insurance (the City's insurance) will cover it.

Council Member Wells moved to sponsor the Heart for Parks Summer Fun Day; Council Member Hicks seconded the motion. All approved. Motion passed.

**2. Discussion and possible action on Newark's Certificate of Convenience and Necessity (CCN) application.**

Ms. Bonnie Neal presented the City Administrator with some paperwork pertaining to Newark's CCN. City Administrator Diane Rasor and Public Works Director Adam Ferguson met with a representative from the Texas Rural Water Association who outlined the steps Newark would need to take to acquire their CCN within the city limits and also regain their extra-territorial jurisdiction CCN from the City of Rhome. The representative explained that Newark could either apply to regain their CCN from Rhome (Rhome would need to de-certify) or apply for a dual CCN. Either way a meeting would need to be held with representatives from both cities to work out the details.

No action.

**3. Consider and act on advertising 8.37 acres of land out of Lot 14 of the Water Board Newark Subdivision, an addition to the City of Newark, Wise County Texas, more commonly referred to as the "Ball Park" property located at the corner of Marshall and Rogers Road.**

This property was placed out for bid earlier in the Spring with no bidders. The Council needs to decide whether to spend the money to advertise the property again. Council Member Wells has been in contact with two individuals who have shown interest.

Council Member Wells moved to put out for bid the property at Marshall and Rogers Road and advertise in the Dallas Morning News and the Star Telegram; Council Member Anderson seconded the motion. All approved. Motion passed.

**4. Consider and act on the fee agreement with Walt Leonard, Attorney at Law.**

City Administrator Diane Rasor recommended the City retain Mr. Leonard as the City Attorney, citing that he was easy to work with and could always be contacted. Mr. Leonard stated that after a few months a monthly retainer could be agreed upon depending on the average hours worked.

Council Member Wells moved to accept the fee agreement with Walt Leonard with the correction of the City of Newark in place of the City of Reno; Council Member Anderson seconded the motion.

**5. Consider and act on scheduling dates for the budget workshops.**

The proposed budget needs to be in the City Administrator's Office by August 15, 2011 so the public has time to view it before it is adopted in September. Council Member Wells suggested

having a Town Hall Meeting prior to the budget workshop. A Town Hall meeting and budget workshop were set for July 14, 2011.

**6. Consider and act on website.**

Public Works Director Adam Farguson stated that Sagentic said the web site would be completed by June 24<sup>th</sup> or sooner. Staff was directed to wait until June 24<sup>th</sup> and then turn the issue over to the City Attorney.

**7. Consider and act on Atmos Gas Franchise Agreement.**

Atmos Representative Randy West stated twenty five (25) years ago he stood before the Newark City Council and asked for the franchise for Atmos Gas and is once again doing so. The agreement still pays the 5% franchise fee to the City. The Council asked for this item to be postponed until the next meeting so they would have more time to review the ordinance and agreement. Mr. West stated the existing agreement would continue through January 2012.

**Executive Session: Texas Government Code § 551,071 – Consultation with Attorney**

Possible Litigation – Katrina Ellis Fence Permit

The Council entered into executive session at 7:43 p.m. and returned to open session at 8:26 p.m.

**8. Consider and act on executive session items. None.**

**Adjourn**

The meeting was adjourned at 8:27 p.m.

**APPROVED:**



**Matt Newby, Mayor**

8-18-2011

**Date**

**ATTEST:**



**Diane Raser, City Administrator**

