

**Minutes of the  
Newark City Council  
August 25, 2011**

**I. Call to Order**

Mayor Matt Newby called the meeting to order at 7:06 p.m. Those present were Mayor Newby, Mayor Pro Tem Laura Pixler, Council Member Bob Wells, and Council Member Chana Massey.

**II. Invocation** - Mayor Pro Tem Laura Pixler delivered the invocation.

**III. Public Hearings**

**1. 2011 – 2012 Proposed Budget.**

Mayor Newby opened the public hearings at 7:07 p.m. Council Member Wells gave a power point presentation explaining the different amounts of revenue that would be generated depending on the amount of the tax rate adopted. To continue making progress on City projects the Council proposes to leave the tax rate at .5226.

**2. Proposed Tax Rate - The City of Newark is proposing to increase total tax revenue from properties on the tax roll in the preceding tax year 3.73% percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax rate calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.**

**3. Ordinance No. A-377 amending and updating the City of Newark Subdivision Ordinance incorporating amendments into sections of the Subdivision Ordinance and re-numbering sections in order to facilitate the codification process.**

There were no opponents or proponents. Mayor Newby closed the public hearings at 7:37 p.m.

**IV. Regular Session**

**4. Consider and act on proposed budget.**

This item was tabled.

**5. Consider and act on No. A-377 amending and updating the City of Newark Subdivision Ordinance incorporating amendments into the Subdivision Ordinance and re-numbering sections in order to facilitate the codification process.**

Council Member Wells moved to accept Ordinance No. A-379; Mayor Pro Tem Pixler seconded the motion. All approved. Motion passed.

**6. Consider and act on Gary Burton Engineering, Incorporation's proposed agreement for professional Engineering Services for the Water System Improvements (TDRA Contract No. 711016).**

Council Member Wells questions Item #4 concerning the compensation amount and Part #3, the special services. It was clarified that \$40,000 is for basic services and \$16,500 are for special services. The Council requested invoices be thoroughly reviewed by the Staff before payment.

Council Member Wells moved accept Gary Burton Engineering's proposal for the Water System Improvements, Contract No. 711016; Council Member Massey seconded the motion. All approved. Motion passed.

**7. Consider and act on awarding the Wastewater Treatment Plant Improvements Project (TCDP No. 710509) bid to LaMarc, Incorporated contingent on the execution of the Revised Recommendation of Contract Award and Change Order No. 1.**

Gary Burton stated that LaMarc incorporated came in with the lowest bid for the proposed wastewater treatment plant improvements. They have excellent references and he recommended the Council award them the bid. The low bid was still over the budget so the rebuilding of the manhole on Central Drive was cut from the project. Mr. Burton asked the Council to award the bid at the original amount and then approve a change order to be submitted to the State.

Mayor Pro Tem Pixler moved to award the Wastewater Treatment Plant Improvements' project to LaMarc Incorporated contingent on executing the revised contract and change order #1; Council Member Wells seconded the motion. All approved. Motion passed.

**8. Consider and act on Ordinance No. 380 increasing the water and sewer rates and amending the billings and collections procedures.**

Council Member Massey moved to accept Ordinance No. 380 with the base rate of \$24.00, 2,000 to 9,000 gallons – \$5.00 per 1,000 gallons, 9001 to 30,000 gallons - \$6.00 per 1,000 gallons and 30,001 and up - \$7.00 per 1000 gallons; Mayor Pro Tem Pixler seconded the motion. All approved. Motion passed.

**9. Consider and act on repairing or replacing the air conditioner unit in the Newark Municipal Building located at 209 Hudson.**

Council Member Wells received an estimate from Derrick Creek of \$7,000 for replacing the complete unit or \$1,900 to replace the compressor only and a bid from Williamson's AC of \$6,000 for entire unit and \$1,900 for just the compressor.

Council Member Massey moved to contract with Williamson's AC to replace the air conditioning unit in the municipal building at 209 Hudson; Council Member Wells seconded the motion. All approved. Motion passed.

**10. Consider and act on continuing Stage 1 of the City of Newark Drought Contingency Plan.**

No action taken on this item.

**11. Consider and act on the tree trimming on Rogers Road.**

Council Member Wells explained this is a precursor to repaving Rogers Road. He received two estimates, one for \$4,850 and another for \$4,565. He has also received an estimate to have the survey done of \$2,400.

Council Member Wells moved to approve S&P Tree Service to do the tree trimming; Council Member Massey seconded the motion. All approved. Motion passed.

**12. Consider and act on the July 21, 2011.**

Mayor Pro Tem Pixler moved to approve the minutes as presented; Council Member Wells seconded the motion. All approved. Motion passed.

This meeting adjourned at 7:59 pm.

**VIII. EXECUTIVE SESSION - Texas Government Code, Section 551.074. PERSONNEL MATTERS – (a) This chapter does not require a governmental body to conduct an open meeting:**

- (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
  - (2) to hear a complaint or charge against an officer or employee.
- Evaluation of City Administrator Diane Rasor

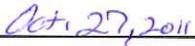
Executive Session was postponed.

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

**14. Adjourn. - The meeting adjourned at 7:59 p.m.**

**APPROVED:**

  
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Matt Newby, Mayor

  
\_\_\_\_\_  
Date

**ATTEST:**

  
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Diane Rasor, City Administrator