

**Minutes of the  
Newark City Council  
Thursday, September 15, 2011**

**I. Call to Order**

Mayor Newby called the meeting to order at 7:03 p.m. on September 15, 2011 in the Newark Municipal Building located at 209 Hudson, Newark, Texas. Those present were Mayor Matt Newby, Mayor Pro Tem Laura Pixler, Council Member Bob Wells, Council Member Doug Anderson, Council Member Chana Massey and City Administrator Diane Rasor.

**II. Invocation** – Mayor Pro Tem Pixler delivered the invocation.

**III. Citizen Comments** – Ms. Bonnie Neal announced the Newark Baptist Church is celebrating their 111 year birthday.

**IV. Mayor's Report** – None.

**V. Consent Agenda - A. Approval of Past Minutes, B. Approval of Accounts Payable, C. Approval of Financial Data for August 2011, D. Approval of Staff Reports**

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

**VI. Public Hearing -To receive public input and comments on the City of Newark fiscal year October 1, 2011 through September 30, 2012 budget. This budget will raise more total property taxes than last year's budget by \$7,849.02 or 3.73% and of that amount, \$108.23 is tax revenue to be raised from new property added to the roll this year.**

Mayor Newby opened the public hearing at 7:07 p.m. There were no proponents or opponents. Mayor Newby closed the public hearing at 7:08 p.m.

**VII. Regular Meeting**

**1. Consider and act on Ordinance No. A-381 adopting the City of Newark October 1, 2011 through September 30, 2012 budget, which will raise more total property taxes than last year's budget by \$7,849.02 or 3.73% and of that amount, \$108.23 is tax revenue to be raised from new property added to the roll this year.**

Mayor Pro Tem Pixler moved to adopt Ordinance No. A-381 adopting the City of Newark October 1, 2011 through September 30, 2012 budget, which raise more total property taxes than last year's budget by \$7,849.02 or 3.73% and of that amount, \$108.23 is tax revenue to be raised from new property added to the roll this year; Council Member Massey seconded the motion. All approved. Motion passed.

**2. Consider and act on ratifying the property tax increase reflected in the budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012.**

Council Member Massey moved to ratify the property tax increase in the budget just adopted; Council Member Wells seconded the motion. All approved. Motion passed.

**3. Consider and act on Ordinance No. A-382 affixing and levying municipal ad valorem taxes for the fiscal year beginning October 1, 2011 and ending September 30, 2012 which is effectively a 3.7% increase in the tax rate.**

Council Member Anderson moved to adopt Ordinance No. A-382 approving the property tax rate for the fiscal year beginning October 1, 2011 and ending September 30, 2012 which is effectively a 3.7% increase in the tax rate; Council Member Massey seconded the motion. All approved. Motion passed

**4. Consider and act on the water issue (theft of water) at 202 Killough Street.**

Ms. Jennifer Cogdill, 202 Killough Street, explained she and her husband had left town on August 24<sup>th</sup> and when she returned on September 8<sup>th</sup> noticed her garden hose stretched across the back yard in the direction of 200 Killough. She checked her water meter reading against the reading on her most recent bill and discovered 1,570 gallons of water had been used while she was out of town. Ms. Cogdill called the police and filed a report, however she did not press charges against her neighbor.

**5. Discussion and possible action on the water & sewer issue (high usage in July 2011) at 730 Chambers.**

No action taken on this item, property owner not in attendance.

**6. Consider and act on water & sewer request (high usage July & August 2011 due to a leak) from the residents at 401 Sandy Bass Lane.**

The owners of 401 Sandy Bass were not present so the item was tabled. Mr. Ray Chaffin reported three water leaks on Country Living and Deborah, which he stated the City public works' employee said were not bad enough to repair. City Administrator Diane Rasor apologized to Mr. Chaffin and assured him the leaks would be repaired as soon as possible.

**7. Consider and act on continuing the TML Insurance on the Fire Department's vehicles, building & contents and special events.**

City Administrator Diane Rasor explained she realized recently the City was billed for the Fire Department's insurance and she is in the process of checking the amounts with TML and will then bill the Fire Department for what is owed.

**8. Consider and act on sponsoring "Cruisin' Days".**

Ms. Angela Braun with the Newark Volunteer Fire Department Ladies Auxiliary stated she is waiting to hear from Sheriff Walker concerning police coverage at the Annual Cruis'n Days. The carnival will be on the park property and the land where the community center use to be located. Parking will be in the railroad easement, the church parking lot, and property owned by LaDonna Aubrey. Mr. Jerry Taylor stated the carnival is from Bridgeport, Texas and is insured and the event itself is insured through TML Insurance.

Council Member Massey moved to sponsor "Cruis'n Days" this year pending verification of the insurance on the carnival; Council Member Anderson seconded the motion.

**9. Discussion on the right-of-way survey results on Rogers Road.**

Council Member Wells stated that trees, mailboxes, fences and driveways would need to be moved. He suggested we send a letter to each resident on Rogers Road explaining that the City was planning on expanding the road from 18' to 26' and the timeline for these improvements.

**10. Consider and act on putting the City property at Marshall and Rogers Road out for bid.**

The Council has already approved putting this property out for bid so no action was taken on this item.

**11. Consider and act on replacing the roof on the Library at 207A Hudson Street.**

Librarian Megan Suffling stated the roof at the Library continues to leak. The roof is not sealed properly; however, the company that sealed the roof stated the new air conditioner unit that was installed is where the leak is currently. Megan received bids of \$6,425.00 and \$3,795 for different options to repair the roof. Mayor Newby stated he would check on a torch down roof and report back to the Council.

**12. Consider and act on approving the Contract of Services between Wise County, Texas and the Newark Public Library for Services as a County Library.**

Mayor Pro Tem Pixler moved to approve the Contract of Services between Wise County, Texas and Newark Public Library for Services as a County Library; Council Member Massey seconded the motion. All approved. Motion passed.

**13. Consider and act on amending the Library Board's bylaws to allow the organization to meet once a quarter and call special meetings when needed.**

Council Member Massey moved to amend the Library Board's bylaws to allow them to meet once a quarter and call special meetings when needed; Council Member Wells seconded the motion. All approved. Motion passed.

**14. Discussion and possible action on the removal of asbestos from the building located at 207 Hudson.**

Council Member Wells asked for authorization to have the asbestos removed and to demolish the old maintenance building at 207 Hudson. He has a bid of approximately \$26,000 for the job. Item #14 and #15 will be discussed together.

**15. Discussion and possible action on demolishing the building located at 207 Hudson Street.**

Mayor Pro Tem Pixler requested to have the building checked to see if it is usable before demolition. Council Member Massey stated the building is in deplorable condition and would cost too much money to refurbish.

Council Member Wells moved to hire T.E.C. Environmental to remove the old maintenance building for an amount up to \$19,000; Council Member Massey seconded the motion. All approved. Motion passed.

Council Member Wells made a motion that after the asbestos is removed from the building to demolish the old maintenance building by T.E.C. Environmental for the amount of \$7,400; Council Member Massey (with a mixed heart) seconded the motion. Ayes: Council Member Wells, Council Member Massey, Council Member Anderson. Nays: Mayor Pro Tem Pixler. Abstentions: None. The motion passed with three ayes, one nay and no abstentions.

**16. Consider and act on voting for or against the Tri-County Electric Cooperative, Inc.'s proposition for the "Election of Directors for a three year term" and the nominees from District 1 and District 4.**

There was no action taken on this item.

**17. Consider and act on the Interlocal Agreement for Animal Control Services between the City of Newark and Wise County Animal Control for the 2011-2012 fiscal year.**

Mayor Newby would like the record to reflect that he believes the County is "double dipping" the cities by charging for animal control services.

Council Member Massey moved to accept the Interlocal Agreement for Animal Control Services; Mayor Pro Tem Pixler seconded the motion. All approved. Motion approved.

**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) year a complaint or charge against an officer or employee."**

- City Administrator Diane Rasor's Review

The Council adjourned into executive session at 8:23 p.m. and returned to open session 9:00 p.m.

**18. Consider and act on executive session items.**

Council Member Massey moved to increase the city administrator's salary by 6%; Council Member Wells seconded the motion. Ayes: Council Member Wells, Council Member Massey, Council Member Anderson. Nays: Mayor Pro Tem Pixler. Abstentions: None. The motion passed with three ayes, one nay and no abstentions.

**19. Adjourn.**

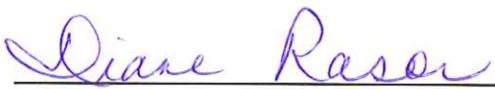
The meeting was adjourned at 9:00 p.m.

**APPROVED:**

  
\_\_\_\_\_  
Matt Newby, Mayor

Oct 27, 2011  
\_\_\_\_\_  
Date

**ATTEST:**

  
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Diane Razor, City Administrator