

**City of Newark
City Council Minutes
March 19, 2015**

I. Call to Order

Mayor Gary Van Wagner called the meeting to order at 7:00 p.m. and announced a quorum was present. Those present were: Mayor Gary Van Wagner, Mayor Pro Tem Linda Anderson, Councilmember Mark Wondolowski, Councilmember Dan Sessler, Code Enforcement Officer Jimmy Duvall, and City Administrator Diane Rasor. Councilmember Cary Mellema was absent.

II. Invocation and Pledge of Allegiance to the Flag.

Mayor Van Wagner delivered the invocation and led the pledge to the flag.

III. Citizen Comments – None.

IV. Consent Agenda – A. February 19th and March 12 the minutes, B. Accounts Payable February 19th through March 20th, C. Budget vs. Actuals and Financials, D. City Administrator Staff Report.

Councilmember Wondolowski moved to accept both the minutes and the accounts payable; Councilmember Sessler seconded the motion. All approved. Motion passed.

V. Regular Meeting

1. Consider and act on a temporary exemption from the zoning ordinance by allowing the owners of 405 Killough Street to build an accessory building prior to constructing the main building on the property.

The Newark Code of Ordinances, Chapter 14, Exhibit A, Section 34.2.2 defines an Accessory Use or Building as “A use or building subordinate to and detached from the main building and used for purposes customarily incidental to the primary use of the premises.”

Section 33.5 allows provides that all questions of interpretation and enforcement shall be first presented to the administrative official before being sent to the Zoning Board of Adjustment.

On the basis of these sections from the zoning ordinance, City Administrator Diane Rasor requested that the City Council approve an exception by allowing the accessory building to be constructed prior to the main building since the definition of an accessory building does not specify which building needs to be first.

Mayor Pro Tem Anderson moved to approve a temporary exemption from the zoning ordinance by allowing the owners of the property at 405 Killough Street to build an accessory building

prior to constructing the main building on the property; Councilmember Sessler seconded the motion. All approved. Motion passed.

2. Update from the property manager on the progress of repairing manufactured homes on Sandy Bass Lane.

Property Manager Sandra Ray sent an email stating that she was continuing to work on moving the home out at 401 Sandy Bass. It was supposed to be moved today, however due to the rain, the constable cancelled the move.

3. Consider and act on the update from the property owner of 726 McCanne concerning the Council Order to bring the house and property into compliance with the Newark Code of Ordinances.

The owner, Ms. Greta Rodriguez, presented pictures and informed the Council of the improvements she had made, which included covering the outside walls, installing siding and working on repairing the roof. She is cleaning up the outside of the property and burning trash every day.

The City Council directed Code Enforcement Officer Jimmy Duvall to inspect the improvements and report back to them at the next meeting. No action taken at this time.

4. Consider and possible action on placing speed bumps on Hudson Street.

Wise County Sheriff's Office told the requester that speed bumps are not allowed on residential streets in Wise County. No action taken on this item.

5. Consider and act on the update from Code Enforcement Officer Jimmy Duvall.

Mr. Duvall reviewed the main code enforcement issues in 2014. The Mayor requested that Code Enforcement focus on repeat violators and begin issuing citations.

6. Consider and act on Ordinance A-427 appointing Jimmy Duvall City Marshal.

Mayor Pro Tem Anderson moved to approve Ordinance A-427 appointing Jimmy Duvall as City Marshal; Councilmember Sessler seconded the motion. All approved. Motion passed.

7. Consider and act on Ordinance A-428 cancelling the May 9, 2015 General Election.

Councilmember Wondolowski moved to approve Ordinance A-428 cancelling the May 9, 2015 General Election; Councilmember Sessler seconded the motion. All approved. Motion passed.

8. Consider and act on retaining the law firm of Fletcher, Farley, Shipman, & Salinas to represent the City of Newark in the handling of general law services as City Attorney.

Councilmember Sessler moved to retain the law firm of Fletcher, Farley, Shipman, & Salinas to represent the City of Newark in the handling of general law services as City Attorney; Councilmember Wondolowski seconded the motion. All approved. Motion passed.

9. Adjourn.

The meeting adjourned at 7:47 p.m.

APPROVED:

Gary Van Wagner, Mayor

Date

ATTEST:

Diane Rasor, City Administrator