



P.O. Box 156, 209 Hudson Street, Newark, TX 76071 Phone: 817-489-2201 Fax: 817-489-5202

NOTICE

City of Newark – Special Called City Council Meeting

Tuesday, September 19, 2017 – 7:00 P.M.

Newark Municipal Building, 209 Hudson Street, Newark, TX 76071

Pursuant to Section 551.127, Texas Government Code, one or more Council Members or employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

- 1. Call to Order and Announce a Quorum is present.**
- 2. Invocation and Pledge of Allegiance to the Flag**
- 3. Newark Higher Education Finance Corporation Revenue and Newark Cultural Education Facilities Finance Corporation Bonds**
 - A. Consider and act on Resolution #316 approving Newark Higher Education Finance Corporation Education Revenue Bonds (Village Tech Schools) Series 2017A and Newark Higher Education Finance Corporation Education Revenue Bonds (Village Tech Schools) taxable Series 2017B; and other matters in connection therewith.
 - B. Consider and act on authorizing Newark Cultural Education Facilities Finance Corporation to executed amendments related to its retirement facility revenue refunding bonds (MRC Cornerstone Project), Series 2011A and Newark Cultural Education Facilities Finance Corporation Retirement Facility Revenue Bonds (MRC Towncreek Project), Series 2011B; and other matters in connection therewith.
- 4. Public Hearings:**
 - A. Conduct public hearing on the Fiscal Year 2017-2018 City of Newark Budget: “This budget will raise more total property taxes than last year’s budget by \$451,980.32 or 8% and of that amount \$29,913.60 is tax revenue to be raised from new property added to the tax roll this year. “

- B. Conduct the second public hearing regarding a proposed tax rate for the 2017-2018 tax year.
- C. Conduct public hearing on a re-plat of Lot 33R, Block E, Newark Ranch Addition.
- D. Conduct first public hearing on rezoning 8.37 acres of land out of Lot 14, WATER BOARD-NEWARK SUBDIVISION to the Town of Newark, Wise County, Texas, being the same tract of land as deeded to the City of Newark in Volume 379, Page 637, Deed Records, Wise County, Texas. More commonly referred to as Lot 14 Marshal Road from SF-1 to PD.
- E. Conduct first public hearing on rezoning 9.750 acres of land out of the Derrett Creek Ranch Addition to the Town of Newark, Wise County, Texas, being PT 1 & 2; more commonly referred to as Diane's Meadow, 138 PR 4889, Newark Texas 76071 from Planned Development District for Multi-Family Use to Planned Development District.
- F. Conduct first public hearing on rezoning 12.780 acres. Lot PT 1 & 2; more commonly referred to as Diane's Meadow on Rogers Road from Planned Development District for Multi-Family Use to Planned Development District.
- G. Conduct public hearing regarding proposed changes to the Subdivision Ordinance, Chapter 10 of the Code of Ordinances of the City of Newark.

5. Citizen Comments

6. Consent Agenda – Consider and act on the following items:

- A. August 17 and 24, 2017 Minutes
- B. Accounts Payables from August 18 – September 14, 2017
- C. Budget vs. Actual and Financial Statements
- D. Staff Reports – City Administrator, Municipal Court, Animal Control, Library, Building Permits, Code Enforcement and Public Works

7. Old Business

- A. Consider and act on the Fiscal Year 2017-2018 City of Newark Budget.
- B. Consider and act on the mowing contract between Matt Newby the City of Newark.

8. New Business

- A. Consider and act on the Re-plat of Lot 33R, Block E, Newark Ranch Addition.

- B. Consider and act on Ordinance No. A-467 calling for a special election to be held on November 7, 2017 to fill vacancies for two (2) Council places and establishing other election procedures for conducting the election.
- C. Consider and act on Ordinance No. A-466 amending Ordinance A-359, the Subdivision Ordinance of the City of Newark, as amended, by amending Chapter 10, "Subdivision Regulation, Exhibit "A", Subdivision Ordinance", Chapter 1, Policies, Purposes, and Administrative Authority", Chapter 2, "Definitions", Chapter 4, "Requirements for Public and Semi-Public Improvements", and Chapter 12, "Subdivision Design Criteria" to provide additional regulations related to adequate drainage and facilities.

9. **EXECUTIVE SESSION** - In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

- a) § 551.071(1): Consultation with the City Attorney regarding pending or contemplated litigation with Philip Timothy Pixler.
- b) § 551.071 (2): Consultation with the City Attorney 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 the Texas Open Meetings Act regarding:
 - a. Annexation and S.B. 6;
 - b. Ordinance implementing a municipal drainage utility fee; and
 - c. Extraterritorial Jurisdiction (ETJ) boundary matter with the City of Fort Worth.

10. **RECONVENE INTO OPEN SESSION** - In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

11. **Adjourn.**

CERTIFICATION

I certify that the attached agenda was posted in the kiosk at the entrance to Newark City Hall at 209 Hudson Street, Newark, Texas by Saturday, September 16, 2017 by 7:00 p.m.



Diane Rasor, City Administrator

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. Seq., will be held by the City Council at the date, hour, and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including but not limited to, the following sanctions and purposes:

Texas Government Code:

§ 551.071 – private consultation with the attorney for the City regarding any item on this agenda;

§ 551.072 – discussing purchase, exchange, lease or value of real property;

§ 551.074 – discussing personnel or to hear complaints against personnel