

Special City Council Meeting
Wednesday, March 31, 2010
Location: Newark Public Library
209 Hudson
Newark, Texas
6:00 pm

The meeting was called to order by Mayor Matt Newby at 6:00p.m.

Council Members Present: Mayor Matt Newby; Mayor Pro-Tem Laura Pixler; Councilman Bob Wells; Councilwoman Chana Massey; Councilman Jerry Davidson.

Public Hearing – Proposed daytime curfew for juveniles.

Mayor Newby opened the hearing at 6:00 pm.

Kathy Killough mentioned the need of exceptions and asked about the hours of the daytime curfew. She was advised that the daytime curfew hours are from 8:30am to 3:00 pm with exceptions for situations such as emergencies or doctors visits.

Hearing closed at 6:02 pm.

Public Hearing – Continuation of the curfew Ordinance A-311.

Mayor Newby opened the hearing at 6:14pm.

Kathy Killough asked about the hours of the curfew. She was advised that the curfew hours are from 11:00pm to 6:00am. Ms. Killough also asked if a citizen saw juveniles violating Ordinance A-311, what action should be taken. She was advised that the county sheriffs office should be called and an officer would be dispatched.

Hearing closed at 6:16 pm.

ACTION ITEMS

1. Continuation of the curfew Ordinance A-311 –

Councilwoman Chana Massey made a motion to accept the continuation of Ordinance A-311, including the added daytime curfew. Second to the motion by Laura Pixler. Vote: 4:0 The motion carried.

2. TCEQ requirement for alternate power at the sewer plant –

Councilman Bob Wells made a motion to authorize the mayor to establish an alternate power source at the sewer plant for no more than \$11,000.00 from the Certificates of Obligation funds. Second to the motion by Laura Pixler. Vote: 4:0 The motion carried.

NON-ACTION ITEMS

1. Daytime curfew for juveniles –

Councilman Bob Wells asked Chief Terry Fiene how the police department was going to handle the juveniles that are found violating the curfew ordinance. Chief Fiene was informed that the city only has 3 options if a juvenile is taken into custody per the city attorney. Chief Fiene mentioned that the city could write the person a warning or a citation. It was discussed that each violation would be dealt with depending upon the specific circumstances of the alleged violation.

2. City Sewer System –

Mayor Newby advised council that TCEQ has warned him that violations are eminent if options for alternate power at the lift stations are not put in place. He suggested to formulate a plan be put in place to begin moving forward to meet the TCEQ requirements for alternate power at the lift stations. This way when the system is inspected again by TCEQ, a fine may not be imposed if they see the steps are being taken to comply.

The Mayor also advised council that a residence on Berke Street has had a continuous problem with sewer flowing onto their yard for about 2 years now. Smoke testing equipment has been purchased and testing will begin as soon as the weather permits. The lift station at Central and Berke is not keeping up because of infiltration. If we get a long period of heavy rain it backs up to Wise Street. To help prevent the problem, Skinner has been called out during heavy rainstorms to pump the lift station. Smoke testing will help pinpoint the problems throughout the system.

3. The meeting was temporarily moved to the lift station on Sandy Bass Lane at 6:17 pm because the Mayor wanted the Council and meeting attendees to see the cracks and deterioration first hand, since the photographs were not very clear. The Mayor, Council members and attendees drove separately so that no quorum was present during the transition. The discussion about the necessary repairs to the lift station continued while at the lift station. The Mayor, Council and attendees returned to the Newark Library to continue the meeting at 6:40pm

The meeting adjourned at 7:17p.m.

Approved as to form:

Matt Newby, Mayor

I, hereby certify the attached to be a true and correct copy of the minutes of a special meeting on Wednesday, March 31, 2010.

**Tabitha Tucciarone
City Secretary**