

**CITY OF NEWARK  
CITY COUNCIL MINUTES  
NOVEMBER 18, 2010**

**Call to Order**

Mayor Matt Newby called the meeting to order at 7:01 pm on November 18, 2010 in the Newark Library Building located at 209 Hudson. Those present were Mayor Matt Newby, Mayor Pro Tem Laura Pixler, Council Member Bandy Hicks, Council Member Chana Massey, and Council Member Doug Anderson.

**Invocation** - The invocation was delivered by Council Member Anderson.

**1. Consider and act on accepting the “Rules of Decorum for Citizens and other Visitors of the Newark City Council Meeting, Boards and Commissions, and other Public Meetings”**

Council Member Massey moved to accept the “Rules of Decorum”; Mayor Pro Tem Pixler seconded the motion. All approved. The city secretary was directed to post the rules at city hall and on the web site.

**2. Citizen Comments**

Mr. Troy Wilson spoke in support of the City Council.

Ms. Donna Eisenbach spoke in support of the City Council.

Ms. Barbara Stephenson spoke in support of the City Council and in particular of Mayor Pro Tem Pixler.

Ms. Claudette Harrell spoke in support of the City Council and addressed the accusations being made against the Council.

**3. Mayor’s Report**

Mayor Newby welcomes an investigation stating that it will prove all accusations against the Council Members to be false. At tonight's meeting a lot of good information and update on projects will be presented.

**4. Citizens’ presentations and discussion regarding recently completed projects:**

Ms. Monique Murray thanked the Council Members for their leadership. She showed how the cost to operate the library had been reduced considerably. Before and after pictures showed how the library had been refurbished by volunteers and City Council members.

Ms. Billie Hopkins Budget. She compared the last three years of the budget showing how the finances of the City have improved over time due to the current Council's decision.

Mr. Dan Sessler - before and after pictures of the city buildings that had been cleaned up by volunteers and the current Council.

Mr. Brad Pierson - improvements made at the wastewater treatment plant and explained the decisions that were made to bring it into compliance with the state.

Ms. Tabitha Tucciarone – improvements at City Hall. A new water payment plan was implemented, records retention was put into place, the juvenile curfew ordinance was amended, a new employee handbook was written, a new maintenance building was constructed, the run down community center was sold and a meter deposit fund was established to comply with state law.

Mr. Rick Sinclair and Ms. Jamie Henderson - playground and ball park. The current Council removed the unsafe playground equipment and started a fund to purchase new equipment. In the past volunteers spent countless hours maintaining the ballpark only to see it vandalized year after year. It was a good decision to sale the this piece of property.

Ms. Jan Van Wagner and Mr. Ray Chaffin spoke on the integrity of our City Council stating that with the Council's backgrounds in construction, real estate, business and finance they make an incredible team. A petition of support was presented to the Council.

Dan Sessler stated he has seen more accomplished with this administration than any other. He posed questions such as “why sell city property, what do you plan to do with the funds, what are your plans for the future of Newark”.

##### **5. Council Member Chana Massey’s presentation on the City’s “Long Range Plan”.**

Council Member Massey addressed Mr. Sessler's questions with her “Long Range Plan” presentation. The funds from selling the Community Center and land that it occupies will be put into remodeling a building for the Library and moving City Hall to the current location of the Library. The land will be sold to the Volunteer Fire Department for \$12,500.

The vision for the ball park is to develop it into a housing project. The property is appraised at \$189,000 and those funds could be directed into refurbishing the old gym. The old school site would make a good Town Square if the old maintenance building is demolished and the drainage issues are addressed.

Collecting money for the “Heart for Parks” fund will help to develop one park at a time and the plan is to have families adopt the parks to maintain.

The City will begin enforcing city ordinances, marketing the city, repairing abandoned City owned buildings, addressing safety concerns, establish well defined goals and where the money will come from and where to start to obtain those goals.

Council Member Massey recommended maintaining Delora Doughty Park, with the sale of the extra land at the park being used towards the development of the Town Center. Once the City Hall is moved, that property could be sold for commercial development. This would ensure the

citizen's tax dollars are put to the best use. The Council would rather use what they have instead of raising taxes.

## **6. Discussion on the “Newark Texas Petition”.**

Council Member Wells stated a petition had been directed to Judge John Fosill who forwarded it to Wise County District Attorney Greg Lowry. The petition was written by Katrina Ellis. The petition asks for an immediate recall of four city officials. The petition began because other efforts to undermine the City Council have failed. All open records request have found nothing that the Council has done illegally.

Council Member Wells stated the Wise County Messenger has failed the Newark community by not doing their do diligence by checking the facts of the stories it publishes. He welcomes the review by the District Attorney knowing the charges will be found false.

Council Member Massey addressed the allegations made against her stating it would be a conflict of interest for her to handle the sale of the ballpark, and the allegation was not true. The city property will be published in the paper for bids as required by state law.

Mayor Pro Tem Pixler addressed each allegation that was made against her.

Mr. Ted Christianson, City Financial Adviser for Newark, explained how he had the ability to set up a corporation to help get funds for small cities. He stressed how all transactions are done in accordance with the law.

## **7. Consent Agenda**

- A. October 21, 2010 minutes.
- B. Approval of Accounts Payable
- C. Approval of Financial Data for October 2010.
- D. Approval of Staff Reports.

Council Member Wells moved to accept the October 21, 2010 minutes; Council Member Bandy Hicks seconded the motion. Ayes: Mayor Pro Tem Pixler, Council Member Wells, Council Member Hicks. Nays: None. Abstentions: Council Member Massey, Council Member Anderson. (absent at the last meeting) The motion passed with 3 ayes, 0 nays and 2 abstentions.

Council Member Massey moved to accept the remainder of the consent agenda; Council Member Wells seconded the motion. All approved.

## **8. Consider and act on allowing the Fire Department Auxiliary to close Hudson between McCanne and Main on Saturday, December 4, 2010, 5-7:30 pm for the “Annual Santa Event.”**

Mayor Pro Tem Pixler moved to allow the Fire Department Auxillary to close Hudson Street between McCanne and Main on December 4, between 5-7:30 pm; Council Member Massey seconded the motion. All approved.

## **9. Discussion on the wastewater treatment plant permit.**

Mayor Newby explained several years ago a group of citizens complained to the state about Newark's wastewater being discharged into Derrick Creek. The City was supposed to have had a study done outlining other options for the wastewater discharge. Since the study was never done, the State will not approve the City's request for a renewal permit to operate the wastewater system. The State will not allow the City to discharge into Derrick Creek. They will allow the City to continue to operate under the existing permit if a plan outlining the steps that will be taken to discharge the affluent into an approved area is submitted to them in a timely fashion. The Mayor is calling a special meeting for the first week in December so the City Engineer and the City Grant Writer can explain the options to the Council.

Council Member Wells moved to move forward with the planning and to appoint Mayor Newby to work with City Engineer Gary Burton to accomplish the plan; Mayor Pro Tem Pixler seconded the motion. All approved.

**10. Discussion on City garbage services.**

Mayor Newby explored the idea of the City providing its own garbage service in order to create income to hire a third person for the public works department. The City would be able to release the contract labor at a savings of \$28,000 per year and save \$24,000 per year collecting the City's garbage. Council Member Pixler asked to see all the numbers for this proposal.

**11. Consider and act on Resolution #253 appointing or re-appointing three directors to the Newark Cultural Education Facilities Finance Corporation.**

Item postponed until the December 16, 2010 meeting.

**12. Consider and act on the "Contract for Assessment and Collection Services by Wise County Appraisal District."**

Mayor Pro Tem Pixler moved to approve the contract with Wise County to collect the City's taxes; Council Member Massey seconded the motion.

**13. Consider and act on the June 2010 utility bill for 526 Post Oak Drive.**

Mayor Pro Tem Pixler moved to zero (0) out the utility bill; Council Member Anderson seconded the motion. All approved.

**14. Consider and act on demolishing the City of Newark Maintenance Building located at 209 Hudson Street next to the Library.**

Council Member Massey moved to remove the old maintenance building; Council Member Wells seconded the motion. All approved.

**15. Discussion on amending Ordinance No. A-230, the City of Newark's ordinance regulating mobile and manufactured homes.**

Item postponed until the December 16, 2010 meeting to have the attorneys research the issues.

**16. Discussion of the City of Newark police department.**

Mayor Newby stated currently there is a lack of police coverage and crimes are not being investigated. The Council needs to decide whether to disband the police department, so the County will cover Newark, or fund a full time police department.

Officer Troy Crow asked to be named Interim Police Chief and allowed to put a reserve police officer program together.

Council Member Wells asked for this item to be postponed until the special called meeting the first week of December and requested that Officer Crow put together some figures for the Council's consideration.

The meeting was adjourned at 11:10 pm.

**APPROVED:**

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**Matt Newby, Mayor**

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**Date**

**ATTEST:**

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**Diane Rasor, City Administrator**