



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

**NOTICE**

**City of Newark Regular City Council Meeting**

**Thursday, March 21, 2019 at 7:00 p.m.**

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

1. Call to order and announce a quorum is present.
2. Pledge of allegiance and invocation.
3. Mayor's update. This is to give the City Council and Citizens a brief update as to what events or items of interest are coming up.
4. Citizen's Comments. *(Citizens may appear before the City Council to address items not listed on the agenda, in accordance with procedural rules as determined by the meeting Chair and by signing up to speak prior to the commencement of the meeting. Speaking time will be limited to three (3) minutes.)*

**CONSENT AGENDA**

*(Items listed on the consent agenda allow the Council to approve all items together without discussion or individual motions. Items may be removed from the consent agenda on the request of any one member of the Council. Removed items will be discussed and action taken immediately after the consent agenda.)*

5. Consider and act on the following items:
  - A. Meeting Minutes
  - B. Accounts Payables for February 2019
  - C. Financial Statements
  - D. Staff Reports – Municipal Court, Animal Control, Library, Building Permits, Code Enforcement and Public Works

**REGULAR AGENDA (NON-CONSENT)**

6. Consider and act on Resolution No. 335, a resolution relating to approving financings by the Newark Cultural Education Facilities Finance Corporation in an aggregate amount of \$35,000,000 for the benefit of the June Shelton Landmark Foundation and related matters.

7. Consider and act on Ordinance No. A-485, an ordinance cancelling the General Municipal Election and Special Municipal Election scheduled for May 4, 2019, and declaring the unopposed candidates elected.
8. Consider and act on the interlocal agreement with Wise County Tax Office and the City of Newark for ad valorem tax assessment and collection effective April 1, 2019. Currently, the City of Newark contracts with Wise Appraisal District for these services but they will end providing these services on April 1, 2019.
9. Consider and act on Rolling V Development Professional Services Agreement for reimbursement of professional services related to the development incurred by the City.
10. Consider and act on Resolution No. 334, a resolution authorizing continued participation with the ATMOS Cities Steering Committee.
11. Consider and act on accepting the donated park equipment, having it repaired as necessary, installed and placed under the City's insurance policy.
12. Consider and act on the purchase of a backhoe.
13. Consider and act on changing the Thursday, May 16, 2019 regular City Council meeting to Tuesday, May 14, 2019 due to a scheduling conflict.
14. Consider and act on taking legal action, including but not limited to filing a TRO and permanent injunction, to remove the obstruction of a City easement at 200 Killough if the obstructions are not removed by March 31, 2019. A letter was mailed to both the property owner and tenant residing at 200 Killough on March 1, 2019 requesting that the fence placed across the prescriptive right-of-way easement be removed. The fence that has been erected denies the City access to the right-of-way and is currently still standing.
15. Update on road and drainage report.
16. Discussion and action on roads and drainage report.
17. **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), (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, and pending or contemplated litigation with the tenant and property owner at 200 Killough identified as Katrina Ellis and Bill Ackerman, respectively.
18. **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.

19. Adjourn.

*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 Section:

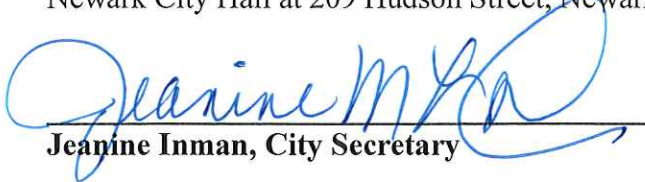
§ 551.071 – Private consultation with the attorney for the City regarding any item on this agenda.

§ 551.072 – Discussing purchase, exchange, lease or value of real property.

§ 551.074 – Discussing personnel or to hear complaints against personnel.

*Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers 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.*

**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 Monday, March 18, 2019 by 7:00 p.m.

  
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Jeanine Inman, City Secretary