

Regular Meeting Minutes
May 19, 2022
7:00 p.m.

1. **Call to order and announce quorum is present.**

Mayor Cardwell called the meeting to order at 7:01 pm, and announced a quorum was present. Those in attendance were: Mayor Crystal Cardwell, Mayor Pro Tem Christopher Raines, Councilmember Taylor Burton, Councilmember Jennifer Hill, Councilmember Melanie Payne, City Attorney Susan Thomas, City Admin Staff Brittany Mayhue, City Admin Staff Alexis Loya, and City Secretary Jenni Moore.

2. **Pledge of allegiance and invocation.**

Mayor Cardwell led the pledge to the flag; Councilmember Burton delivered the invocation.

3. **Mayor Update.**

Mayor Cardwell introduced herself to the public.

4. **Public Comments.**

There were no public comments.

5. **Consider and act on the following items:**

A. Council Meeting Minutes for April 21, 2022.

B. Accounts Payables for April 2022.

C. Financial Statements for April 2022.

D. Staff Reports- Municipal Court, Building Permits, Code Enforcement and Public Works for April 2022.

Councilmember Burton made a motion to approve agenda item five as a whole. Mayor Pro Tem Raines second the motion. All approved, the motion passed.

6. **Resolution authorizing Newark Higher Education Finance Corporation education revenue and refunding bonds (Austin Achieve Public Schools, inc.) series 2022; loan agreement; trust indenture; a public hearing; and other matters in connection therewith.**

Councilmember Burton made a motion to approve a resolution authorizing Newark Higher Education Finance Corporation education revenue and refunding bonds (Austin Achieve Public Schools, inc.) series 2022; loan agreement; trust indenture; a public hearing; and other matters in connection therewith. Councilmember Hill second the motion. All approved. The motion passed.

7. **Discuss, consider and act on a recommendation and vote to elect the Mayor Pro Tem for time period from May 2022 through May 2023.**

Councilmember Burton made a motion to appoint Chris Raines as Mayor Pro Tem for the time period from May 2022 through May 2023. Councilmember Hill second the motion. All approved. The motion passed.

8. **Discuss, consider and act on Ordinance Number A-531, an ordinance of the City Council of the City of Newark, Texas; providing for the assessment of the collection of fees for services provided by the Fire Department of the City of Newark; providing for a penalty clause; providing for savings, repealing, and severability clauses; and providing for publication and an effective date.**

Lieutenant Rusty Peace with the Newark Volunteer Fire Department attended the meeting to explain the collection rates and answer questions the council may have. He explained that company that bills insurance companies has raised their rates. The new rates match what other cities are currently billing. Mayor Pro Tem Raines asked if this will affect individuals without insurance. Lieutenant Peace explained that they would continue to go to calls of individuals without insurance, and does not affect them financially. Mayor Pro Tem Raines made a motion to approve Ordinance Number A-531, an ordinance of the City Council of the City of Newark, Texas; providing for the assessment of the collection of fees for services provided by the Fire Department of the City of Newark; providing for a penalty clause; providing for savings, repealing, and severability clauses; and providing for publication and an effective date. Councilmember Burton second the motion. All approved. The motion passed.

9. **Discuss, consider and act on Ordinance A-532, an ordinance of the City of Newark, Texas, making findings of fact; the city budget for the fiscal year beginning October 1, 2020; and providing a savings clause, severance clause, and effective date.**

City Secretary Moore opened the conversation explaining the need to amend the budget due to an increase in income and expenses. Councilmember Burton made a motion to approve Ordinance A-532, an ordinance of the City of Newark, Texas, making findings of fact; the city budget for the fiscal year beginning October 1, 2020; and providing a savings clause, severance clause, and effective date of May 19, 2022. Mayor Pro Tem Raines second the motion. All approved. The motion passed.

10. **Discuss, consider and act on selecting an energy company as the City's electric service provider.**

City Secretary Moore opened the conversation explaining there were two different proposals. One from ADK, and the other from US Energy. Mayor Cardwell stated we should lock in a rate with a longer contract. Councilmember Payne also stated that she would prefer a longer contract. Councilmember Payne made a motion to select MP Energy as the electric provider for a 36-month term. Mayor Pro Tem Raines second the motion. All approved. The motion passed.

11. **Discuss, consider and act on setting the meeting date(s) for budget workshop(s).**

All councilmember reviewed the Calendar. And set the first Budget Workshop for June 7, 2022 at 6pm.

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

- a. **Pursuant to Section 551.071; Consultation with the attorney regarding pending or contemplated litigation, or a settlement offer; or 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 re: request for release of certificate of convenience and necessity from City of Rhome back to the City of Newark.**

- b. Section 551.071, Attorney Consult: Consultation with 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 re: Development of City RV Park.

Mayor Cardwell closed into Executive Session at 7:28pm. The following action was taken:

- a. Pursuant to Section 551.071; Consultation with the attorney regarding pending or contemplated litigation, or a settlement offer; or 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 re: request for release of certificate of convenience and necessity from City of Rhome back to the City of Newark.

Mayor Pro Tem Raines made a motion to authorize the City Attorney to file a law suit against the City of Rhome.

- b. Section 551.071, Attorney Consult: Consultation with 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 re: Development of City RV Park.

No action was taken on.

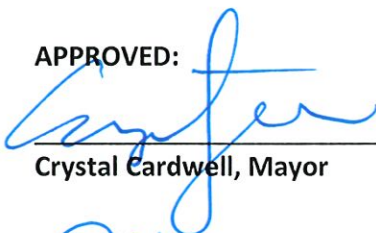
- 13. **RECONVENE INTO OPEN SESSION** – In accordance with the Texas Government Code Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

Mayor Cardwell reconvened into open session at 8:29 pm.

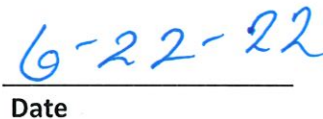
- 10. **Meeting Adjourn.**

Mayor Cardwell adjourned the meeting at 8:30pm.

APPROVED:



Crystal Cardwell, Mayor



Date



Jenni Moore, City Secretary