

Regular Meeting Minutes
July 21, 2022 at 7:00 p.m.

1. Call to order and announce quorum is present.

Mayor Cardwell called the meeting to order at 7:02pm, and announced a quorum was present. Those in attendance were: Mayor Crystal Cardwell, Mayor Pro Tem Christopher Raines, Councilmember Jennifer Hill, Councilmember Melanie Payne, City Attorney Susan Thomas, City Admin Staff Alexis Loya, and City Admin Staff Brittany Mayhue.

2. Pledge of allegiance and invocation.

Mayor Cardwell led the pledge to the flag and delivered the invocation.

3. Mayor Update.

Mayor Cardwell announced the Heart for Park Committee's Back to School Bash on August 12th, 2022 from 7pm-10:30pm. Mayor Cardwell also announced she had a meeting with a large childcare provider in Tarrant County that may extend services to Wise County. Mayor Cardwell will announce more on it at a later date.

4. Public Comments

There were no public comments.

5. Consider and act on the following items:

- A. Council Meeting Minutes for June 16, 2022, June 28, 2022 and July 12, 2022.**
- B. Accounts Payables for June 2022.**
- C. Financial Statements for June 2022.**
- D. Staff Reports- Municipal Court, Building Permits, Code Enforcement and Public Works for June 2022.**

Mayor Pro Tem Christopher Raines made a motion to approve agenda item 5 as a whole. Councilmember Hill second the motion. All approved. The motion passed.

6. Discuss, consider and act on Ordinance No. A-532 Creating a Parks and Recreation Committee for the City of Newark.

Mayor Cardwell opened the conversation by asking if this committee has already been established. Mayor Pro Tem Raines asked the City Attorney to explain the process and what needs to be done with this ordinance. City Attorney Susan Thomas advised the council that the city does not have a current Parks and Recreation Committee and part of creating the committee will be passing an ordinance and agreeing on the bylaws. Mayor Pro Tem Raines stated he would like for this ordinance to be tabled until the next meeting so all Council members can have an opportunity to go over all of the bylaws and agree on them. The council agreed to table this item until next meeting.

7. Discuss, consider and act on businesses operating within the City limits without a current Certificate of Occupancy.

Mayor Pro Tem asked City Admin Staff Member Brittany Mayhue to fill the council in on where the process was with M & P Tires and their Certificate of Occupancy. City Admin Staff Member Brittany Mayhue advised the council that the Temporary Certificate of Occupancy had expired and that the parking lot that is required has not been built. Mayor Cardwell asked Mayor Pro Tem Raines to explain all of the requirements and what the process looks like. Mayor Pro Tem Raines explained that the original shop had a Certificate of Occupancy but they did not get a Certificate

of Occupancy for the second building as the business owners told the City that it was only going to be used for storage. Once the City found out that the building was more than storage, the business owners were advised that it will need a Certificate of Occupancy and part of the requirements for the business would be to put in a parking lot. The business owners were made aware of all the requirements and given a Temporary Certificate of Occupancy until they can get the parking lot completed. The plans that were submitted for the parking lot needed to be revised. Mayor Pro Tem explained that the progress stopped and nothing has been done. Mayor Pro Tem Raines stated the City needs to act on getting Code Enforcement to go to the business and get them to start moving in the right direction for compliance. Mayor Pro Tem made a motion to act on Code Enforcement following up with the shop and make M P Tires a priority to get them in compliance. Councilmember Jennifer Hill second the motion. All approve. The motion was passed.

8. **Discuss, consider and act on the purchase of movie equipment for park events.**

Mayor Cardwell explained she put this on the agenda to discuss buying movie equipment for the Heart for Parks Committee for their upcoming movie night in the park. Mayor Pro Tem Raines asked if this expense can come out of the park grant that the City will be getting. Mayor Cardwell explained that we do not know when the grant will be awarded and the movie equipment is needed in August. Mayor Pro Tem then asked Laura Pixler to explain what equipment is needed and if she could wait to buy equipment out of the grant fund. Laura Pixler advised the equipment is an immediate need. Mayor Cardwell advised the council that there was money in the budget but did not know the line item since the City Secretary Jenni Moore was not in attendance. Councilmember Jennifer Hill and Mayor Pro Tem Raines agreed that they did not want to approve reallocating money if they do not know where it was coming from. The council agreed to table the matter until the next budget meeting.

9. **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:**

Mayor Cardwell closed into the Executive Session at 7:53pm. The following action was taken:

- a. **Pursuant to Section 551.071; Consultation with the attorney regarding pending or contemplated litigation, or a settlement offer re: *Cause no. CV22-06-441, City of Newark v. City of Rhome***

Mayor Pro Tem made a motion to approve the CCN Transfer Agreement as executed by the City of Newark and Rhome and direct the City Secretary to record the document as required by state. Councilmember Jennifer Hill second the motion. All approved. The motion passed.

- b. **Pursuant to Section 551.071; Consultation with the 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: updating and revising the City of Newark Comprehensive Zoning Ordinance and zoning map.**

No action was taken.

- c. **Pursuant to Section 551.072 Deliberate the purchase, exchange, lease or value of real property re: Tower Site Lease Agreement with American Tower.**

No action was taken.


10. **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.

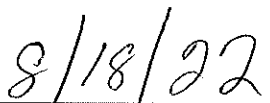
Mayor Cardwell reconvened into regular session at 8:43pm.

10. **Meeting Adjourn.**

Mayor Cardwell adjourned the meeting at 8:44pm.

APPROVED:


Crystal Cardwell, Mayor


Date


Brittany Mayhue, Court Clerk