

**Regular Meeting Minutes**  
**October 19, 2023**  
**7:00 p.m.**

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

Mayor Cardwell called the meeting to order at 7:11 pm, and announced a quorum was present. Those in attendance were: Mayor Crystal Cardwell, Councilmember Nathaniel Butler, Councilmember Jennifer Hill, Councilmember Richard Sidebottom, Councilmember Melanie Payne, City Admin Staff Brittany Mayhue, City Admin Staff Michelle Peterson, Code Enforcement Officer Devon Kennedy, Director of Public Works William Allen, and City Secretary Jenni Moore.

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

Mayor Cardwell led the pledge; Council Member Hill led the invocation.

**3. Mayor Update.**

Mayor Cardwell spoke briefly about the success of the Cruisin' Days event and stated that more information would be shared in the future regarding numbers pertaining to the event.

**4. Public Comments**

No public comment.

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

**A. Council Meeting Minutes for September 21, 2023.**

**B. Accounts Payables for September 2023**

**C. Financial Statements for September 2023**

**D. Staff Reports- Municipal Court, Building Permits, Code Enforcement, and Public Works for September 2023.**

Councilmember Hill motioned to approve agenda item number 5 as a whole. Councilmember Sidebottom second the motion. All approved. Motion was passed.

**6. Discuss, consider and act on Ordinance A-550, an ordinance regarding the City of Newark's Texas Municipal Retirement System benefits regarding a change in city contributions to the current service annuity reserve on the retirement of system members who were city employees.** City Secretary Moore explained that this was already decided the totals for this when discussing budget, she explained it is a formality of accepting as an ordinance. Councilmember Payne made the motion to pass Ordinance A-550, an ordinance regarding the City of Newark's Texas Municipal Retirement System benefits regarding a change in the city contributions to the current service annuity reserve on the retirement of system members who were city employees. Councilmember Butler second the motion. All approved. Motion passed.

**7. Discuss, consider and act on an interlocal participation agreement with The Interlocal Purchasing System (TIPS).**

Public Works Director William Allen explained how the TIPS program works to help eliminate the extra work of going out for bids for the park grant project by sponsoring a broker through the TIPS program. Matthew Newby would be our representative through

the TIPS program. Councilmember Hill made the motion to enter the interlocal participation agreement program with the TIPS program. Councilmember Payne second the motion. All approved. Motion passed.

8. **Discuss, consider and act on Resolution No. 366, a resolution approving Contract No. 10481 with Government Capital Corporation for the purpose of financing a new vehicle for the Public Works Department.**

City Secretary Moore explained the details of the truck payments and what was discussed at the last council meeting and explained that this was the last piece of approving the purchase. Councilmember Hill made a motion on item number 8, that we approve the contract no. 10481 for the purpose of financing a new vehicle for the Public Works Department. Councilmember Nathaniel Butler second the motion. All approved. Motion passed.

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:**

- 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:**

- i. **Proposed Amendment to the Development Agreement with PMB Rolling V Land LP.**

- ii. **Proposed Development Agreement with Sergio Rico.**

Mayor Cardwell closed to executive session at 7:38 p.m.

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 open session at 8:27 p.m.

Councilmember Hill motioned to approve and authorize the mayor to execute the first amendment, the development agreement with PMB Rolling V Land LP, conditioned upon amending the chart in section 4-F to require a minimum lot debt of 120 feet. Councilmember Payne second the motion. All approved. Motion passed.


11. **Discuss and act on Resolution No. 367, a Resolution of the City Council of the City of Newark, Texas, approving the Development Agreement between the City and Sergio Rico relating to the development of approximately 0.80 acres of land in the city's Extraterritorial Jurisdiction; authorizing the mayor to execute development agreement; and providing an effective date.**

Councilmember Sidebottom made a motion for Resolution No. 367, to allow the mayor to execute the development agreement and provide an effective date. Councilmember Butler second the motion. All approved. Motion passed.

12. **Meeting Adjourn.**

Mayor Cardwell adjourned the meeting at 8:29 p.m.

APPROVED:

  
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Crystal Cardwell, Mayor

11/28/23  
Date

  
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Jenni Moore, City Secretary

