

City Council Meeting Minutes
January 16, 2025
7:00 p.m.

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

Mayor Cardwell called the meeting to order at 7:00 P.M. and announced a quorum was present. Those present were Mayor Crystal Cardwell, Mayor Pro Tem Christopher Raines, Councilmember Melanie Payne, Councilmember Richard Sidebottom, Councilmember Jennifer Hill, Councilmember Nathaniel Butler, City Secretary Jenni Moore, Code Enforcement Officer Devon Kennedy, City Admin Staff Brittany Mayhue and City Admin Staff Michelle Peterson.

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

Mayor Cardwell led the pledge of allegiance and the invocation.

3. **Mayor Update.**

Mayor Cardwell updated regarding the delay in the completion of the park due to a contractor delay, as well as well as sharing that the hope is that the park will be completed soon. Mayor Cardwell updated regarding an update on the activities at the Newark Library and asked Laura Pixler to share about what is going on at the library. Ms. Pixler shared about that the Newark library is partnering with AARP to provide free tax prep to the residents of Newark.

4. **Public Comments.**

Steve Parker of 504 McCanne spoke regarding the zoning request for 509 Main Street and his concern for the drainage issues that it could cause.

CONSENT AGENDA

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

A. Council Meeting Minutes for December 19, 2024

B. Accounts Payables for December 2024

C. Financial Statements for December 2024

D. Staff Reports- Municipal Court, Building Permits, Code Enforcement, and Public Works for December 2024

Councilmember Hill motioned to accept items A-D as a whole. Mayor Pro Tem Raines second the motion. All approved. Motion was passed.

REGULAR AGENDA (NON-CONSENT)

6. **Discussion with Otavio & Lisa Ramos regarding updates to the Rezone request for Property ID: 732903, Legal description; A-93 CT Brush 10.3000 Acres from Single-Family Residential District 1 (SF-1) use to Single-Family Residential District 2 (SF-2).**

Mr. and Mrs. Ramos and their engineer presented information to the council. Council advised that planned development may be a better option for this property in order for it to be developed in a way that benefits both the developers and the residents of

the city. Mr. and Mrs. Ramos will submit paperwork to apply for planned development zoning instead of SF-2. A public hearing will be scheduled next month for this zoning change.

7. Discussion and possible action on a lease amendment with American Tower.

Mayor Pro Tem Raines made a motion to take no action on the lease amendment with American Tower. Councilmember Butler second the motion. All Approved. Motion was passed.

8. Public Hearing – Variance request from Jake Payne to deviate from the provisions of the City of Newark Code of Ordinances, Chapter 14, Section 27 by allowing reduction of side yard setback requirements for an accessory building at 509 Oak Hills Drive.

Mayor Cardwell opened the public hearing at 8:02 P.M.

Public Comments:

Tammy McCune of 517 Post Oak Dr. spoke regarding her concern for the potential draining issues as well as keeping the building guidelines consistent throughout the neighborhood.

Jake and Melanie Payne of 509 Oak Hills Dr. spoke to inform the council and residents of why they were requesting the variance for the accessory structure they are looking to build. Mr. Payne discussed that they have addressed the drainage issues that were brought to their attention by their neighbors.

Doug McCanne of 513 Oak Hills Dr. spoke regarding the original deed restrictions of the Thousand Oaks neighborhood and what current set backs are. Mr. McCanne asked for clarity of what would be the result of the variance being approved.

Beth Crutcher of 510 Oak Hills Dr. spoke regarding her concern for the property as a whole and the aesthetics and the concrete coverage of their property.

Tammy McCune of 517 Post Oak Dr. spoke regarding drainage issues caused by lack of guidelines protecting from these issues.

Jim Carter of 508 Oak Hills Dr. spoke expressing that he is for more enforcement and less variations. Mr. Carter spoke regarding previous requests to vary from the rules of the zoning and the issues they have caused.

Taylor Burton of 511 Oak Hills Dr. spoke questioning the setbacks of the other accessory building on 509 Oak Hills Dr. Code Enforcement office Kennedy informed of what the code said during the time this building was built. Mr. Burton also questioned the lot coverage for the property. City Admin Staff Peterson stated that the permit would not be issued if the application does not meet all guidelines. Mr. Burton stated his concern regarding not setting a precedence of varying from the current guidelines.

Curtis Cardwell of 502 Oak Hills Dr. spoke regarding the division of the community and that he is not for or against the variance.

Laura Pixler of 612 Berke St. spoke showing support for the variance and stated that the precedence is being set that variances aren't allowed and this will affect the other neighborhoods in town even though it is only being addressed for

Thousand Oaks neighborhood. She reminded the council that the idea of not allowing any variations will affect the community as a whole.

Mayor Cardwell closed the public hearing at 9:03 P.M.

9. **Consider and act on Variance request from Jake Payne to deviate from the provisions of the City of Newark Code of Ordinances, Chapter 14, Section 27 by allowing reduction of side yard setback requirements for an accessory building at 509 Oak Hills Dr.**

Councilmember Sidebottom made a motion to approve the variance request from Jake Payne to deviate from the provisions of the City of Newark Code of Ordinances, Chapter 14, Section 27 by allowing reduction of side yard setback requirements for an accessory building at 509 Oak Hills Dr. Councilmember Butler second the motion. Councilmember Raines opposed the motion. Councilmember Hill opposed the motion. Mayor Cardwell approved the motion. Motion was passed.

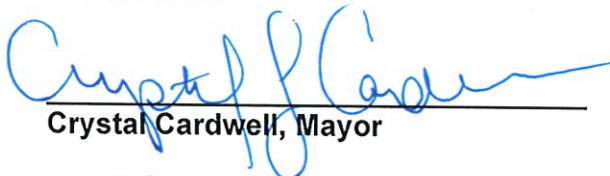
10. **Discuss, consider and act on Ordinance No. A-564 calling for a joint general election with Wise County to be held on May 3, 2025, ordering the general election for Councilmember Places 4, 5 and Mayor, each for two-year terms ending in 2027.**

Councilmember Hill motioned to approve Ordinance No. A-564 calling for a joint general election with Wise County to be held on May 3, 2025, ordering the general election for Councilmember Places 4, 5 and Mayor, each for two-year terms ending in 2027.

11. **Meeting adjourned.**

Mayor Cardwell adjourned the meeting at 9:07 P.M.

APPROVED:


Crystal Cardwell, Mayor

2/20/25
Date


Jenni Moore, City Secretary

