

City Council Meeting Minutes

November 21, 2024

7:00 p.m.

1. Call to order and announce quorum is present.

Mayor Crystal Cardwell called the meeting to order at 7:00 pm and announced a quorum was present. Those present were Mayor Crystal Cardwell, Mayor Pro Tem Christopher Raines, Councilmember Jennifer Hill, Councilmember Melanie Payne, City Secretary Jenni Moore, City Attorney Susan Thomas, Director of Public Works William Allen, 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 invocation.

3. Mayor Update.

Mayor Cardwell updated regarding the progress on the park construction, stating it is the city's hope that the project will be completed by the end of the year. Mayor Cardwell also shared about the upcoming Christmas Tree Lighting event taking place on December 7th.

4. Public Comments.

Susie Youngblood of 511 Berke St. expressed concern regarding 18 wheelers that have been going up and down her street, stating concern that it is ruining the roads.

CONSENT AGENDA

5. Consider and act on the following items:

- A. Council Meeting Minutes for October 17, 2024**
- B. Accounts Payables for October 2024**
- C. Financial Statements for October 2024**
- D. Staff Reports- Municipal Court, Building Permits, Code Enforcement, and Public Works for October 2024**

Mayor Pro Tem Raines motioned to approve A through D as a whole. Councilmember Hill second the motion. All approved. Motion passed.

REGULAR AGENDA (NON-CONSENT)

- ### **6. Resolution approving a loan agreement among the Corporation, Bakerripley and Texas Capital Community Development Corporation, and related matters for a tax-exempt loan.**

Ted Christensen informed the council of the information regarding the conduit loan process. Councilmember Hill motioned on item number 6 to approve the resolution approving a loan agreement among the Corporation, Bakerripley and Texas Capital Community Development Corporation, and related matters for a tax-exempt loan. Mayor Pro Tem second the motion. All approved. Motion was passed.

7. Resolution approving a loan agreement among the Corporation, Coram Deo Academy and Frost Bank, and related matters for a tax-exempt loan.

Mayor Pro Tem motioned to approve a loan agreement among the Corporation, Coram Deo Academy and Frost Bank, and related matters for a tax-exempt loan. Councilmember Hill second the motion. All approved. Motion was passed.

8. Discussion, consideration and action on mobile home permit for 101 Deborah Drive.

Homeowner Alejandro Aldape Chavez informed the council of his desire to move a used home onto the proposed property. Deputy Trinidad of WCSO was present to translate for the homeowner. Council advised the homeowner that he may be better finding a location in the county as it does not meet the city's guidelines and standards. Mayor Pro Tem motioned to decline the permit for 101 Deborah Drive and moving a mobile home in. Councilmember Hill second the motion. All approved. Motion was passed.

9. Discuss, consider and possible action on a request from Mike Gregory regarding utility rates.

No action. Mr. Gregory was not present.

10. Public Hearing: Zoning change request from Purple Texas Enterprise, LLC to Rezone Property ID: 732985, Legal description; A-93 Brush 0.4270 Acres in Newark, Texas, more commonly known as 822 McCanne Rd. from Single Family Residential District – 1 (SF-1) to General Commercial District (C-2).

Mayor Cardwell opened the meeting at 7:16 p.m.

Ms. Judith Norris of 505 & 507 Central Drive. Ms. Norris questioned what would be added to this property if it is rezoned. Public Works Director informed Ms. Norris that it is being rezoned to commercial because there are already storage units present, and this is just fixing the zoning with what is already present. Mayor Cardwell closed the public hearing at 7:22 p.m.

11. Consider and act on Zoning change request from Purple Texas Enterprise, LLC to Rezone Property ID: 732985, Legal description; A-93 Brush 0.4270 Acres in Newark, Texas, more commonly known as 822 McCanne Rd. from Single Family Residential District – 1 (SF-1) to General Commercial District (C-2);

Councilmember Hill motioned to approve item number 11 to approve the zoning change as presented. Mayor Pro Tem second the motion. All approved. Motion passed.

12. **Public Hearing:** Re Plat submission request Anthony & Ashley Gile, for property located in the City of Newark, to re-plat the original small lots into 1 large lot for the properties with the legal description of Property ID: 770639, Lots 7-10, BLK 45, Original Town of Newark.

Mayor Cardwell opened the public hearing at 7:23 p.m. Mr. Anthony Gile of 302 Mellown St. explained that he wanted to combine the plats to allow for changes to the property that are restricted due to lot lines. Mayor Cardwell closed the meeting at 7:25 p.m.

13. **Consider and act on Re Plat submission request Anthony & Ashley Gile, for property located in the City of Newark, to re-plat the original small lots into 1 large lot for the properties with the legal description of Property ID: 770639, Lots 7-10, BLK 45, Original Town of Newark.**

Councilmember Hill motioned on item number 13 to accept the request from Anthony and Ashley Gile as presented. Mayor Pro Tem second the motion. All approved. Motion was passed.

14. **Public Hearing:** Final Plat submission request from PMB Rolling V Land LP., for property located in the City's Extraterritorial Jurisdiction, 46.837 Acres out of the Cain T. Brush Survey, Abstract No. 93.

Mayor Cardwell opened the public hearing at 7:26 p.m. Public Works Director Allen explained this was a final plat so they can proceed with building. Mayor Cardwell closed the public hearing at 7:26 p.m.

15. **Consider and act on Final Plat submission request from PMB Rolling V Land LP., for property located in the City's Extraterritorial Jurisdiction, 46.837 Acres out of the Cain T. Brush Survey, Abstract No. 93.**

Councilmember Payne motioned to approve agenda item number 15 as presented. Councilmember Hill second the motion. All approved. Motion passed.

16. **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. **Section 551.071 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 this chapter, re:**

i. **Resolution No. 369, approving a regional effort to identify solutions to community water and wastewater needs and authorize expenditure of up to \$10,000 to assist with allowable expenses related thereto.**

- ii. Amended Memorandum of Understanding between the Cities of Newark, Aurora, Alvord, Boyd, Bridgeport, Decatur, New Fairview, Paradise, and Rhome, and Wise County, Texas, to seek regional options for solutions for the water and wastewater needs of the communities and designate the City of New Fairview as the facilitator and funds coordinator of the \$10,000 contributed by the City of Newark under Resolution No. 369.
- iii. Resolution No. 370, supporting legislation to create the Wise Regional Water District.
- iv. Resolution No. 371, opposing the TCEQ Application by Chisholm Trail Disposal, LLC for the Chisholm Trail Disposal Landfill, a Type IV Municipal Solid Waste Landfill Permit No. 2421.

Mayor Cardwell closed into executive session at 7:30 p.m.

- 17. 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 8:05 p.m.

REGULAR AGENDA CONTINUED

- 18. Discuss, consider and act on Resolution No. 369, approving a regional effort to identify solutions to community water and wastewater needs and authorize expenditure of up to \$10,000 to assist with allowable expenses related thereto.**

City Attorney Thomas advised to approve item 18 (i) as the joint resolution as presented by the Mayor's Coalition.

- 19. Discuss, consider and act on an Amended Memorandum of Understanding between the Cities of Newark, Aurora, Alvord, Boyd, Bridgeport, Decatur, New Fairview, Paradise, and Rhome, and Wise County, Texas, to seek regional options for solutions for the water and wastewater needs of the communities, and designate the City of New Fairview as the facilitator and funds coordinator of the \$10,000 contributed by the City of Newark under Resolution No. 369.**

City Attorney Thomas advised to motion to request to be added to the MOU.

20. Discuss, consider and act on Resolution No. 370, supporting legislation to create the Wise Regional Water District.

City Attorney Thomas advised to motion to approve resolution No. 370, supporting legislative efforts.

21. Discuss, consider and act on Resolution No. 371, opposing the TCEQ Application by Chisholm Trail Disposal, LLC for the Chisholm Trail Disposal Landfill, a Type IV Municipal Solid Waste Landfill Permit No. 2421.

City Attorney Thomas advised to motion to approve resolution No. 371, opposing TCEQ application by Chisholm Trail Disposal and to pursue a protest for the City of Newark against the project.

Mayor Pro Tem motioned to approve items number 18 – 21 as stated by the City Attorney. Councilmember Hill second the motion. All approved. Motion passed.

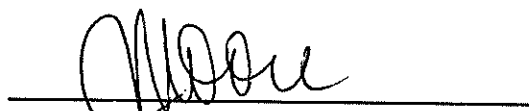
22. Meeting Adjourn.

Mayor Cardwell adjourned the meeting at 8:07 p.m.

APPROVED:


Crystal Cardwell, Mayor

12-19-24
Date


Jenni Moore, City Secretary

