

Regular Meeting Minutes
August 17, 2023
7:00 p.m.

1. Call to order and announce quorum is present.

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

2. Pledge of allegiance and invocation.

Mayor Cardwell led the pledge and Councilmember Hill led the invocation.

3. Mayor Update.

Mayor Cardwell updated about the school being open finally, water meetings, park plans and the park grant, stating how these things are all moving along.

4. Public Comments.

No public comments

5. Consider and act on the following items:

A. Council Meeting Minutes for July 20, 2023.

B. Accounts Payables for July 2023

C. Financial Statements for July 2023

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

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

6. Resolution approving a tax-exempt loan among the Newark Cultural Education Facilities Finance Corporation, New Braunfels Christian Academy and First Financial Bank. N.A. and related matters.

Ted Christensen of Government Capital Security Corporation explained to the council what the loan was for and answered questions they had. Councilmember Payne motioned to approve the tax-exemption loan for the Newark Cultural Education Facilities Finance Corporation, New Braunfels Christian Academy and First Financial Bank. N.A. and related matters. Mayor Pro Tem second the motion. All approved. Motion was passed.

7. Discuss, consider and act on a request from Angela Lowe for relief on the August 2023 utility bill at 511 Rogers Rd.

Angela Lowe of 511 Rogers introduced herself and spoke about how her bill was higher due to a leak. Angela stated that she has already paid the bill, but still needs relief due to the

costs. Council confirmed she had been offered a payment plan and City Secretary Moore confirmed that was correct. Mayor Cardwell informed Mrs. Lowe that a refund cannot be issued after the payment has already been made. No action was taken.

8. Discuss, consider and act on a request from Jeanine Muhawenimana for relief on her July and August 2023 utility bill at 433 Sandy Bass Ln.

Jeanine Muhawenimana of 433 Sandy Bass Ln. stated that she had a very high bill in July and August due to issues when her home was installed. She stated that she was told the issue was fixed and it was not. Mayor Cardwell stated that the city could offer a payment plan to alleviate the stress of the high balance. Mayor Cardwell advised the resident to call the office the following day to discuss if we can get someone to help fix it, using resources of people who have expressed that they could help. No action taken.

9. Conduct a public hearing, discuss, consider act on Ordinance No. A-546, amending the Code of Ordinances of the City of Newark, Texas, by amending Chapter 3, Building Regulations, Article 3.03, Technical and Construction Codes and Standards, by amending Divisions 3 through 9 to provide for updating the versions of the International Building Code (2021), International Residential Code (2021), National Electric Code (2020), International Plumbing Code (2021), International Mechanical Code (2021), International Fuel and Gas Code (2021), and International Energy Conservation Code (2021) and adopting local amendments to each code; and by creating Article 3.03, Divisions 10 and 11 adopting the International Swimming Pool and Spa Code (2021) and International Existing Building Code (2021) and adopting local amendments to each code; and by creating Article 3.03, Division 12 and 13 adopting the International Property Maintenance Code (2021), and the Public Works Construction Standards, North Central Texas, Fifth Edition (2017); and by amending Article 5.02. Fire Code to provide for updating the version of the International Fire Code (2021) and adopting local amendments to the fire code.

Mayor Cardwell opened the public hearing at 7:19pm. Mayor Cardwell asked if there were any questions or public comments. No public comments. Mayor Cardwell closed the public hearing at 7:19pm.

Mayor Pro Tem Raines motioned to pass Article 3.03, Divisions 10 & 11 International Swimming Pool Code and other codes listed in item number 9. Councilmember Hill second the motion. All approved. Motion passed.

10. 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.PUC Application for release of certificate of convenience and necessity from City of Rhome back to the City of Newark.
- ii.Proposed Amendment to the Development Agreement with PMB Rolling V Land LP.
- iii.Interlocal Agreement with Northwest ISD regarding water tank project.

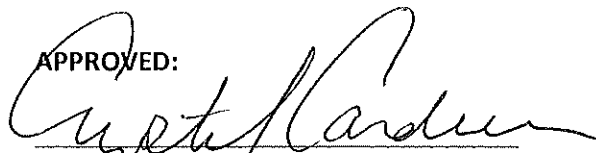
Mayor Cardwell closed into executive session at 7:23 p.m.

- 11. **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 8:10 p.m. No Action was taken.

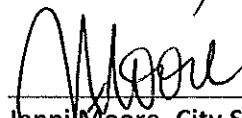
- 12. **Meeting Adjourn.**

Mayor Cardwell closed the meeting at 8:10 p.m.

APPROVED:


Crystal Cardwell, Mayor

9/27/23
Date



Jenni Moore, City Secretary