

Ordinance # 75-12

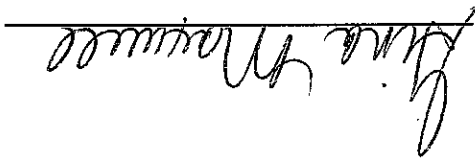
No Engine Brake

Be it ordained by the Newcastle City Council of the City of Newcastle, Texas


Sec. 12.02 Jake Braking

- a) The use or operation of an auxiliary or compression engine braking system, commonly referred to as "Jacob's brakes" or "Jake brakes," shall be prohibited within city limits.
- b) This provision shall not be construed to prohibit the use of such braking mechanisms by emergency vehicles while in the performance of the official duties.
- c) Penalties for violations – Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed five hundred dollars (\$500.00). Each use of Jake brakes shall be deemed a separate offense. Proof and evidence of a culpable mental state are not required for proof of an offense stated herein.

Passed and approved this the 21st day of October, 2014.



Anna Y. Maurice
Mayor

ATTEST:


City Secretary

October 21, 2014

The Newcastle City Council met in regular session at the Newcastle City Hall at 6:00 pm on Tuesday, October 21, 2014 with the following members present:

MEMBERS:

Mayor:	Gina Maxwell
Mayor Pro Tem:	Jerry Stewart
Council Member:	Robbie Larance
	Melba Quaid
	Mike Peterson- ABSENT
	Kris Brice- ABSENT
City Secretary:	Cory Spurlin
Utilities Director:	Ronnie Cavitt- ABSENT

Visitors: Roslyn Fowler

ORDER: Mayor Gina Maxwell called the meeting to order at 6:00 pm and opened with prayer.

PUBLIC FORUM: None

MINUTES APPROVED: Minutes from September 22, 2014 Regular Meeting were approved 3-0 on a motion from Robbie Larance and a second from Melba Quaid.

FINANCIALS APPROVED: Financials from September 2014 approved 3-0 on a motion from Melba Quaid and a second from Robbie Larance.

2nd DISCUSSION ON PROPOSED TAX RATE: Motion was made by Robbie Larance with a second from Jerry Stewart to adopt tax rate of 0.450834 per \$100.00 of assessed value. Approved 3-0.

DISCUSSION AND ADOPTION OF AMENDED ORDINANCES 87-1 AND 54-12: Council discussed the information received from the cities of Graham and Olney regarding their current building permit fees. In Amended Ordinance 54-12, building permit fees and criteria for the requirement of said permits were set by council. Motion made by Robbie Larance with a second from Jerry Stewart to adopt Amended Ordinances 87-1 and 54-12. Approved 3-0.

DISCUSSION ON REQUIREMENTS AND EXPENSES FOR A CITY BUILDING INSPECTOR: Council members discussed options on a building inspector, as well as the need for enforcement of ordinance violations. Mayor Maxwell will contact Young County Sheriffs Office to inquire about utilizing their services for any enforcement on an as needed basis.

DISCUSSION ON PURCHASE OF ANTI-VIRUS FOR CITY HALL COMPUTERS: Mayor Maxwell informed council that city hall is using Norton Anti-Virus at this time, however, this will not protect our system if anyone brings an outside device in and connects to our Wi-Fi. Council requests different Anti-Virus providers and their costs. Item tabled until next meeting.

DISCUSSION AND ADOPTION OF ORDINANCE 75-12 AND ORDINANCE 78-2: Both ordinances were presented to council. Motion was made by Robbie Larance to approve and adopt Ordinance 75-12 and Ordinance 78-2 with a second from Melba Quaid. Approved 3-0.

DISCUSSION AND APPROVAL OF ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2014: Motion made by Robbie Larance to approve and accept annual financial report with a second from Melba Quaid. Approved 3-0.

MAYOR UPDATE: Mayor Gina Maxwell notified council members of a fine received by the city from Texas Railroad Commission. Original amount of fine was \$3000.00. TRC will settle with the City of Newcastle for \$1500.00. Council wants \$1500.00 moved out of the NOW account on water/sewer side, to the main water/sewer account to cover this fine. Once that is done, city secretary is to issue payment to TRC in the amount of \$1500.00. Council was made aware that the Massey Ferguson Tractor payment to AGCO Finance has been being paid out of water/sewer account. This payment should be coming out of the general fund. Council wants city secretary to reimburse water/sewer for payments made during the current fiscal year and begin making future payments out of the general fund. Mayor Maxwell notified council that dam inspections done on October 7, 2014 by Levi with TCEQ went well.

ADJOURNMENT: On a motion made by Jerry Stewart and a second from Melba Quaid, with a vote 3-0, meeting adjourned at 6:59 pm.

Gina Maxwell
Gina Maxwell, Mayor

ATTEST:
Guy L. Spurlin
Guy Spurlin, City Secretary