

**REGULAR CALLED CITY COUNCIL MEETING
July 17, 2014**

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD ON **JULY 17, 2014** AT 7:00 PM IN THE COUNCIL CHAMBER, CITY HALL, 1200 SOUTH COMMERCE, OVERTON, TEXAS.

PRESENT:

C. R. Evans Jr., Mayor
John Ed Welch, Mayor Pro-Tem
Pat Beets
Philip Cox
Jerry Clark

ABSENT:

John Posey

Also in attendance were, Charles Cunningham, City Manager, Rachél Gafford, City Secretary, Pamela Raney, Finance Director, Clyde Carter, Police Chief and Officer Janice Bagley representing staff. Lynn Hitt, representing KSA, Greg Collins, representing the Henderson Daily News, Joe Jones, representing the Kilgore News Herald, and Lawrence Davis, Louanne Laws, Christopher Hall, LaShunon Hall, Ray Garrett resenting the public.

- ITEM I: CALL TO ORDER** - Mayor Evans called the meeting to order at 7:00 P.M.
1. Invocation given by Councilman Beets.
 2. Pledge of Allegiance lead by Mayor Pro Tem Welch

ITEM II: CONSENT AGENDA

1. REVIEW MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON JUNE 19, 2014

Mayor Evans stated he would entertain a motion to accept and approve the consent agenda items.

Mayor Pro Tem Welch made a motion to approve the June 19, 2014 Minutes. Councilman Cox seconded the Motion. The motion carried 4 – 0, Councilman Posey Absent.

ITEM III: CITIZEN FORUM

Jean Beth Hamblen addressed the council stating that she wished the council would adopt some enforceable ordinances concerning the upkeep and maintenance of citizen's property. When she grew up in Overton, citizens took pride in their property, people not have to tell or made to keep their property well maintained and clean, the town has become an eyesore.

Citizens Comments - None

ITEM IV: CITIZEN'S REQUESTS

1. Request from Christopher Hall to consider making the intersection of Brandon St and Bradford St. a 4-way stop.

Mr. Hall requested that City Council consider placing a 4-way stop sign to be located at the intersection Brandon St. and Bradford St.

Councilman Cox stated that he agreed that the intersection needed the stop sign.

Councilman Cox made a motion to have the intersection at Brandon and Bradford Streets be a 4-way stop. Councilman Clark seconded the Motion. The motion carried 4 – 0, Councilman Posey Absent.

2. Request from Christopher Hall to either amend Chapter 60.23 TRUCK ROUTE – of the Code of Ordinances to allow his truck to operate on the Street or give him an exemption to allow him to operate on streets other than the designated truck route streets.

Mr. Hall requested that City Council consider amending the Truck Route ordinance by increasing the allowable weight capacity to allow for his 16,000 pound Bob Tail truck to allowed on the city streets outside the designated Truck Route. He stated that he is a resident of Overton for over 2 years and has been parking his work truck at his house for the past nine (9) months.

Council discussed the request.

Council directed staff to research the impacts of raising the allowable weight limit for trucks on City streets and reschedule this item to hear the findings at a later date.

ITEM V: CITY ADMINISTRATION'S MONTHLY REPORTS

1. Fire Department
2. Police Department
3. Department of Finance
4. City Manager

City Manager Cunningham presented the monthly departmental reports to the council. No action required.

ITEM VI: NEW BUSINESS (CONSIDER AND/OR ACTION)

Mayor Evans stated that if there were no objection from the council we would move Item 3 to the next item on the agenda. Hearing no objection; Mayor Evans proceeded with Item 3:

3. **HEAR AND/OR CONSIDER ACTION ON APPROVAL OF A PROPOSAL TO MAKE NECESSARY REPAIRS ON HELEN STREET.**

Mayor Evans called upon Ray Garrett, Citizen of Overton and employee of TxDOT with expertise in road/street repairs, to address the council members to advise on construction requirements needed to be listed in the contractor's bid for the Helen Street repairs to assist the council in making the best possible informed decision concerning the proposed bids submitted for the Helen Street repairs.

After a brief discussion between Citizen Garrett and the Council members; Councilman Cox requested that staff request more detailed bids from both contractors concerning the base material to be used and if the contractor plans to pave all the way up to the curb with both the limestone base and hot mix.

No Action Taken

- 1. HEAR AND/OR CONSIDER ACTION ON A DRAFT TASK ORDER FROM KSA ENGINEERS INC. REGARDING SERVICES FOR A "STUDY AND SUPPORT PHASE" OF ENGINEERING WORK PROPOSED TO BE DONE TO BEGIN TO RECTIFY DEFICIENCIES IDENTIFIED BY TCEQ IN THE NORTH LAKE DAM.**

Lynn Hitt, KSA Engineers Inc. presented the Draft Task Order in the amount of \$107,350 for the "Study and Support Phase" of the North Lake Dam repairs. Mr. Hitt stated that this would be the first phase in a three step phased project. He recommended that the City not sign the Task Order if the City would not be able to also fund the project through the following two phases of design and construction/repairs.

Councilman Beets made a motion to have KSA Engineers Inc. contact TCEQ on behalf of the City of Overton to outline a phased task order in smaller amounts and prioritize the task order to satisfy TCEQ that progress is being made to repair the dam due to the expense and burden this will place upon the City. Councilman Clark seconded the motion. Vote was 2-2. Motion carried 3-2 with Mayor Evans casting the deciding vote, Councilman Posey absent.

- 2. HEAR AND/OR CONSIDER ACTION ON A PROPOSED SCHEDULE AND ACTION PLAN FOR REVIEWING AND ADOPTING A REVISED COMPREHENSIVE CODE OF ORDINANCES FOR THE CITY OF OVERTON.**

City Manager Cunningham presented a proposed schedule and action plan for adopting the Code of Ordinances.

Mayor Pro Tem Welch made a motion to accept the proposed plan of action for reviewing and adopting a revised Comprehensive Code of Ordinances for the City of Overton. Councilman Cox seconded the Motion. The motion carried 4 – 0, Councilman Posey Absent.

- 4. HEAR AND/OR CONSIDER ACTION TO ADDRESS NIMS TRAINING REQUIREMENTS FOR MAYOR AND CITY COUNCIL MEMBERS.**

ATTACHMENT 1

ORDINANCE # 2014-07-17

AN ORDINANCE AMENDING "CHAPTER 11 TRAVEL POLICY" OF THE CITY OF OVERTON'S POLICY AND PROCEDURES HANDBOOK FOR ALL CITY EMPLOYEES; REPEALING CHAPTER 11 TRAVEL POLICY IN ITS ENTIRETY AND REPLACING IT WITH THIS ORDINANCE.

WHEREAS, the City Council of the City of Overton, Texas, desires to amend Chapter 11 of the City of Overton's Policy and Procedures to update the existing Travel Policy.

WHEREAS, the policy shall be amended to allow for standard Internal Revenue Service current rate for mileage reimbursement will be used for calculating the mileage reimbursement for the use of an employee's personal vehicle on behalf of City business, and adding the use of a per diem for the reimbursement of meals and/or hotels for overnight travel.

WHEREAS, the procedures for requesting per diem and/or reimbursement for travel for business on behalf of the City of Overton shall be changed by this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OVERTON TEXAS:

CHAPTER 11

TRAVEL POLICY

11-01. APPLICABILITY OF TRAVEL POLICY

This policy is applicable to all city employees and applies to all travel on city business outside city limits and to all travel reimbursements, subject to budget limitations and authenticated expenses.

11-02. AUTHORIZATION REQUIRED

The Department Heads may authorize travel leave and expenses for city business outside the city. All travel requests must be approved by the City Manager prior to its occurrence. Any employee traveling on official city business shall leave word with his or her supervisor as to where he or she can be reached while out of the city. All travel requests must be submitted on forms provided for that purpose as required by the City Manager.

11-03. TRANSPORTATION EXPENSES

Normally, when travel is required for city business a city vehicle or personal car may be used when such travel distances are within a two hundred and fifty (250) mile radius of the city, air transportation may be approved if authorized by the City Manager.

All approved transportation expenses will be reimbursed as follows:

- (a) When the city employee must use their personal vehicle for City business, mileage will be reimbursed at the maximum nontaxable rate allowed by the Internal Revenue Service (IRS) at the time the mileage is incurred. Travel mileage shall be paid by a per diem in advance of the travel by utilizing a standard mileage trip sheet obtained from the internet utilizing the shortest distance between destinations for all travel. Travel between an employee's residence and the City office is not allowable for reimbursement.
- (b) Parking or Parking Garage fees will be reimbursed to the employee upon submittal of a receipt.
- (c) When city vehicles are used all expenses incidental to the use of such vehicle (parking, gasoline, oil, repairs, etc.) shall be reimbursed by the City. Receipts will be required.
- (d) When air travel is permitted, the cost of such airfare will be reimbursed or paid for in advance by the City. Additionally, reimbursement will be made for the use of rental cars, taxi or bus fares, provided such expenses are necessary and reasonable.

Alternate routes which are desirable because of personal preferences of the traveler can be used, but only on the traveler's time and with the traveler bearing the additional cost of the alternate route. Mileage and expenses incurred on alternate routes must be shown on the expense account that is turned in for reimbursement or for advance in funds request.

11-04. FOOD AND LODGING

Whenever authorized, by the Department Head or City Manager, in accordance with the approved budget, lodging expenses associated with official city business travel shall be reimbursed for actual expenses incurred. Receipts will be required. Lodging will be reimbursed at single rates unless two or more employees occupy a single room, or otherwise approved by the City Manager. It shall be the policy of the city to reimburse for only lodging that is economical and practical. Exceptions to this may be granted when cheaper hotel rooms are available or where conferences are held in or nearby the hotel.

A per diem will be given to each individual attending the conference for meal expenses. Per Diem for meals shall be granted at the current rates as set by City Council and shall be reviewed annually by City Council for adjustments to the rates for breakfast, lunch and dinner meals (excluding alcoholic beverages and/or unauthorized entertainment).

If the training conference provides breakfast or lunch, then a per diem will not be issued for those meals. If the hotel provides a continental breakfast, then a per diem will not be provided for breakfast. The employee shall not be required to provide any receipts for meals; however he/she must provide receipts back to the City for lodging immediately upon return.

Reimbursement will not be made for personal telephone calls, except for one call per day to the employee's immediate family, alcoholic beverages, entertainment expenses, or other sundry items not relevant to the public purpose of the travel, such must be explained as to why the sundry item(s) were required, except as provided in section 11-05 hereafter.


11-05. PER DIEM

A request for a per diem shall be submitted at least two weeks prior to scheduled travel on the Travel Expenditure Report (Advanced Payment) standard request form to the Finance Director. Per Diem requests shall include a copy of the conference training registration receipt, conference schedule and hotel registration confirmation documentation. Per Diem request must be signed by the City Manager authorizing the per diem request prior to submittal to the Finance Director.

11-06. TRAVEL ADVANCES AND REPORTS

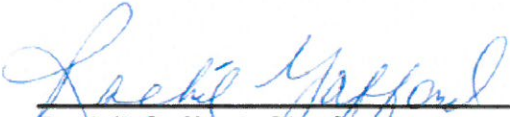
Minimum, but sufficient cash advances may be drawn from the city treasury by employees traveling on city business. All unused, unauthorized, or unapproved travel advances shall be returned immediately upon return of the business trip. An expenditure report must be filed with the City Manager within two (2) working days following the trip. Failure to submit an expense report will subject the employee to a payroll deduction for any funds advanced. All cash advances and expenditure reports shall be submitted on forms provided for that purpose as required by the City Manager.

PASSED AND APPROVED this 17th day of July, 2014.



C.R. Evans Jr., Mayor

ATTEST:



Rachel Gafford, City Secretary

Blake Thompson, City Attorney

City Manager Cunningham presented the required NIMS Training modules required for all City Council members to be completed explain that this was a requirement in order for the City to be able to successfully apply for any future Grant's.

No Action Taken

5. HEAR AND/OR CONSIDER ACTION ON AMMENDING THE CITY'S TRAVEL POLICY SECTION OF THE CURRENT (PERSONNEL) POLICIES AND PROCEDURES HANDBOOK BY ADOPTION OF ORDINANCE 2014-07-17.

City Manager Cunningham presented the proposed revised travel policy to council.

Councilman Cox made a motion to approved Ordinance Number 2014-07-17 amending the City's Travel Policy. Councilman Beets seconded the Motion. The motion carried 4 – 0, Councilman Posey Absent. (Attachment 1)

City Manager Cunningham stated that the Council also needed a motion to set the per diem amount for meals by a motion as it would no longer be defined within the Travel Policy as the rate may need to be reviewed and possibly revised annually.

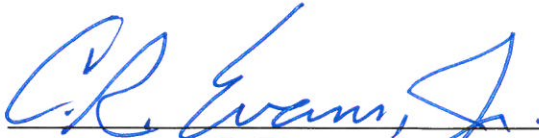
Mayor Pro Tem Welch made a motion to set the daily per diem amount for travel on City business to \$40 per day (\$10 for breakfast, \$10 for lunch and \$20 for dinner). Councilman Cox seconded the Motion. The motion carried 4 – 0, Councilman Posey Absent.

ITEM VI: ADJOURNMENT

Mayor Pro Tem Welch made a motion that the meeting be adjourned. Councilman Cox seconded the Motion. Motion carried 4 – 0, Councilman Beets absent.

With no further business, the meeting was adjourned at 9:20 P. M.

Minutes approved and submitted and/or corrected this 21st day of August 2014.


C. R. Evans Jr., Mayor

Attested by:


Rachel Gafford, City Secretary