



**NOTICE OF MEETING
OF THE GOVERNING BODY
OF THE
CITY OF OVERTON, TEXAS**

Notice is hereby given that the Regular Called Meeting of the above named City Council will be held on the **23th day of April, 2015** at 7:00 P.M. at City Hall Council Chambers, 1200 South Commerce Street, Overton, Texas.

AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge Of Allegiance

II. PROCLAMATION / RECOGNITION

1. Proclamation: Honoring John Edd Welch (Mayor Pro Tem)
2. Certificate of Appreciation for Rite Track – Valero Service Station

III. CITIZEN FORUM

The City Council welcomes public comments on items not listed on the agenda. However, the Council cannot respond until the item is posted on a future meeting agenda. Registration forms are available at the sign in table, and must be submitted to the City Secretary prior to the opening of the council meeting. Each citizen registered to speak will be allowed three (3) minutes.

IV. CITIZEN'S REQUESTS

1. Hear and Consider request from Nathan Kendall, 202 E. Short St. regarding the need of repairs to leaking water meters causing mud and overgrown grass and weeds in streets, and the need for repairs and repaving of Short Street.

V. CONSENT AGENDA

(The Consent Agenda includes non-controversial and routine items that the Council may act on with one single vote.)

1. City Council acting as the Zoning Board of Adjustment to approve minutes of meeting held on **November 3, 2014**.
2. Approval of the minutes of the special council meeting held on **March 3, 2015**.
3. Approval of the minutes of the special council meeting held on **March 19, 2015**.
4. Approval of the minutes of the regular council meeting held on **March 23, 2015**.
5. Approval of the minutes of the special council meeting held on **March 31, 2015**.
6. Approval of the minutes of the special council meeting held on **April 7, 2015**.
7. Approval of the minutes of a joint workshop of the City Council and the Planning and Zoning Commission held on **April 7, 2015**.
8. City Council to consider the appointment of George A. Perry and Pamela Merritt to the Planning & Zoning Commission.

9. Approval of **RESOLUTION NO. 2015-04-23A**, a Resolution of the Overton City Council authorizing the execution of an Agreement between the City Of Overton (“City”), and the Overton Municipal Development District Development (“OMDD”) as approved by the OMDD on March 12, 2015 (Exhibit A), and authorizing the execution of an agreement between the City Of Overton (“City”) and the Overton Economic Development Corporation (“OEDC”) as approved by the OEDC Board on April 7, 2015 (Exhibit B), for the City to provide administrative and financial support services to the OMDD and the OEDC.

(NOTE: The Mayor or any Council Member may pull any item from the Consent Agenda to discuss and act upon individually on the Regular Agenda.)

VI. ADMINISTRATION OF THE “STATEMENT OF OFFICER” & SWEARING IN OF PLANNING AND ZONING COMMISSIONERS.

Mayor Evans will administer the Statement of Elected/Appointed Officer and the Oath of Office to the following appointed Planning & Zoning Commissioners: George Perry and Pamela Merritt.

VII. CITY ADMINISTRATION’S MONTHLY REPORTS

1. Fire Department Monthly Report
2. Police Department Monthly & Annual Racial Profiling Report
3. Department of Finance Monthly Report
4. City Manager’s Monthly Report

VIII. PUBLIC HEARING ITEMS:

OPEN PUBLIC HEARING

1. RECEIVE PUBLIC COMMENTS REGARDING BALLOT PROPOSITIONS 1, 2, 3, 4 & 5 THAT WILL BE CONSIDERED BY VOTERS AT A SPECIAL CALLED ELECTION TO BE HELD ON MAY 9TH 2015, REGARDING IMPROVEMENT PROJECTS TO BE FUNDED BY SALES AND USE TAXES COLLECTED BY THE OVERTON ECONOMIC DEVELOPMENT CORPORATION (OEDC). PROPOSITIONS APPROVED BY VOTERS, WOULD ALLOW USE OF OEDC TYPE A FUNDS FOR TYPE B CAPITAL IMPROVEMENT PROJECTS.
 - a. Staff presentation on Propositions 1, 2, 3, 4 & 5
 - b. Receive public comments
2. FIRST READING OF **ORDINANCE NO. 2015-05-21A**, AN ORDINANCE AMENDING ORDINANCE NO. 2014-10-07A CITY OF OVERTON ZONING ORDINANCE (CHAPTER 96 OF THE CITY OF OVERTON CODE OF ORDINANCE) BY THE REPEAL OF SECTIONS 6.01, 7.01 8.01, 8.02, 8.03, 8.07, 9.01, 10.01, 11.01, 12.01, 13.01, 14.01, 18 AND 25, THE ADDITION OF SECTION 5A, SECTION 8.02 (REVISED), SECTION 8.03 (REVISED), SECTION 18 (REVISED), SECTION 25 (REVISED) AND SECTIONS 29 THROUGH 31, BEING PART VI – LAND USE SCHEDULE, AND LAND USE DEFINITIONS; PROVIDING FOR A PENALTY OF A FINE OF UP TO \$500.00; AND EACH AND EVERY DAY THAT THE PROVISIONS OF THIS ORDINANCE ARE

VIOLATED SHALL CONSTITUTE A SEPARATE AND DISTINCT OFFENCE, A REPEALER, A SEVERABILITY CLAUSE, AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION. COUNCIL TO RECEIVE PUBLIC COMMENTS REGARDING ORDINANCE NO. 2015-05-21A

- a. Staff presentation on ORDINANCE NO. 2015-05-21A
- b. Receive public comments

CLOSE PUBLIC HEARING

IX. OLD BUSINESS (Review, consider and/or take action)

1. PRESENT REVISED MEETING SCHEDULE FOR THE CITY COUNCIL AND PLANNING ZONING COMMISSION AS UPDATED APRIL 17, 2015 AND A MEETING SCHEDULE FOR WHEN THE CITY COUNCIL WHEN ADOPT A TAX RATE AND BUDGET FOR FISCAL YEAR 2015-16.
2. HEAR, CONSIDER AND/OR TAKE ACTION REGARDING RESOLUTION NO. 2015-04-23B; A RESOLUTION OF THE OVERTON CITY COUNCIL TO AUTHORIZE THE MAYOR TO EXECUTE AN ENGAGEMENT LETTER ADDENDUM FROM PROTHRO WILHELMI & COMPANY, P.L.L.C. CONCERNING ESTIMATE OF FEES FOR COMPLETION OF THE FINANCIAL AUDIT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2012.

X. NEW BUSINESS (Review, consider and/or take action)

1. REVIEW, CONSIDER AND/OR TAKE ACTION REGARDING ORDINANCE NO. 2015-04-23A; AN ORDINANCE OF THE OVERTON CITY COUNCIL REPEALING AND REPLACING ALL OF TITLE III, CHAPTER 33, SECTIONS 50, 51, 52 AND 53 - MUNICIPAL COURT TECHNOLOGY FUND (EXHIBIT A); WITH THE ORDINANCE AS PROVIDED BELOW, PROVIDING FOR THE ASSESSMENT AND COLLECTION OF A MUNICIPAL COURT TECHNOLOGY FEE OF \$4.00 AGAINST ALL DEFENDANTS CONVICTED OF A MISDEMEANOR OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; AND PROVIDING FOR EXPIRATION DATE.
2. REVIEW, CONSIDER AND/OR TAKE ACTION REGARDING ORDINANCE NO. 2015-04-23B; AN ORDINANCE OF THE OVERTON CITY COUNCIL PROVIDING FOR A MUNICIPAL COURT BUILDING SECURITY FUND; PROVIDING FOR ASSESSMENT AND COLLECTION OF A MUNICIPAL COURT BUILDING SECURITY FEE OF \$3.00 AGAINST ALL DEFENDANTS CONVICTED OF A MISDEMEANOR OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREON.
3. REVIEW, CONSIDER AND/OR TAKE ACTION REGARDING A REQUEST FROM THE OVERTON MUNICIPAL DEVELOPMENT DISTRICT BOARD TO HOLD A JOINT MEETING WITH THE CITY COUNCIL TO DISCUSS THE FUTURE USES AND IMPROVEMENTS TO THE SWIMMING POOL AND RV PARK.

XI. ADJOURNMENT

I, Rachél Gafford, City Secretary of the City of Overton, Texas do hereby certify that notice of the above named meeting was posted on the bulletin board of City Hall of the City of Overton, Texas, a place readily accessible to the public at all times, on the 20th day of April, 2015 at 5:00 p.m. and remained continuously posted for at least 72 hours immediately preceding said meeting and that said notice was posted in accordance with Chapter 551, Texas Government Code.




Rachél Gafford, City Secretary

The City Council for the City of Overton reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberation About Security Devices), 551.074 (Personnel), and 551.087 (Deliberations regarding Economic Development negotiations).

This facility is wheelchair accessible and accessible parking spaces are available. Individuals who require auxiliary aids or services for the meeting should contact the City Secretary's office at least forty-eight (48) hours prior to the meeting. To make arrangements, call 903-834-3171.

CERTIFICATION

I, Rachél Gafford, City Secretary of the City of Overton, Texas do hereby certify that notice of the above named meeting with the agenda of items to be considered by the City Council was removed by me bulletin board outside of City Hall on the _____ day of _____ 2015.

Rachél Gafford, City Secretary