

**REGULAR CALLED CITY COUNCIL MEETING
May 18, 2015**

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD ON **MAY 21, 2015** AT 7:00 PM IN THE COUNCIL CHAMBER, CITY HALL, 1200 SOUTH COMMERCE, OVERTON, TEXAS.

PRESENT:

C. R. Evans Jr., Mayor
John Edd Welch, Mayor Pro Tem
Jerry Clark
Philip Cox

ABSENT:

Pat Beets
John Posey

Also in attendance were, Charles Cunningham, City Manager, and Pamela Raney, representing staff, and Lawrence Davis representing the public.

- I. **CALL TO ORDER** –Council meeting was called to order by Mayor Evans at 6:00 P.M.
1. Invocation was given by Mayor Evans
 2. Pledge of Allegiance was led by Mayor Pro Tem Welch

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

1. REVIEW, HEAR AND/OR CONSIDER ACTION ON **ORDINANCE NO. 2015-05-18**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS CANVASSING THE VOTES OF THE SPECIAL ELECTION HELD MAY 9, 2015, THAT WOULD ALLOW THE USE OF SALES AND USE TAX REVENUE, INCLUDING ANY AMOUNT PREVIOUSLY AUTHORIZED AND COLLECTED BY THE OVERTON ECONOMIC DEVELOPMENT CORPORATION (A TYPE “A” CORPORATION.), FOR FUNDING TYPE “B” PROJECTS AS DEFINED ON THE BALLOT AS PROPOSITIONS #1, #2, #3, #4 AND #5.

Mayor Pro Tem Welch made a motion to approve Ordinance No. 2015-05-18. Councilman Clark seconded the motion. Motion carried 2-0, Councilman Cox abstained, Councilman Beets and Councilman Posey absent.

2. REVIEW, HEAR AND/OR CONSIDER ACTION ON **RESOLUTION NO. 2015-05-18**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS MAKING CERTAIN DECLARATIONS WITH REFERENCE TO ORDINANCE NO: 2015-03-19B (PASSED ON MARCH 19, 2015); AN ORDINANCE OF THE CITY OF OVERTON, TEXAS DECLARING

UNOPPOSED CANDIDATES AS ELECTED TO THE MAYOR, COUNCILMAN, PLACE # 2, AND COUNCILMAN PLACE # 4 POSITIONS.

Councilman Cox made a motion to approve Resolution No. 2015-05-18. Mayor Pro Tem Welch seconded the Motion Motion carried 2-0, abstained, Councilman Beets and Councilman Posey absent.

3. PRESENTATION OF CERTIFICATES OF ELECTION

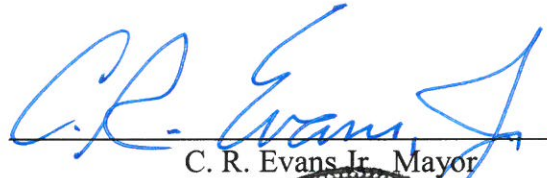
Mayor Evans presented the Certificates of Election to himself and newly elected Councilman Davis

ADJOURNMENT

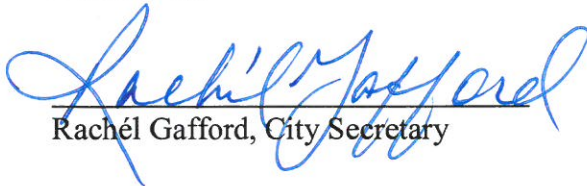
Councilman Cox made a motion that the meeting be adjourned. Mayor Pro Tem Welch seconded the Motion. Motion carried 3 – 0 with Councilman Beets and Councilman Posey absent.

With no further business, the meeting was adjourned at 6:07 P. M.

Minutes approved and submitted and/or corrected this 11th day of June, 2015.


C. R. Evans Jr., Mayor

Attested by:


Rachel Gafford, City Secretary



ORDINANCE NO: 2015-05-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS CANVASSING THE VOTES FOR THE SPECIAL ELECTION HELD MAY 9, 2015 AN TO REQUEST AUTHORIZATION TO USE TYPE A FUNDS FROM THE OVERTON ECONOMIC DEVELOPMENT CORPORATION FOR TYPE B PROJECTS FOR PROPOSITIONS #1, #2, #3, #4 AND #5

WHEREAS, a special election on five (5) ballot propositions requesting authorization from the citizens of the City of Overton to use Type A funds from The Overton Economic Development Corporation for Type B projects was held on May 9, 2015 and

WHEREAS, the City Council has met and canvassed the votes on such propositions; and

WHEREAS, the canvass shows the following results:

<u>Proposition #1</u>				
Proposition #1	TOTAL VOTES	MAIL IN VOTES RECEIVED	EARLY VOTES RECEIVED	ELECTION DAY VOTES RECEIVED
FOR	97	0	48	49
AGAINST	5	0	2	3
VOTE TOTALS	102	0	50	52
<u>Proposition #2</u>				
Proposition #2	TOTAL VOTES	MAIL IN VOTES RECEIVED	EARLY VOTES RECEIVED	ELECTION DAY VOTES RECEIVED
FOR	98	0	48	50
AGAINST	4	0	2	2
VOTE TOTALS	102	0	50	52

“Authorize the Overton Economic Development Corporation to use sales and use tax revenue, including any amount previously authorized and collected, for Water, Sewer and Street Capital Improvements such as replacement of Water/Sewer Lines and re-paving of alleyways in the downtown business district between Overton and South Street east of Commerce St (replace fire hydrants, manholes and install valves). Total costs of projects in Proposition # 1 not to exceed \$280,000.00.”

Proposition #3

“Authorize the Overton Economic Development Corporation to use sales and use tax revenue, including any amount previously authorized and collected, for North Overton Lake dam improvements that will stabilize the slide area and reinforce the embankment on the west end of the dam to prevent further erosion and possible breaching. Total costs of projects in Proposition # 3 not to exceed \$229,000.00.”

Proposition #3	TOTAL VOTES	MAIL IN VOTES RECEIVED	EARLY VOTES RECEIVED	ELECTION DAY VOTES RECEIVED
FOR	96	0	48	48
AGAINST	6	0	2	4
VOTE TOTALS	102	0	50	52

Proposition #4

“Authorize the Overton Economic Development Corporation to use sales and use tax revenue, including any amount previously authorized and collected, for Overton Lake, North Lake Dam Improvements, to design, demolish the existing service spillway and reconstruct a new one plus employ erosion control mechanisms from the service spillway to Hwy 850. Total costs of projects in Proposition # 4 not to exceed \$264,000.00.”

Proposition #4	TOTAL VOTES	MAIL IN VOTES RECEIVED	EARLY VOTES RECEIVED	ELECTION DAY VOTES RECEIVED
FOR	96	0	48	48
AGAINST	6	0	2	4
VOTE TOTALS	102	0	50	52

Proposition #5

“Authorize the Overton Economic Development Corporation to use sales and use tax revenue, including any amount previously authorized and collected, for Wastewater Treatment Plant Improvements to upgrade the Clarifier and Weirs, and upgrade Chlorine Contact Chamber at the Wastewater Treatment Plant. Total costs of projects in Proposition # 5 not to exceed \$125,000.00.”

Proposition #5	TOTAL VOTES	MAIL IN VOTES RECEIVED	EARLY VOTES RECEIVED	ELECTION DAY VOTES RECEIVED
FOR	98	0	48	50
AGAINST	4	0	2	2
VOTE TOTALS	102	0	50	52

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

SECTION 1: THAT the above canvass be and the same is hereby approved.

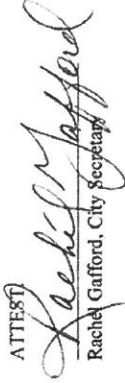
SECTION 2: THAT the Overton Economic Development Corporation is hereby authorized by the citizens of the City of Overton to spend Type A funds for the above Type B projects as described in Propositions #1, #2, #3, #4 and #5. This Ordinance shall become effective immediately upon its passage and execution.

APPROVED AND ADOPTED by the city council of the City of Overton, Texas on this 18th day of MAY, 2014.

CITY OF OVERTON

By: 
C.R. Evans Jr., Mayor



ATTEST

Rachel Clafford, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Blake Thompson, City Attorney

RESOLUTION NO. 2015-05-18

RESOLUTION NO. 2015-05-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS MAKING CERTAIN DECLARATIONS WITH REFERENCE TO ORDINANCE NO: 2015-03-19B (PASSED ON MARCH 19, 2015); AN ORDINANCE OF THE CITY OF OVERTON, TEXAS DECLARING UNOPPOSED CANDIDATES AS ELECTED TO THE MAYOR, COUNCILMAN, PLACE # 2, AND COUNCILMAN PLACE # 4 POSITIONS.

WHEREAS, the application process for candidates for the Office of Mayor, the Office of Councilman Place # 2 and Councilman Place #4, resulted in receipt of only one application for each office; and

WHEREAS, the City Secretary filed with the City Council a Certification of Unopposed Candidates for the Mayoral, Councilman Place # 2, and Councilman Place # 4 positions; and

WHEREAS, the City Secretary has certified that there are no write-in candidates for those offices under applicable law; and

WHEREAS, Chapter 2 of the Texas Election Code provides for the cancellation of the general elections under certain conditions; one for which is that all candidates for positions in the general election are unopposed;

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

1. C. R. Evans, Jr. is declared elected to the Office of Mayor for a two-year term, John Posey is declared elected to the Office of Councilman Place # 2 for a two-year term, and Lawrence Davis is declared elected to the Office of Councilman Place # 4 for a two-year term.
2. Under this declaration, the newly elected officials aforementioned above shall assume the duties of their elected office effective Thursday, May 21, 2015.

APPROVED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS ON THIS 18th DAY OF MAY, 2015.



CITY OF OVERTON

C.R. Evans, Jr.
C.R. Evans, Jr., Mayor

ATTEST:

Rachelle Gafford
Rachelle Gafford, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Blake Thompson, City Attorney

