



**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 17th day of December, 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. CITIZEN FORUM

This particular listing has been included on the agenda to allow public comments and presentations. Citizens may issue comments for topics that do not appear on this agenda. In accordance with existing law, the City Council cannot discuss, deliberate, or take action on any item(s) or topic(s) that is not so scheduled on this agenda. Public comments requiring action or deliberation of the council may be scheduled on following regular agendas. Any citizen who wishes to speak before the City Council must submit to the City Secretary a signed request to speak under Citizen Forum prior to the opening of the council meeting. Each citizen is allowed three (3) minutes.

III. CITIZEN REQUEST

1. Gwen Hatter, P. O. Box 25, Overton, TX requests that the Application Fee of \$150.00 fee be waived and refunded for ZBA2015-01 2105 E. FM 850_Special Exception to locate an Manufactured Home on her parents property.
2. Dudley E. Hickman, 610 Garland St., Overton, TX requests that § 84.13 of the City of Overton Code of Ordinances regarding Location of Sexually Oriented Businesses be revised.

IV. CONSENT AGENDA

Any or all items under Consent Agenda may be removed by the Mayor, any Council Member or the City Manager for discussion.

1. Approval of the minutes of the regular Council meeting held on **November 19, 2015**.
2. City Council to consider the appointment of Christopher Laws to the Overton Economic Development Corporation to fill vacancy on the board with the term expiration of 9/30/2017.

V. **OLD BUSINESS**

1. Present revised meeting schedule for the City Council as updated December 11, 2015.
2. Hear and/or consider action on **ORDINANCE No. 2016-12-17A**; an Ordinance of the City Council of the City of Overton, Texas; amending Chapter 86 of the Overton Code of Ordinances; regulating the location of establishments selling alcoholic beverages; regulating hours during which all alcoholic beverages, including mixed beverages, may be sold; prohibiting consumption of alcoholic beverages in city facilities; providing for a penalty of up to \$2,000.00; amending Ordinance No: 2014-07-29B Appendix "A" City of Overton Schedule of Fees; providing a severability clause, providing for publication and an effective date.

VI. **OPEN PUBLIC HEARING**

1. The City Council acting as the Zoning Board of Adjustment; to hear public comment regarding Gwen Hatter's request, on behalf of Aline Hatter, for a Special Exception to the City of Overton Zoning Ordinance Zoning Regulations, Section 15 Agricultural Zoning District (AO) and Section 29 Allowable Land Use Table. Specifically the applicant is seeking a Special Exception from the Zoning Ordinance Regulation which does not allow a Manufactured Home to be located in an Agricultural Zoning District (AO) The subject property is legally described as Abstract 732 J Smith Survey, City of Overton, Rusk County, Texas and is more commonly referred to as 2105 E FM 850 (Humbleway), Overton, Texas. The subject property has had previous water service addresses of 2105 E FM 850 and 2109B E FM 850, Overton, Texas.
 - a. Staff Report
 - b. Citizen's comments
2. City Council to hear public comment regarding first reading of **ORDINANCE NO. 2016-01-21A**; an Ordinance of the City Council of the City of Overton, Texas; an ordinance amending Ordinance No. 2014-10-07A Chapter 96 City of Overton Zoning Ordinance; Section 29; Part VI – Land Use Schedule and Section 30 Land Use Definitions of the City of Overton Code of Ordinance, providing for a penalty of up to \$500.00, a repealer, a severability clause, providing for publication and an effective date.
 - a. Staff Report
 - b. Citizen's comments
3. City Council to hear public comment regarding first reading of **ORDINANCE NO. 2016-01-21B**; an Ordinance of the City Council of the City of Overton, Texas; repealing the following sections of the City of Overton Code of Ordinances; Chapter 90, Section 90.01 Building Code; Chapter 90, Section 90.10 National Electric Code, Chapter 72, Section 72.20 Fire Prevention, Chapter 90, Section 90.60 Fuel and Gas, Chapter 90, Section 90.50 Mechanical Code, Chapter 90, Section 90.40 Plumbing

Codes; updating and adopting various standard codes as listed below herein relating to the construction and inspection activities of the City of Overton, Texas, and enforcement of building provisions as provided in said codes; containing a severability clause, providing for a penalty for a penalty as defined by Appendix B "SCHEDULE OF FINES" OF THE Overton Code of Ordinances for violation of this ordinance and providing for publication and an effective date.

- a. Staff Report
- b. Citizen's comments

VII. NEW BUSINESS

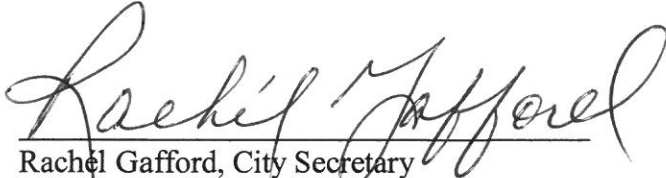
1. The City Council acting as the Zoning Board of Adjustment; take action regarding Gwen Hatter's request, on behalf of Aline Hatter, for a Special Exception to the City of Overton Zoning Ordinance Zoning Regulations, Section 15 Agricultural Zoning District (AO) and Section 29 Allowable Land Use Table. Specifically the applicant is seeking a Special Exception from the Zoning Ordinance Regulation which does not allow a Manufactured Home to be located in an Agricultural Zoning District (AO) The subject property is legally described as Abstract 732 J Smith Survey, City of Overton, Rusk County, Texas and is more commonly referred to as 2105 E FM 850 (Humbleway), Overton, Texas. The subject property has had previous water service addresses of 2105 E FM 850 and 2109B E FM 850, Overton, Texas.
2. Hear and/or consider action regarding **RESOLUTION NO. 2015-12-17A**: a Resolution of the City Council of the City of Overton, Texas authorizing the issuance of Request for Qualifications (RFQ) from firms that can adequately demonstrate they have the resources, experience and qualifications to fulfill the role of Engineering Consultant to the City.
3. Hear and/or consider recommendation from the City Manager to create an *ad hoc* Engineering Consultant Selection Committee consisting of two members of the City Council, two members of the Overton Economic Development Corporation Board and two members of the Overton Municipal Development District.
4. Hear and/or consider action on **ORDINANCE NO. 2016-12-17B**, an Ordinance of the City Council of the City of Overton, Texas; amending Chapter 7; "ANIMAL CONTROL" OF THE OVERTON CODE OF ORDINANCES by adding a section on Vicious Animals; providing for a penalty of up to \$500.00, providing a severability clause, providing for publication and an effective date.

VIII. CITY ADMINISTRATION'S MONTHLY REPORTS

1. Fire Department Monthly Report
2. Police Department Monthly
3. Department of Finance Monthly Report
4. City Manager's Monthly Report

IX. 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 14th day of **December, 2015** at 05:00 P.M. and remained continuously posted for at least 72 hours immediately preceding the 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