



**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 **15<sup>th</sup>** day of **February, 2018** at 7:00 PM at City Hall Council Chambers, 1200 South Commerce Street, Overton, Texas.

**AGENDA**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. OATH OF OFFICES**

1. Administration, oath and installation of newly appointed City Council Member Place #1, Trampas Freeman.

**III. CITIZEN FORUM- *Each citizen will be allowed three (3) minutes.***

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. 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.

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 a following regular agenda. The Mayor, Council Members or City Staff may only respond to Citizens comments with a:

1. Factual Informational Statement
2. Statement of Current Policy
3. Discussion of Placing Topic on Future Agenda

**IV. CITIZEN'S REQUEST**

1. Consider, respond and/or take action regarding Rodney Bazar's request, 6912 CR 132 (Devonian Road), for the city to develop and execute a plan to provide the following city services provided to other City residents:
  - a. Addition of Fire Hydrants along CR 132 (Devonian Road)
  - b. Addition of Street Lights along CR 132 (Devonian Road)
  - c. Police Patrol through neighborhood
2. Consider and/or take action regarding Richard Kylmala's requests, on behalf of the Overton Golf Course Association, for the funding of some repairs and maintenance issues facing the Overton Municipal Golf Course:
  - a. Request for funding for repairs of the Golf Cart Shed to repair a collapsed rear wall of the cart shed and to replace and upgrade to code the existing electrical wiring and lights in the cart shed at a cost not to exceed \$10,235.

- b. Request for funding to help with the Spring Maintenance requirements that are needed annually to prepare the greens for the new season at a cost not to exceed \$10,830.
- c. Request for reimbursement of funds that have been spent for a lipstick improvement of the club house at a cost not to exceed \$1,056.
- d. Request for funds for replacement tools for the Maintenance Shop
- e. Request for funds to purchase new or used replacement equipment for the golf course.

**V. COMMUNITY DEVELOPMENT CASES**

1. Consider and take action regarding Final Plat Application 2018-01—Diane Wofford Davis and Robert Earl Davis' request, to Final Plat Lot 1, Block 1, Davis Addition, being a 0.393-acre tract of land in the George Berry Survey, Abstract No.143, City of Overton, Rusk County, Texas and being the same parcel of land deeded to Diane Wofford and Robert Earl Davis Charles Williams on March 8, 2012 recorded in Volume 3141, Page 396, Official Records, Rusk County, Texas and being more commonly referred to as 1009 Joe Lee Road (CR 127) Overton, Rusk County, Texas. **(Planning and Zoning Commission recommendation will be given at the meeting. )**

***City Council will now be seated as the Zoning Board of Adjustment for the next four Agenda items.***

• **PUBLIC HEARING**

○ **OPEN PUBLIC HEARING**

2. City Council seated as the Zoning Board of Adjustment to receive public comment regarding Ronald Williams and Velva Arnold's request, 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 (ZBA2018-01). 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 Lot 2, Block 1, Charles Williams Addition, being a 1.479-acre tract of land out of Abstract 232 the H. B. Dance Survey, City of Overton, Rusk County, Texas and is more commonly referred to as 1605 FM 2089, Overton, Texas.
  - a. Staff presentation
  - b. Applicant presentation
  - c. Public comments
3. City Council seated as the Zoning Board of Adjustment to receive public comment regarding Diane Wofford Davis and Robert Earl Davis' request, 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 (ZBA2018-02). 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 143, Property ID No.62211, being a 0.393-acre tract of land out of George Berry Survey, City of Overton, Rusk County, Texas and is more commonly referred to as 1009 Joe Lee Road (County Road 127), Overton, Texas.
  - a. Staff presentation
  - b. Applicant presentation

c. Public comments

• **CLOSE PUBLIC HEARING**

4. City Council seated as the Zoning Board of Adjustment to take action regarding ZBA2018-01 - Ronald Williams and Velva Arnold's request, for a Special Exception to allow for a Manufactured Home to be placed on the subject property legally described as Lot 2, Block 1, Charles Williams Addition, being a 1.479-acre tract of land out of Abstract 232 the H. B. Dance Survey, City of Overton, Rusk County, Texas and is more commonly referred to as 1605 FM 2089, Overton, Texas.
5. City Council seated as the Zoning Board of Adjustment to take action regarding ZBA2018-02 - Diane Wofford Davis and Robert Earl Davis' request, for a Special Exception to allow for a Manufactured Home to be placed on the subject property legally described as Abstract 143, Property ID No.62211, being a 0.393-acre tract of land out of George Berry Survey, City of Overton, Rusk County, Texas and is more commonly referred to as 1009 Joe Lee Road (County Road 127), Overton, Texas.

***City Council to be reseated as City Council and resume City Council business for the remainder of the meeting.***

**VI. 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. City Council to review, make possible corrections and approve minutes from Regular Called Meeting of the City Council held on January 18, 2018

**VII. BUSINESS**

1. Present revised meeting schedule for the City Council as updated February 12, 2018.
  - a. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings
2. City Council to take action regarding the following proposed appointments:
  - a. Appointment of Michael Garcia to the Planning and Zoning Commission.
  - b. Appointment of Courtney Cox to the Overton Economic Development Corporation
  - c. Appointment of Nathan Kendall to the Overton Municipal Development District.
3. Administration, oath and installation of newly appointed Planning & Zoning Commissioner Michael Garcia.
4. Discuss and take action regarding authorization for the Mayor to enter into an agreement with Smith County 911 District regarding the PSAP (Public Safety Answering Point) Project Participation Funding Agreement in the amount up to \$18,394.28 toward the purchase of two new patrol units.
5. Discuss and take action regarding a Resolution authorizing the Mayor to enter into an Interlocal Agreement with Rusk County Elections to provide election equipment and services for the May 5, 2018 Special Election.

6. Consider and/or take action on second reading of an Ordinance amending Ordinance No. 2014-07-29B "Appendix A" City of Overton- Schedule of Fees, by updating fees imposed by the City for Water and Sewer Service and other services.
7. Discuss and take action regarding Bank Loan for the purchase of two (2) replacement patrol units for the Police Department with a Principal amount of up to \$111,161.72.
8. Discuss and take action regarding Bank Loan for the refinancing of part of the Texas Bank & Trust short-term loan no. 73636714 with a Principal amount of up to \$75,000.00.
9. Discuss and take action regarding Bank Loan for the Water Tank Repairs to Well #7 with a Principal amount of up to \$92,000.00.
10. Discuss options to expedite and catch up the City Audits.
11. Council to discuss long term future needs for a new accounting software

### **VIII. CITY ADMINISTRATION'S MONTHLY REPORTS**

- a. Emergency Services Monthly Reports
  - i. Fire Department
  - ii. Champion EMS
  - iii. Police Department
    1. 2017 Police Department Annual Racial Profiling Report
- b. Department of Finance Monthly Report
  - i. Accounts Payable Check Register
  - ii. Statement of Revenue and Expenditures by Fund
- c. City Manager's Monthly Report to include if needed
  - i. Public Works Department
  - ii. Community Development
  - iii. Cemetery

### **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 12<sup>th</sup> day of February, 2018 by 5:00 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.

**REMOVED FROM BULLETIN BOARD:**

**Date:** \_\_\_\_\_

**Time:** \_\_\_\_\_

\_\_\_\_\_  
Rachél Gafford, CITY SECRETARY