

**SPECIAL CALLED CITY COUNCIL MEETING  
March 29, 2018**

MINUTES OF THE SPECIAL CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD **MARCH 29, 2018** AT 7:00 PM IN THE COUNCIL CHAMBERS, CITY HALL, 1200 SOUTH COMMERCE, OVERTON, TEXAS.

PRESENT:

C. R. Evans Jr., Mayor  
John Posey, Mayor Pro Tem  
Jerry Clark  
Trampas Freeman  
David Stone  
Michael Paul Williams

ABSENT:

Also, in attendance were Clyde Carter, Interim City Manager/Police Chief, Wendy Bates, City Comptroller, Blake Thompson, City Attorney and Rachel Gafford, City Secretary representing staff and Jason Romano representing High Hill Farm.

I. **CALL TO ORDER** – Mayor Evans called the meeting to order at 7:06 p.m.

1. Invocation was given by *Mayor Pro Tem Posey*
2. Pledge of Allegiance was led by *Councilman Freeman*.

II. **CITIZEN FORUM** – No one spoke.

III. **CITIZEN'S REQUEST**

1. Council to hear the following proposed requests by Jason Romano, High Hill Farm, LLC:
  - a. Consider and take action regarding the installation of a sign to mark location and direct potential patrons to High Hill Farm in the Greenway at the intersection of Henderson Street (FM 850) and Commerce Street (State Highway 135). The proposed sign would also have interchangeable signs to promote the venues various events.

*Jason Romano, High Hill Farm, requested that the City allow him to install a proposed sign in the greenway area at the four-way intersection of Commerce and Henderson Streets directing the public toward the High Hill Farm resort.*

*Mayor Pro Tem Posey asked if anyone had checked with Union Pacific regarding the set back requirements and if they would allow a permanent sign in the Right-of-Way. Posey also mentioned that TxDOT would also have requirements as to the sign in that area along the two State Highways.*

**Mayor Pro Tem Posey made a motion to postpone the item until April 19, 2018 Regular Called Meeting to allow staff and Mr. Romano to research TxDOT and Union Pacific specific requirements.**

**Councilman Freeman seconded the motion.**

**Mayor Evans called for a vote.**

**Motion carried 5 – 0.**

- b. Discuss the proposed future development project at High Hill Farm currently located approximately two (2) miles outside of the Overton city limits on FM 850 West.

*Jason Romano, High Hill Farm, gave a video presentation of the development project underway just outside the City of Overton with the proposed future expansion of the project.*

- c. Discuss a potential voluntary annexation proposal of the High Hill Farm development inside the City.

*City Secretary Gafford explained that there had been several Board and Committee members that have approached staff requesting the City look into annexation of the High Hill Farm Development. Gafford presented a map of the area from the Overton City limits to the High Hill Farm property showing the path and the properties that would have to agree to be voluntarily annexed to be able to annex the High Hill Farm development. Otherwise the City could possibly pursue looking at an involuntary annexation, which the City may annex up to ½ mile per year (within the Extraterritorial Jurisdiction) along FM 850 until it reached the High Hill Farm property. However, the City would have to have an Service Plan to extend the water & sewer city services within 4 years of the annexation of any property that the City has annexed.*

**IV. CONVENE TO EXECUTIVE SESSION**

1. Council to deliberate the economic development benefits of a proposed voluntary annexation and consult with the City Attorney in regards to legal requirements and potential ramifications of said annexation. pursuant to 551.087 deliberations regarding Economic Development negotiations and 551.071 consultation with attorney of the “TEXAS GOVERNMENT CODE”.
2. Council to deliberate the benefits, compensation, appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee pursuant to Section 551.074(A) (1) of the “TEXAS GOVERNMENT CODE”.

*City Council retired to Executive Session at 8:06 p.m.*

**V. RECONVENE INTO OPEN SESSION**

*City Council reconvened in open session at 8:54 p.m.*

1. Council to take action regarding the economic development benefits of a proposed voluntary annexation and consult with the City Attorney in regards to legal requirements and potential ramifications of said annexation. pursuant to 551.087 deliberations regarding Economic Development negotiations and 551.071 consultation with attorney of the “TEXAS GOVERNMENT CODE”.

*Mayor Evans announced that he would entertain a motion for this item.*

***Item died from the lack of a motion***

2. Council to take action regarding the benefits, compensation, appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public

officer or employee pursuant to Section 551.074(A) (1) of the “TEXAS GOVERNMENT CODE”.

**Mayor Pro Tem Posey made a motion that at the end of the FMLA period for Jennifer Jordan, she will be reclassified as a modified employee maintaining her position of Municipal Court Clerk and her full-time benefits until the end of Fiscal Year 2018 (September 30, 2018).**

**Councilman Stone seconded the motion.**

**Mayor Evans called for a vote.**

**Motion carried 5 – 0.**

## **VI. BUSINESS**

1. Consider, discuss and/or take action to approve sponsorship of the Overton-New London Chamber of Commerce Annual Banquet.

*City Comptroller Bates presented the paperwork submitted by the Overton New London Chamber requesting sponsorship of their annual banquet. Bates presented TML Legal Opinions showing that if the Council took action deeming that there was some sort of public benefit derived by the donation or sponsorship then it would be defensible if ever questioned.*

*Mayor Evans made a statement that he did not feel that the City should purchase tickets or sponsor the event since it was being held on the night of the City Council Regular Called Meeting and no one from the City would be able to attend. However, any City Council Member is free to purchase tickets or give their own individual donation if they so choose.*

*Item died from the lack of a motion*

2. Consider, discuss and/or take action to select company accounting firm to do the bookkeeping catch up work for the audit catch up.

*City Comptroller Bates presented proposals for accounting services to catch up the booking for the audits from Gollop Morgan Peddy, PC at a cost of \$34,000 and from David Godwin, CPA of \$18,000. The difference in time was one-month additional time for Mr. Godwin to complete the bookkeeping work needed for FY14-15, FY15-16 & FY16-17.*

**Mayor Pro Tem Posey made a motion that the City select David K Godwin, CPA to complete the bookkeeping catch up services needed to prepare the City’s books to be audited for the fiscal years of FY14-15, FY15-16 & FY16-17.**

**Councilman Clark seconded the motion.**

**Mayor Evans called for a vote.**

**Motion carried 5 – 0.**

3. Consider, discuss and/or take action to give staff direction regarding the inclusion of the Water Tank Rehabilitation cost for Well #7 and/or Well #5 in with the 2018 Certificates of Obligation financing.

**Mayor Pro Tem Posey made a motion to discuss the item to get further clarification.**

**Councilman Freeman seconded the motion.**

**Mayor Evans called for a vote.**

**Motion carried 5 – 0.**

*City Comptroller Bates stated that staff had meet with the City's Engineer and they were going to check with TCEQ to determine if both the Tank rehabs had to be done right away, or if the City could push off the rehab work in anticipation of the City seeking funding to drill the new well closer to the tower to alleviate a bigger over all system issue with the pressure. However, at the time of the Council meeting the Engineer had not received a response back from TCEQ on this question. Bates made a recommendation that the Council may wish to include the Tank Rehab for Well #7 in the 2018 COB issuance, but not include Well #5 as this well may be put out of service when the new Well is drilled and put into service.*

**Mayor Pro Tem Posey made a motion to include Well #7 Tank Rehab in the 2018 COB issuance but not to include Well # 5 Tank Rehab in the issuance.**

**Councilman Freeman seconded the motion.**

**Mayor Evans called for a vote.**

**Motion carried 5 – 0.**

**VII. ADJOURNMENT**

**Councilman Freeman made a motion to adjourn.**

**Mayor Pro Tem Posey seconded the motion.**


**Mayor Evans called for a vote.**

**Motion carried 5 – 0.**

With no further business, the meeting was adjourned at **9:28 P.M.**

Minutes submitted, approved and/or corrected this **19<sup>th</sup>** day of **April, 2018.**

CITY OF OVERTON

  
C. R. Evans, Jr., MAYOR

ATTEST:

  
Rachel Gafford, CITY SECRETARY

