



# CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.ci.overton.tx.us

City Council Agenda  
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**AGENDA  
CITY COUNCIL  
OCTOBER 18, 2018  
REGULAR CALLED MEETING (7:00 p.m.)**

**A. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

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

*Citizens have an opportunity to address the City Council, which has no obligation to respond in any manner to comments or questions asked of them by the speaker. Any response by a member of City Council or staff is limited by Texas law to a statement of specific factual information, a recitation of existing policy, or a proposal to place the subject on the agenda for a future City Council Meeting.*

**C. CITIZEN'S REQUEST**

1. Hear and consider request from Richard Kaymala, on behalf of the Overton Golf Course Association, for financial assistance and to announce the closing of the Overton Municipal Golf Course and sale of assets to pay off debts.
2. Hear and consider request from Jimmy Johnson, on behalf of Zion Baptist Church, for a waiver of the Demolition Permit fee of \$100 for the old Zion Baptist Church Building which the core sanctuary is more than 147 years old.

**D. COMMUNITY DEVELOPMENT CASES**

**PUBLIC HEARING ITEM(S):**

• **OPEN PUBLIC HEARING**

1. The City Council acting as the Zoning Board of Adjustment, to hear public comment regarding Norma Cobb's request, on behalf of Patty Visage and herself, for a Special Exception to the City of Overton Zoning Ordinance, Section 6 – Single-Family Residential Zoning District (SF) (note: Allowable Uses now shown in Section 29), Section 8 - Manufactured Home Zoning Regulations and Section 29 Allowable Land Use Table (ZBA2018-03). Specifically, the applicant is seeking a Special Exception from the Zoning Ordinance Regulations which does not allow a Manufactured Home or a Modular Home to be located in a Single-Family Residential Zoning District (SF). The subject property is a 0.285-acre tract of land legally described as Lot 2, Block 157 of the Original Town of Overton and the Rear Part of Lot 3, Wilson Addition, Abstract No. 507 out of the J Lindley Survey, Property ID No. 34539, as recorded in Volume 753, Page 55, Volume 1653, Page 677 and Volume 3256, Page 10 of Deed Records, Rusk County, Texas and is more commonly referred to as 510 East Henderson Street, Overton, Texas.
  - a. Staff presentation
  - b. Applicant presentation
  - c. Public comments

• **CLOSE PUBLIC HEARING**



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2. City Council seated as the Zoning Board of Adjustment to act regarding ZBA2018-03 - Norma Jean Cobb's request, on behalf of Patty June Visage and herself, for a Special Exception to allow for either a Manufactured Home or a Modular Home to be located in a Single-Family Residential Zoning District (SF) at 510 East Henderson Street, Overton, Texas.

## **E. PROCLAMATION / RECOGNITION / APPOINTMENTS**

1. Certificate of Appreciation for outgoing Overton Economic Development Incorporation Board Member Todd Meadows.
2. Consider and act regarding the re-appointment of Planning and Zoning Commissioners Robert Raney and Kim Cox for an additional two (2) year term expiring in October 2020.
3. Consider and act regarding re-appointment of OMDD Board Members David Stone and Nathan Kendall for an additional term expiring in June 2021 per the OMDD By Laws.
4. Consider and act regarding nomination and appointment of two (2) additional members for the Overton Economic Development Corporation Board.

## **F. 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 a Regular Called Meeting of the City Council September 13, 2018.

## **G. BUSINESS**

1. Presentation of Emergency Management Services monthly reports for the month of August 2018.
  - a. Champion EMS report
  - b. Overton Volunteer Fire Department report
2. Present revised meeting schedule for the City Council as updated October 15, 2018.
  - a. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.
3. Hear and consider action on staff's request to authorize an adjustment to the utility account for Michael Marlow at 302 E. Joe Lee Rd.
4. Hear and consider action on staff's request to authorize an adjustment to the utility account for Crystal Minor at 301 N. Holiday Blvd.
5. Hear and consider action regarding the nomination of an appointee to the Board of Managers of the Smith County 9-1-1 Communications District.
6. Hear and consider action regarding online access to the City of Overton bank and credit card accounts authorizing staff access to the TBT EZ Business Card Management Set-up system as it relates to City Credit Cards.
7. Hear and consider action authorizing changing the job title of one (1) approved position from Dispatcher to Dispatch Coordinator in compliance with TLETS requirements.



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8. Hear and consider action regarding a **Resolution** designating an official newspaper for the City of Overton for fiscal year 2019.
9. Hear and consider action regarding a **Resolution** to approve the SWEPCO rates as shown in Attachment A with final rates having an effective date of September 30, 2018 and approve the decrease in revenue per customer class shown in Attachment B.
10. Hear and consider possible action regarding Electrical Energy Service Providers for the City of Overton beginning July or August 12, 2020.
11. Hear and consider action regarding authorizing staff (City Manager or City Secretary / Community Development Coordinator) to approve variance requests regarding installation of a curb, gutter and/or sidewalk along County Roads and TxDOT supported State Highways and Farm to Market Roads (where no curb, gutter or sidewalk currently exist) which are not wanted by the County or TxDOT and setting a variance fee in these case types if so warranted.

## **H. EXECUTIVE SESSION**

*Pursuant to Chapter 551, Texas Government Code, The City Council reserves the right to convene in Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session to discuss any or all of the following topics:*

1. Personnel matters pursuant to Section 551.074
  - Discussion on amendment or exception to the buyback policy of Personal Time Off.
2. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant 551.071 and regarding deliberations about Real Property pursuant 551.072
  - Regarding contract/lease of the Overton Golf Course with the Overton Golf Course Association.
3. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant 551.071 and regarding deliberations about Real Property pursuant 551.072
  - Regarding contract with Champion EMS and EMS building.

## **I. POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

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

City Council to hear and/or act if necessary on the following items:

1. City Manager's Monthly Reports
  - a. Police Department report
  - b. Municipal Cemetery report
  - c. Community Development report
  - d. Public Works Department report
2. Department of Finance Monthly Report
  - a. Accounts Payable Check Register
  - b. Statement of Revenue and Expenditures by Fund
  - c. Monthly Bank Statement

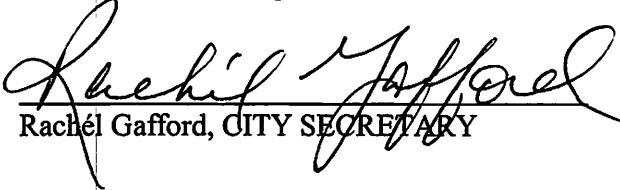
## **K. ADJOURNMENT**



# CITY OF OVERTON

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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 **15<sup>th</sup>** day of **October, 2018** 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



Note: 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, Subchapters D and E.

Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the City of Overton forty-eight (48) hours in advance at 903-834-3171, and reasonable accommodation's will be made for assistance. This facility is wheelchair accessible and accessible parking spaces are available.

### 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.

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

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

\_\_\_\_\_ *Rachél Gafford, City Secretary*