



# CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

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## CITY COUNCIL AGENDA MARCH 21, 2019 REGULAR CALLED MEETING (7:00 p.m.)

### **A. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance – *U. S. flag and Texas flag (“Honor the Texas flag. I pledge allegiance to thee, Texas, one state under God, one and indivisible”)*

### **B. PUBLIC HEARING**

#### • **OPEN PUBLIC HEARING**

1. Council to receive public comments regarding the “closing out” of the Texas Department of Agriculture, City’s street improvements project for their Community Development Block Grant, TxCDBG contract #7217341.
  - a. Staff Report
  - b. Public Comments

#### • **CLOSE PUBLIC HEARING**

2. Council to take action regarding the “closing out” of the Texas Department of Agriculture, City’s street improvements project for their Community Development Block Grant, TxCDBG contract #7217341.

### **C. 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.*

### **D. CITIZEN’S REQUEST**

1. Consider, discuss and / or take action on a request by Vicki McClure for the approval of a Resolution to authorize an additional one-year extension to the temporary waiver of Section 8.02.1 of Ordinance No. 2014-10-07B originally granted by City Council on April 20, 2017 and extended by the approval of Resolution No. 2018.03.15A. The Resolution will grant permission for a Coach (Recreational Vehicle) to continue to be temporarily located at 502 N. Rusk Street (with conditions) and to be used as a temporary residence for Velma Spangler (mother of the applicant).
2. Hear proposal by Jason Romano to possibly lease the Overton Municipal Golf Course and Club House property.
3. Hear request by Susan Bobbitt, 1109 State Hwy 323 East, regarding the water bill at the commercial service address of 410 State Hwy 323 East.



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## **E. 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. 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 and Club House property with the Jason Romano.
  - Regarding water bill collection policies.

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

1. Discuss and take possible action regarding contract / lease proposal by Jason Romano for the Overton Municipal Golf Course and Club House property.
2. Discuss and take possible action regarding Susan Bobbitt's request regarding the water bill at the commercial service address of 410 State Hwy 323 East.

## **G. PROCLAMATIONS / RECOGNITIONS / APPOINTMENTS**

1. 2019 Rusk County Don't Mess with Texas Trash Off Event & Trash Off Day
2. 2019 Overton City Wide Spring Clean Up Days

## **H. 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 on February 21, 2019.

## **I. COMMUNITY DEVELOPMENT CASES**

### **PUBLIC HEARING**

#### **• OPEN PUBLIC HEARING**

1. Council to hear staff report and receive public comments regarding Zone Change Application 2019-01—City of Overton Staff request for a Zone Change from a Single Family Residential (SF) to an Agricultural / Open Space (AO) Zoning District for thirty-two (32) tracts of land out of the Warren Addition, an Addition of the City of Overton, Rusk County, Texas, representing approximately 26.825 acres of land out of the John Womack Survey A-852, Overton, Rusk County, Texas as described in a Lady Bird Deed from Dorothy Deason to Dana A. Deason and Donna Woodward on August 2, 2018 as recorded in Volume 3587, Page 681 of Deed Records, Rusk County, Texas. Being the same tracts of land legally described as the Part of Lot 4, and all of Lots 8, 9 and 10, Block 1; Lots 3 through 15, Block 2; and all of Blocks 3, 4, 6 and 8 of the Warren Addition, as recorded in Volume 575, Page 15, of the Deed Records of Rusk County, Texas and more commonly referred to by Rusk County Appraisal District as the Undeveloped Lots of the Warren Addition.
  - Staff Report
  - Public Comments



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2. Council to hear staff report and receive public comments regarding Replat Application 2019-01—Dorothy Deason’s request, to final plat Lot 8R, Block 1, Warren Addition, being a replat of a 35.97-acre tract of land out of the John Womack Survey A-852, legally described as being the Part of Lot 4 and All of Lots 8, 9 and 10, Block 1, Lots 3 through 15, Block 2, and all of Block 3, 4, 6 and 8 of the Warren Addition as recorded in Volume 575, Page 15, Deed Records of Rusk County, Texas, being the same 26.825-acre tract of land as described in a Lady Bird Deed from Dorothy Deason to Dana A. Deason and Donna Woodward on August 2, 2018 as recorded in Volume 3587, Page 681 of Deed Records, Rusk County, Texas and also being a 9.142-acre tract of land out of the John Womack Survey, Abstract 852, City of Overton, Rusk County, Texas, legally described as Lot 1, Block 30 (Unrecorded) Original Town of Overton, Rusk County, Texas as recorded in a Lady Bird Deed from Dorothy Deason to Dana A. Deason and Donna Woodward on August 2, 2018 as recorded in Volume 3587, Page 683 of Deed Records, Rusk County, Texas.
  - Staff Report
  - Public Comments
3. Commission to hear staff report and receive public comments regarding Zoning Ordinance Amendment ZOA2019-01, an ordinance amending Ordinance No. 2014-10-07A Chapter 96 City of Overton Zoning Ordinance; as amended by Ordinance No. 2015-05-21A; Section 29; Land Use Schedule by amending the allowable uses for certain Zoning Districts in the Educational, Institutional, and Special Uses section of the code.
  - Staff Report
  - Public Comments

## **CLOSE PUBLIC HEARING**

4. Council to take action regarding City of Overton Staff initiated Zone Change Application 2019-01 as referenced in Agenda Item I.1 above. ***(Planning and Zoning Commission recommend approval 3 – 0, Commissioner Cox absent.)***
5. Council to take action regarding Variance Application 2019-03 — Dorothy Deason’s request for a variance from the City of Overton Design Standards Regulations, Section 106.1 – Sidewalk Requirements and Section 111.3 – Parking: Standard Curb and Gutter Requirements. Specifically, applicant is requesting a variance to not install a sidewalk along State Hwy 135 adjacent to the subject property for proposed replat application RP2019-01 legally described as Lot 8R, Block 1, Warren Addition and more commonly referred to as the undeveloped lots of the Warren Addition and Lot 1, Block 30, (Unrecorded) Original Town of Overton. ***(Planning and Zoning Commission recommend approval 3 – 0, Commissioner Cox absent.)***
6. Council to take action regarding Dorothy Deason’s Replat Application 2019-01 as referenced in Agenda Item I.2 above. ***(Planning and Zoning Commission recommend approval 3 – 0, Commissioner Cox absent.)***
7. Council to take action regarding Zoning Ordinance Amendment ZOA2019-01 as referenced in Agenda Item I.1 above. ***(Planning and Zoning Commission recommend approval 3 – 0, Commissioner Cox absent.)***



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## **J. BUSINESS**

1. Presentation of Emergency Management Services monthly reports.
  1. Champion EMS report
  2. Overton Volunteer Fire Department report
2. Consider, discuss and/or take action to approve the purchase of tickets and /or the sponsorship of the Overton-New London Chamber of Commerce Annual Banquet.
3. Present revised meeting schedule for the City Council.
  - a. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.
4. Consider, discuss and/or take action to appoint a Chairperson and a Co-Chairperson for the 4<sup>th</sup> of July, Fireworks in the Park and staff to update Council regarding the funding and donations of the event.
  - a. Recognition of Fire Works in the Park sponsorships received to date.
5. 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 \$6,016.50 toward the purchase of a new Police/Dispatch Server, Firewall, and all access point to enhance the delivery of 911 services to the citizens of Overton and Smith County.
6. Consider, discuss and/or take action regarding a City Policy establishing guidelines for City issued credit cards regarding the use, establishing purchasing limits and procedures for documenting purchase and approval of expenditures.
7. Consider, discuss and/or take action regarding a Resolution authorizing the issuance of City Credit Cards for the Public Works Supervisor and the Public Works Lead Tech for the day to day operations of the Public Works, Water and Sewer Operations for the expenses incurred and emergency supplies, setting a maximum credit limit not to exceed \$1,000, and establishing specific items authorized to be purchased with the credit card.
8. Consider, discuss and/or take action regarding a Resolution authorizing the Mayor to enter into General Agreement with K. Darden K. Lawn Care Service to provide grounds maintenance services for the Overton Municipal Cemetery for a term beginning April 1, 2019 through February 29, 2020.
9. Discuss and consider action to authorize the purchase of lawn maintenance equipment to maintain City owned facilities and grounds.
  - a. Diesel Tractor with Brush Hog
  - b. Brush Hog
  - c. Zero Turn Mower Package

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

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

1. Administration Monthly Reports
  - a. City Manager's Report
  - b. Police Department Report
  - c. Municipal Cemetery Report



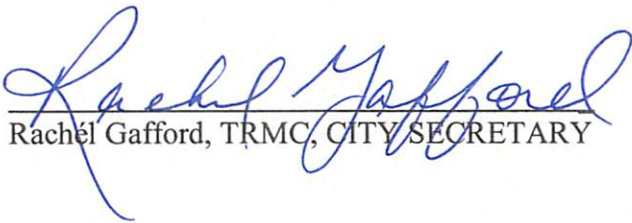
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- d. Community Development Report
  - e. Public Works Department Report
2. Finance Monthly Reports
- a. City Controller's Report
  - b. Accounts Payable Check Register
  - e. ~~Statement of Revenue and Expenditures by Fund~~
  - d. Monthly Bank Statement

## L. 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 18<sup>th</sup> day of March, 2019 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, TRMC, 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, TRMC, CITY SECRETARY