



# CITY OF OVERTON

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

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## CITY COUNCIL AGENDA MAY 16, 2019

**REGULAR CALLED MEETING (7:00 p.m.)**  
Overton City Council Chambers, 1200 S. Commerce Street, Overton, TX 75684

### **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. 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. CITIZENS REQUESTS**

1. Clifford Mauldin, Juneteenth Committee, request for permission to conduct a Juneteenth Parade beginning at the Dairy Queen and proceeding through Overton down Commerce Street, North Street and FM 3053 on June 19, 2019 and to utilize the City’s Police Department to provide escort and traffic control for the event.

### **D. 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 take action to approve minutes from a Regular Called Meeting of the City Council on April 25, 2019.
2. Council to take action to approve minutes from a Joint Workshop of the City Council, OEDC, OMDD and the Planning & Zoning Commission held on May 9, 2019.

### **E. COMMUNITY DEVELOPMENT CASES**

#### **PUBLIC HEARING ITEM(S)**

#### **• OPEN PUBLIC HEARING**

1. Council to hear staff report and receive public comments regarding Replat Application 2019-02—Michael Craig Steelman’s request to final plat Lot 1R, Block 8, Hillcrest Addition, being a replat of a 1.649-acre tract of land out of the T.C. Lloyd Survey A-499, legally described as Lots 1 – 4, Block 8 of the Hillcrest Addition to the City of Overton, Rusk County, Texas according to the Revised Plat thereof recorded in Volume 3623, Page 481, Plat Records of Rusk County, Texas,



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being the same parcel of land described in a Deed from Ronny Gaudet to Michael Craig Steelman on February 15, 2019 as recorded in Volume 3624, Page 550, Deed Records of Rusk County, Texas. The subject property is located at the north end of Warren Street where Warren and Sweet Gum Streets intersect, Overton, Rusk County, Texas.

- a. Staff Report
- b. Public Comments

- **CLOSE PUBLIC HEARING**

2. Council to hear staff report and act regarding Preliminary Plat Application 2019-01—Nick Shumake’s request, on behalf of Landsmart Planning & Development Inc., to Preliminary Plat Lots 1 – 3, Block 1, Overton Front Street Development Addition being a preliminary plat of an approximately 3.702-acre tract of land out of the Mary Hughes Survey A-471, legally described as all that certain tract, lot or parcel of land, a part of the Mary Hughes Survey A-471, Smith County Texas and also being all of that certain called 5.00 acre tract of land described in a deed dated September 18, 2018 that is recorded in Instrument Number 20180100044633 of the Official Public Records of Smith County, Texas. The subject property is located near the South end of South Front Street and abuts 1710 South Front Street, Overton, Smith County, Texas. ***(Planning & Zoning Commission recommended approval with a vote of 5 - 0, Chairman Raney present and not voting.)***
3. Council to hear staff report and act regarding Variance Application 2019-04 Nick Shumake’s request, on behalf of Landsmart Planning & Development Inc., 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, curb or gutter along South Front Street on the property legally described as all that certain tract, lot or parcel of land, a part of the Mary Hughes Survey A-471, Smith County Texas and also being all of that certain called 5.00 acre tract of land described in a deed dated September 18, 2018 that is recorded in Instrument Number 20180100044633 of the Official Public Records of Smith County, Texas. The subject property is located near the south end of South Front Street and abuts 1710 South Front Street, Overton, Smith County, Texas. ***(Planning & Zoning Commission recommended approval with a vote of 5 - 0, Chairman Raney present and not voting.)***
4. Council to hear staff report and act regarding Final Plat Application 2019-03—Nick Shumake’s request, on behalf of Landsmart Planning & Development Inc., to Final Plat Lots 1 – 3, Block 1, Overton Front Street Development Addition being a final plat of an approximately 3.702-acre tract of land out of the Mary Hughes Survey A-471, legally described as all that certain tract, lot or parcel of land, a part of the Mary Hughes Survey A-471, Smith County Texas and also being all of that certain called 5.00 acre tract of land described in a deed dated September 18, 2018 that is recorded in Instrument Number 20180100044633 of the Official Public Records of Smith County, Texas. The subject property is located near the south end of South



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Front Street and abuts 1710 South Front Street, Overton, Smith County, Texas.  
***(Planning & Zoning Commission recommended approval with a vote of 5 - 0, Chairman Raney present and not voting.)***

5. Council to hear staff report and act regarding Variance Application 2019-05 — Michael Craig Steelman’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 Warren, Sweet Gum and Cedar Streets, not install curb or gutter along Warren Street, and not to install curb along Sweet Gum and Cedar Streets (gutter but no curb exists along Sweet Gum and Cedar Streets) adjacent to the subject property for proposed replat application RP2019-02 which will be legally described as Lot 1R, Block 8, Hillcrest Addition and more commonly referred to as All of Block 8 (undeveloped) of the Hillcrest Addition, Overton, Rusk County, Texas. ***(Planning & Zoning Commission recommended approval with a vote of 5 - 0, Chairman Raney present and not voting.)***
6. Commission to take action to make a recommendation to City Council regarding Replat Application 2019-02—Michael Craig Steelman’s request, to final plat Lot 1R, Block 8, Hillcrest Addition more commonly referred to as All of Block 8 (undeveloped) of the Hillcrest Addition, Overton, Rusk County, Texas. ***(Planning & Zoning Commission recommended approval with a vote of 5 - 0, Chairman Raney present and not voting.)***

## **F. BUSINESS**

1. Presentation of Emergency Management Services monthly reports.
  - Christus EMS report
  - Overton Volunteer Fire Department report
2. City Council to hear, discuss and take action regarding an Ordinance of the City Council of the City of Overton, Texas, an Ordinance amending Chapter 90 of the City of Overton Code of Ordinances relating to the Relocating a Structure into, within or out of the corporate city limits of the City of Overton, Texas.
3. Discuss and consider action regarding an Ordinance to amend the City of Overton – Schedule of Fees.
4. Council to hear, discuss and take action regarding the proposed FY 2019-20 Budget Planning & Meeting calendar.
5. Council to hear and discuss update regarding the following OMDD projects:
  - a. Painting of the wall and the electronic sign installation at Kennamer Square.
  - b. Severe Weather Warning Sirens installation and purchase.
6. Council to hear and discuss update regarding the following OEDC projects:
  - a. Overton North Lake Dam and Spillway project.
  - b. New / revised OEDC By-Laws to be in compliance with the State guidelines.



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## G. FUTURE MEETINGS

1. Present revised upcoming meetings and events schedule.
  - a. Verification of a quorum for Special Called Meeting for May 30, 2019.
  - b. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.

## H. PROCLAMATION / RECOGNITION / APPOINTMENTS

1. Mayor to issue Proclamation in honor of Eagle Scout Joshua Davis.
2. Mayor to issue Proclamation in honor of Eagle Scout Aaron Pirtle.

## I. 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
    - i. Brandon Street Warranty
    - ii. Barrett Lane repairs and easements
    - iii. Golf Cart Shed Demo / Fencing update
    - iv. Seasonal Employees
    - v. Sewer Line replacement Arcola
  - b. Police Department Report
  - c. Municipal Cemetery Report
  - d. Community Development Report
  - e. Public Works Department Report
2. Finance Monthly Reports
  - a. City Controller's Report
  - b. Accounts Payable Check Register
  - c. Statement of Revenue and Expenditures by Fund
  - d. Monthly Bank Statement

## J. 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 13<sup>th</sup> day of May, 2019 by 6:00 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







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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