



CITY OF OVERTON

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

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CITY COUNCIL AGENDA

SEPTEMBER 12, 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. PROCLAMATION / RECOGNITION / ANNOUNCEMENTS

1. National Night Out Proclamation – Tuesday, October 1, 2019.
2. Certificate of Appreciation for outgoing Board Members:
 - a. Betty Clark, Overton Municipal Development District Board
 - b. Stephen DuBose, Overton Economic Development Corporation

C. PUBLIC FORUM - Each individual will be allowed three (3) minutes.

Per House Bill 2840 of the Texas 86th Legislature, individuals from the public will have an opportunity to address the City Council during Public Forum or at any other time during the agenda when Council is on that particular agenda item. However, City Council has no obligation to respond in any manner to comments or questions asked of them by the speaker for items not listed on the Agenda. 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 / CUSTOMER REQUESTS

1. Vernon Hughes, 7527 N CR 132, a residence located outside the Overton city limits, request to discuss the City's practice of charging double rates to utility customers located outside the city limits.
2. Dale Cobbs, 901 S. Redbud Lane, request from a waiver from the platting requirements as outlined in the City of Overton Zoning Ordinance requiring the property be a legal lot of required prior to development and issuance of a building permit.

E. 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 Special Called Workshop of the City Council August 15, 2019.
2. City Council to review, make possible corrections and approve minutes from a Regular Called Meeting of the City Council August 15, 2019.
3. City Council to review, make possible corrections and approve minutes from a Special Called Workshop of the City Council August 29, 2019.



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4. City Council to review, make possible corrections and approve minutes from a Special Called Meeting of the City Council August 29, 2019.
5. City Council to review, make possible corrections and approve minutes from a Special Called Meeting of the City Council September 5, 2019.
6. Re-appointment of the following Boards and Commission members:
 - a) OEDC member Christopher Laws to a three-year term expiring September 30, 2022.
 - b) OMDD member Loretta Posey to a two-year term expiring September 30, 2021.
 - c) Planning & Zoning Commissioners Skipper Honeycutt, Michael Garcia and Dudley Hickman to a two-year term expiring September 30, 2021

F. COMMUNITY DEVELOPMENT CASES

1. Council to hear staff report and take action regarding Preliminary Plat Application 2019-02—Horacio Perez Vasquez request, to Preliminary Plat Lot 1, Block 1, Vasquez Addition being a preliminary plat of an approximately 0.96-acre tract of land out of the J. Couch Survey A-205, legally described as all that certain tract, lot or parcel of land, a part of the J. Couch Survey A-205, Rusk County Texas and also being all of that certain called 1.00 acre tract of land described in a deed dated the 23rd day of April, 2010 that is recorded as Instrument Number 00094240, Volume 3006, Page 250-252 of the Official Public Records of Rusk County, Texas and being more commonly referred to as 1710 E FM 850, Overton, Rusk County, Texas by the Rusk Count Appraisal District records for Parcel ID 3054. ***(Planning & Zoning Commission recommended approval by a vote of 4 – 0, Vice-Chairman Honeycutt absent.)***
2. Council to hear staff report and take action regarding Variance Application 2019-06—Horacio Perez Vasquez 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 FM 850 adjacent to the subject property. The subject property is a 0.96-acre tract of land out of the J. Couch Survey A-205, legally described as all that certain tract, lot or parcel of land, a part of the J. Couch Survey A-205, Rusk County Texas and also being all of that certain called 1.00 acre tract of land described in a deed dated the 23rd day of April, 2010 that is recorded as Instrument Number 00094240, Volume 3006, Page 250-252 of the Official Public Records of Rusk County, Texas and being more commonly referred to as 1710 E FM 850, Overton, Rusk County, Texas by the Rusk Count Appraisal District records for Parcel ID 3054. ***(Planning & Zoning Commission recommended approval by a vote of 4 – 0, Vice-Chairman Honeycutt absent.)***
3. Council to hear staff report and take action regarding Final Plat Application 2019-04—Horacio Perez Vasquez request, to Final Plat Lot 1, Block 1, Vasquez Addition being a final plat of an approximately 0.96-acre tract of land out of the J. Couch Survey A-205, legally described as all that certain tract, lot or parcel of land, a part of the J. Couch Survey A-205, Rusk County Texas and also being all of that certain called 1.00



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acre tract of land described in a deed dated the 23rd day of April, 2010 that is recorded as Instrument Number 00094240, Volume 3006, Page 250-252 of the Official Public Records of Rusk County, Texas and being more commonly referred to as 1710 E FM 850, Overton, Rusk County, Texas by the Rusk County Appraisal District records for Parcel ID 3054. *(Planning & Zoning Commission recommended approval by a vote of 4 – 0, Vice-Chairman Honeycutt absent.)*

G. BUSINESS

1. Consider, discuss and act regarding an Ordinance amending the Fiscal Year 2018-2019 Municipal Budget for the City of Overton (Ordinance No. 2018.09.13B) which began October 1, 2018 and will end on September 30, 2019.

PUBLIC HEARING ITEM:

- **OPEN PUBLIC HEARING**

2. Hear public comments regarding the second reading of an Ordinance approving and adopting a budget for the City of Overton, Texas for the fiscal year beginning October 1, 2019, and ending September 30, 2020 (2019 - 2020 Fiscal Year).

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$8,929.05 WHICH IS 1.48% OF WHICH \$1,910.00 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR WITH THE PROPOSED TAX RATES OF \$0.777911 (\$0.475795 (M&O), \$0.252116 (I&S) AND \$0.050000 (Cemetery).

a. Citizen's comments

- **CLOSE PUBLIC HEARING**

3. Consider, discuss and act upon Ordinance adopting the City of Overton Budget for fiscal year beginning October 1, 2019 and ending September 30, 2020.
4. Consider, discuss and act regarding ratifying the property tax revenue increase of \$8,929.05 (1.48%) reflected in the proposed budget, \$1,910.00 of which will be raised from new property added to the tax roll this year.
5. Consider, discuss and act upon the adoption of the Property Tax Rate of \$0.727911 (\$0.252116 I&S and \$0.475795 M&O) for the Tax Year 2019 (FY2019-2020).
6. Consider, discuss and act upon an Ordinance levying the ad valorem property taxes for Maintenance and Operation and the Interest and Sinking fund of the City of Overton for the 2019 Tax Year (FY2019-2020).
7. Consider, discuss and act upon the adoption of the Cemetery Property Tax Rate of \$0.050000 for Maintenance of the City of Overton Municipal Cemetery for the Tax Year 2019 (FY2019-2020).
8. Consider, discuss and act upon an Ordinance levying the ad valorem taxes for Maintenance of the City of Overton Municipal Cemetery for the 2019 Tax Year.
9. Presentation of Emergency Management Services monthly reports.
 - Christus EMS report



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- Overton Volunteer Fire Department report
- 10. Consider, discuss and act upon a Resolution amending and adopting the Investment Policy of the City of Overton heretofore adopted by Resolution No. 2018-09-13D.
- 11. Consider, discuss and act regarding a resolution authorizing intervention through the Cities Advocating Reasonable Deregulation (“CARD”) in a proceeding filed by Southwestern Electric Power Company’s (“SWEPCO”) application filed with the Public Utility Commission of Texas, to acquire an interest in the wind-generation facilities
- 12. Consider, discuss and take action regarding a Resolution authorizing the City Manager to execute an Agreement with Franklin Legal Publishing to provide Codification, Supplemental and Online Services to the City of Overton for a period of three (3) years commencing on October 1, 2019 with an autorenewal clause.
- 13. Consider, discuss and take action regarding a Resolution authorizing the City Manager to execute an Agreement with Franklin Digital Solutions to provide Laserfische Software Maintenance and Support Services to the City of Overton for a period of one (1) year commencing on October 1, 2019 with an autorenewal clause.
- 14. Consider, discuss and act upon a Resolution authorizing the Mayor to execute an Agreement with the OEDC for Administrative Services to be provided by City Staff for a period of one year commencing on October 1, 2019.
- 15. Consider, discuss and act upon a Resolution authorizing the Mayor to execute an Agreement with the OMDD for Administrative Services to be provided by City Staff for a period of one year commencing on October 1, 2019.

H. FUTURE MEETINGS

1. Present revised upcoming meetings and events schedule.
 - a. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.

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
 - b. Police Department Report
 - c. Code Compliance/Enforcement Report
 - d. Municipal Cemetery Report
 - e. Community Development Report
 - f. 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



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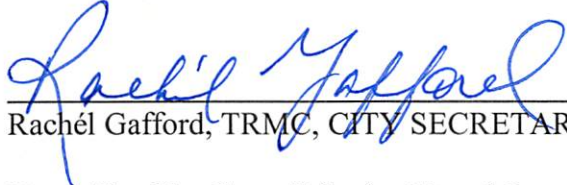
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e. Overton Economic Development Corporation (OEDC) expenditures over \$50K

J. ADJOURNMENT

I, Rachél Gafford, TRMC, 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, by the 9th day of September, 2019 at 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



Note: The City Council for the City of Overton reserves the right to adjourn 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.

REMOVED FROM BULLETIN BOARD:

Date

Time

Rachél Gafford, TRMC, CITY SECRETARY