

**SPECIAL CALLED CITY COUNCIL MEETING  
MAY 30, 2019**

MINUTES OF THE SPECIAL CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD **MAY 30, 2019 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  
Michael Paul Williams

ABSENT:

David Stone

Also, in attendance were Clyde Carter, Interim City Manager / Police Chief, Wendy Bates, City Controller and Rachél Gafford, City Secretary representing staff. Walter Wilhelmi and Josh Olney representing Prothro, Wilhelmi & Company.

**A. CALL TO ORDER- Mayor Evans called the meeting to order at 7:00 p.m.**

1. *Invocation was given by Mayor Evans.*
2. *Pledge of Allegiance of the U. S. Flag and the Texas Flags were led by Councilmember Clark.*

**B. CITIZEN FORUM - None****C. BUSINESS**

1. Discuss and take action regarding the acceptance of the Independent Financial Audit for the Period Ending September 30, 2014.

*Walter Wilhelmi, Prothro, Wilhelmi and Company, gave a brief high-level introduction to Council and then introduced and turned the audit presentation over to Josh Olney.*

*A brief discussion took place between the Council, City Controller Bates and the Auditors to clarify several items as listed in the audit.*

***Mayor Pro Tem Posey made a motion to approve the FY 2014 audit as presented.***

***Councilmember Clark seconded the motion.***

***Motion carried 4 – 0, Councilmember Stone absent. (CA2019.05.30A)***

2. Discuss and take action regarding an Ordinance of the City Council of the City of Overton, Texas, amending Chapter 90 of the City of Overton Code of Ordinances relating to the Relocating of Structures into, within or out of the corporate city limits of the City of Overton, Texas. *(Item postponed from the May 16, 2019 Regular Council Meeting.)*

*City Secretary Gafford presented staff report regarding the questions Council requested of the City Attorney and drew their attention to the changes made by the City Attorney in the proposed Ordinance.*

***Mayor Pro Tem Posey made a motion to approve Ordinance No. 2019.05.30B as presented.***

***Councilmember Williams seconded the motion.***

***Motion carried 4 – 0, Councilmember Stone absent.***

***A caption of the adopted Ordinance is listed below:***

**ORDINANCE NO. 2019.05.30B**

**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 OF STRUCTURES INTO, OUT OF OR WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF OVERTON, TEXAS, AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES; CONTAINING A SEVERABILITY CLAUSE, PROVIDING FOR A PENALTY OF UP TO \$2,000.00 (AS DEFINED IN APPENDIX B “SCHEDULE OF FINES” OF THE OVERTON CODE OF ORDINANCES) FOR VIOLATION OF THIS ORDINANCE AND PROVIDING FOR PUBLICATION AND FOR AN EFFECTIVE DATE.**

- 3. Discuss and take action regarding an Ordinance of the City Council of the City of Overton, Texas, amending Appendix A of the City of Overton Code of Ordinances relating to the City of Overton – Schedule of Fees.

*City Controller Bates and City Secretary Gafford presented the proposed changes in the fee schedule as related to House Bill 852 passed by the 86<sup>th</sup> Texas Legislature that was effective immediately upon passage stating that Municipalities permit fees for residential construction permits could no longer be based off the project valuation.*

***Mayor Pro Tem Posey made a motion to approve Ordinance No. 2019.05.30A as presented.***

***Councilmember Clark seconded the motion.***

***Motion carried 4 – 0, Councilmember Stone absent.***

***A caption of the adopted Ordinance is listed below:***

**ORDINANCE NO. 2019.05.30A  
CODE OF ORDINANCE - APPENDIX A  
City of Overton - Schedule of Fees**

**AN ORDINANCE AMENDING ORDINANCE NO. 2014-07-29B - “APPENDIX A” CITY OF OVERTON - SCHEDULE OF FEES, AND ALL AMENDMENTS MADE THERETO BY UPDATING FEES IMPOSED BY THE CITY REGARDING BUILDING PERMITS & INSPECTIONS; CONTAINING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE**

4. Discuss and take action regarding closing of City Hall for Friday, July 5, 2019.

*City Manager Carter requested permission to close City Hall on Friday, July 5, 2019 as most of City Staff would be working the July 4<sup>th</sup> Fireworks Festival and would not be able to take advantage of the paid holiday day off because of the man power needed by city staff to put on the festival. City Manager Carter stated this closure on July 5<sup>th</sup>, is not a holiday and is only authorization to close City Hall for that day in addition to it being closed on July 4<sup>th</sup>.*

***Councilmember Williams made a motion to approve staff's request to close City Hall on Friday, July 5, 2019.***

***Councilmember Freeman seconded the motion.***

***Motion carried 4 – 0, Councilmember Stone absent. (CA2019.05.3B)***

5. Announcement of Notice of Open Spaces for the November 5, 2019 General Election.

*City Secretary Gafford presented the Notice of Open Spaces to be posted by June 20, 2019 notifying the public that the Mayor, Place 2 and Place 4 would be open for candidate application filing July 20, 2019 through August 19, 2019 at 5 p.m.*

**D. ADJOURNMENT**

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

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

***Motion carried 4 – 0, Councilmember Stone absent.***

With no further business, the meeting was adjourned at **8:24 PM**

Minutes submitted, approved and/or corrected this **27<sup>th</sup>** day of **June, 2019.**



CITY OF OVRTON

*C.R. Evans, Jr.*  
 \_\_\_\_\_  
 C. R. Evans, Jr., MAYOR

ATTEST:

*Rachel Gafford*  
 \_\_\_\_\_  
 Rachel Gafford, TRMC, CITY SECRETARY

Action Items:

- a. Ord. No. 2019.05.30B –Chapter 90 Amended - Relocation of Structures
- b. Ord NO. 2019.05.30B –Appendix A – City of Overton Schedule of Fees - Amended
- c. CA2019.05.30A – FY2014 Financial Audit Accepted.
- d. CA2019.05.30B – Closing of City Hall for July 5, 2019.