

**SPECIAL CALLED CITY COUNCIL MEETING
JULY 17, 2019**

MINUTES OF THE SPECIAL CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD **JULY 17, 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
David Stone
Michael Paul Williams

ABSENT:

Also, in attendance were Clyde Carter, Interim City Manager / Police Chief, Wendy Bates, City Controller, Gabriel Wallace, Police Captain and Rachél Gafford, City Secretary representing staff. Reginald Thompson, Maggie Thompson and Reighan Thompson representing the public.

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 Stone.*

B. CITIZEN FORUM - None**C. CITIZENS REQUEST**

- a. Discuss and take action regarding a request by Reginald Thompson for temporary usage of a 250-gallon septic holding tank and a temporary waiver to Chapter 50, Section 50.101 (c) & (d) "Use of Public Sewers Required" of the City of Overton Code of Ordinances.

Reggie Thompson presented his request to Council.

Mayor Pro Tem Posey made a motion to approve the temporary use of a above ground septic tank for the temporary RV residence, and the temporary waiver from immediate connection to the City's sewer system until the sewer line could be run to the proposed new home and not to the temporary RV residence.

Councilmember Clark seconded the motion.

Motion carried 4 – 1, Councilmember Stone opposed. (CA2019.07.17A)

D. BUSINESS

- a. Discuss and take action to amend Resolution No. 2019.06.27A regarding the effective date of the temporary waiver to allow for a recreational vehicle to be used as a temporary residence at 501 E. Crews St.

City Secretary Gafford presented the revised Resolution to council for review with a change to the effective date.

Councilmember Freeman made a motion to approve Resolution No. 2019.07.17 amending the Resolution No. 2019.06.27A.

Mayor Pro Tem Posey seconded the motion.

Motion carried 5 – 0.

RESOLUTION NO. 2019.07.17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS AMENDING RESOLUTION NO. 2019.06.27A WHICH GRANTED A TEMPORARY WAIVER OF SECTION 8.02.1 OF ORDINANCE NO. 2014-11-07 THAT PROHIBITS THE LOCATING OF MOBILE HOMES IN THE CITY OTHER THAN IN LAWFULLY DESIGNATED AND DULY LICENSED MOBILE HOME PARKS AND SECTION 2 (C) OF ORDINANCE NO. 2014-10-07B WHICH DOES NOT ALLOW THE PARKING AND USE OF A COACH (RECREATIONAL VEHICLE) OUTSIDE OF A MOBILE HOME PARK FOR MORE THAN 10 DAYS; AND AUTHORIZING THE DESIGNATED OWNER OF SAID PROPERTY TO ESTABLISH A UTILITY ACCOUNT AND CONNECT THE COACH (RECREATIONAL VEHICLE) TO CITY SERVICES FOR A PERIOD NOT TO EXCEED ONE YEAR.

E. EXECUTIVE SESSION

City Council convened into Executive Session at 7:16 p.m. to discuss the following items listed on the agenda.

1. Personnel matters pursuant to Section 551.074
 - Discuss possible waiver for up to three (3) months of dependent dental insurance for Public Works Maintenance Tech Rodney Stinecipher due to a payroll deduction error.
 - Discuss possible exception to the Personal Time Off buyback policy specifically as it relates to Public Works Maintenance Technician Rodney Stinecipher for dependent dental insurance that was not payroll deducted from October 1, 2018 through May 31, 2019.

F. POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

City Council reconvened into Executive Session at 7:53 p.m. to act on any matters listed for deliberation in Executive Session.

1. Personnel matters pursuant to Section 551.074
 - Discuss possible waiver for up to three (3) months of dependent dental insurance for Public Works Maintenance Tech Rodney Stinecipher due to a payroll deduction error.

Councilmember Williams made a motion to grant a waiver of reimbursement to the City for three (3) months of dependent dental insurance premiums (March 2019 through May 2019) in the amount of \$194.82 for Rodney Stinecipher.

Councilmember Clark seconded the motion.

Motion carried 5 – 0. (CA2019.07.17B)

- Discuss possible exception to the Personal Time Off buyback policy specifically as it relates to Public Works Maintenance Technician Rodney Stinecipher for dependent dental insurance that was not payroll deducted from October 1, 2018 through May 31, 2019.

Councilmember Freeman made a motion to authorize Rodney Stinecipher a one-time exception to allow him to sell back to the City thirty-three (33) hours of his earned Paid Time Off (PTO) to reimburse the City for the non-deducted dependent dental insurance premiums (October 2018 through February 2019) in the amount of \$324.70.

Councilmember Clark seconded the motion.

Motion carried 5 – 0. (CA2019.07.17C)

G. WORKSHOP

1. Discussion regarding the FY 2019-2020 Proposed Municipal Budget Plan.

City Controller Bates presented a high-level overview of the proposed Budget and Tax Rate needed to be able to support the Budget for FY2019-2020.

No action taken

H. ADJOURNMENT

Councilman Clark made a motion to adjourn.


Councilman Williams seconded the motion.

Motion carried 5 – 0.

With no further business, the meeting was adjourned at **8:57 PM**

Minutes submitted, approved and/or corrected this **15th** day of **August, 2019.**

CITY OF OVRTON



 C. R. Evans, Jr., MAYOR

ATTEST:



 Rachel Gafford, TRMC, CITY SECRETARY

Action Items:

- a. CA2019.07.17A – Temporary Waiver granted to 501 E. Crews for the use of an above ground septic system and delaying connection to City Sewer.
- b. Res. No. 2019.07.17 – Amending Resolution No. 2019.06.27A granting a temporary waiver for the use of an RV as a temporary residence at 501 E. Crews St.
- c. CA2019. 07.17B – Granting a waiver of three months of dependent dental insurance premiums to Rodney Stinecipher.
- d. CA2019. 07.17C – Granting a one-time exception to the City’s PTO buyback policy to Rodney Stinecipher.

**REGULAR CALLED CITY COUNCIL MEETING
JULY 18, 2019**

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD **JULY 18, 2019 AT 7:00 PM** IN THE COUNCIL CHAMBERS, CITY HALL, 1200 SOUTH COMMERCE, OVERTON, TEXAS.

PRESENT:

C. R. Evans Jr., Mayor
Jerry Clark
Trampas Freeman
David Stone
Michael Paul Williams

ABSENT:

John Posey, Mayor Pro Tem

Also, in attendance were Clyde Carter, Interim City Manager / Police Chief, Wendy Bates, City Controller, Gabe Wallace, Police Captain and Rachél Gafford, City Secretary representing staff. Elsie Hollis representing the public.

A. CALL TO ORDER - Mayor Evans called the meeting to order at 7:01 p.m.

1. *Invocation was given by Councilmember Freeman*
2. *Pledge of Allegiance of the U. S. Flag and the Texas Flag was led by Councilmember Williams*

B. CITIZEN FORUM –

Elsie Hollis, 212 N. Meadowbrook Dr, representing the Overton Citizens Beautification Committee submitted photos to Interim City Manager Carter of four (4) properties (structures) that the committee would like to see the City’s Code Enforcement Department address with the property owners to have the property cleaned up.

C. CITIZENS REQUESTS - None

D. CONSENT AGENDA

1. City Council to take action to approve minutes from a Regular Called Meeting of the City Council on June 27, 2019.

Councilmember Williams made a motion to approve the Consent Agenda as submitted for approval.

Councilmember Clark seconded the motion.

Motion carried 4 – 0, Mayor Pro Tem Posey absent.

E. BUSINESS

1. Presentation of Emergency Management Services monthly reports.
 - a. Christus EMS report

Interim City Manger Carter presented the Christus EMS monthly report.

b. Overton Volunteer Fire Department report

City Secretary Gafford presented the Overton Volunteer Fire Department monthly report.

2. Discuss, consider and/or take action regarding a Resolution rescheduling the September Regular City Council meeting.

City Controller Bates presented proposed Resolution to reschedule the September Regular Called Council Meeting to September 12, 2019 to be able to adopt the Tax Rate and Budget for FY2019-2020 in accordance with Rusk County Tax Assessors request that the tax rate be adopted by September 15, 2019.

Councilmember Freeman made a motion to approve Resolution No. 2019.07.18 to change the regularly scheduled September Council Meeting from September 19th to September 12th.

Councilmember Williams seconded the motion.

Motion carried 4 – 0, Mayor Pro Tem Posey absent.

RESOLUTION NO. 2019.07.18

A RESOLUTION OF THE CITY OF OVERTON, TEXAS, RESCHEDULING THE SEPTEMBER REGULAR CITY COUNCIL MEETING FROM THURSDAY, SEPTEMBER 19, 2019 TO THURSDAY, SEPTEMBER 12, 2019.

3. Discuss and/or consider action regarding changing the benefit waiting period for full-time employees from 0 days to 90 days to coincide with the probationary period outlined in the City's Personnel Policy Manual as it relates to the insurance waiting period and accrual and use of PTO.

Interim City Manager Carter presented a staff report regarding changing of benefit waiting period for insurance and PTO on new full-time employees.

Councilmember Stone made a motion to discuss.

Councilmember Freeman seconded the motion.

Motion carried 4 – 0, Mayor Pro Tem Posey absent.

After a brief discussion between staff and Council.

Councilmember Freeman made a motion to authorizing the change of the City's waiting period on when certain benefits (specifically health, dental, life, vision insurance and the accrual of Paid Time Off) to coincide with successful completion of the 90 Probationary Period.

Councilmember Clark seconded the motion.

Motion carried 4 – 0, Mayor Pro Tem Posey absent. (CA2019.07.18A)

4. Discuss and/or consider action regarding the Smith County 9-1-1 Communication District BUDGET APPROVAL for Fiscal Year 2019-2020.

Interim City Manager Carter presented the proposed FY2019-2020 Smith County 9-1-1 Communication District Budget for City Council approval stating that the City of Overton is once again allocated for \$5,000 for Dispatch upgrades or services in the proposed budget.

Councilmember Williams made a motion to approve the FY 2019-2020 Smith County 9-1-1 Communication District Budget as presented.

Councilmember Freeman seconded the motion.

Motion carried 4 – 0, Mayor Pro Tem Posey absent. (CA2019.07.18B)

F. 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.

Councilmember Freeman requested an excused absence from the August 15, 2019 Regular Called Meeting if needed.

Councilmember Williams made a motion to approve Councilmember Freeman's request for an excused absence from the August Regular Council Meeting if needed.

Councilmember Clark seconded the motion.

Motion carried 4 – 0, Mayor Pro Tem Posey absent. (CA2019.07.18C)

G. CITY ADMINISTRATION'S MONTHLY REPORTS

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

City Manager / Chief Carter presented and answered questions regarding the departmental reports.

1. Administration Monthly Reports
 - a. City Manager's Report
 - b. Police Department Report
 - c. Municipal Cemetery Report
 - d. Community Development Report
 - e. Public Works Department Report

No action taken.

City Controller Bates presented and answered questions regarding the following Finance department reports.

2. Finance Monthly Reports
 - a. City Controller's Report
 - b. Accounts Payable Check Register
 - ~~c. Statement of Revenue and Expenditures by Fund (presented with budget workshop documentation on 7/17/2019)~~
 - d. Monthly Bank Statement
 - ~~e. Overton Economic Development Corporation (OEDC) expenditures over \$50K~~

No action taken.

H. **ADJOURNMENT**

Councilman Clark made a motion to adjourn.

Councilman Freeman seconded the motion.


Motion carried 4 – 0, Mayor Pro Tem Posey absent.

With no further business, the meeting was adjourned at **7:50 p.m.**

Minutes submitted, approved and/or corrected this **15th** day of **August, 2019.**



CITY OF OVRTON


C. R. Evans, Jr., MAYOR

ATTEST:


Rachel Gafford, TRMC, CITY SECRETARY

Council Action Items:

1. Res. No. 2019.07.18 – Rescheduling the September Regular Council Meeting.
2. CA2019.07.18A – Changing the benefit waiting period on new full-time employees from 0 to 90 days.
3. CA2019.07.18B – Approving the FY2019-2020 Smith County 9-1-1 Communications District Budget.
4. CA2019.07.18C – Granting an excused absence to Councilmember Freeman for the August Regular Called Council Meeting.