



# CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ [www.cityofoverton.com](http://www.cityofoverton.com)

Council Agenda  
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**CITY COUNCIL AGENDA  
SEPTEMBER 10, 2020  
REGULAR CALLED MEETING (7:00 p.m.)  
OVERTON COMMUNITY BUILDING, 505 S. MEADOWBROOK DRIVE**

One or more elected officials or presenters may attend this workshop and meeting by video conference. The Overton Community Building will be open to the Public but limited to 50% Occupancy Capacity or 100 people (including Council Members, Staff and the public). Citizens are encouraged to view and participate in the meeting using Facebook Live via the City of Overton Facebook page at:

- <https://www.facebook.com/cityofoverton/?ref=bookmarks>.

For an electronic copy of the council meeting agenda packet follow the following link and scroll down to the listing of City Council Agendas & Minutes and scroll down to the date for the agenda to be reviewed: [cityofoverton.com/city-council/](http://cityofoverton.com/city-council/)

Citizens may address the Council regarding any posted agenda item by filling out a speaker's card prior to the item being called or by posting their question as a comment on the Facebook Live broadcast. These presentations shall be limited to three minutes unless the speaker requires the use of a translator, in which case the time is doubled. The Mayor may extend the time limit. Citizens may also submit comments or questions on a listed agenda item in advance of the meeting by emailing them to [info@cityofoverton.com](mailto:info@cityofoverton.com) The Mayor will read these submitted comments during the Item C. Public Forum section of the Regular Called Meeting.

Staff requests comments be submitted in advance if possible, by 4 pm, Thursday, September 10, 2020. For assistance with submitting comments for this meeting you may call 903-834-3171 ext. 235, Monday through Friday between the hours of 8 am to 4 pm.

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## **A. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance – *U. S. flag*

## **B. MAYORAL PROCLAMATION / RECOGNITION / APPOINTMENTS**

1. Appointment of Todd Meadows to the Overton Housing Authority Board.
2. Certificate of Appreciation for outgoing Board Member Courtney Cox, Overton Economic Development Corporation

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

*Per House Bill 2840 of the Texas 86<sup>th</sup> 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. PLANNING & ZONING REPORT**

### • **OPEN PUBLIC HEARING**

1. Commission to hear staff report, receive public comments regarding Replat Application 2020-01 — Allan R. Torbert's request, on behalf of Allan R. and Patti Torbert, to final plat Lot 1R, Block 1, Greenwood Addition, being a replat of approximately 0.0785 acres of all that certain lot, tract or parcel of land a part of the E. Thompson Survey A-768, Rusk County, Texas. Also being all of those certain three tracts (Tract I, Tract II and Tract III) of land described in a Correction Warranty Deed with an effective date of November 15, 1995 from Debbie Barnes Rhodes to Allan Torbert, et ux, Patti that is recorded in Volume 3710, Page 718 of the Official Public Records of Rusk County, Texas also being legally described as being all of Lot 1, Block 1, Greenwood Addition an addition of the City of Overton according to plat of same recorded in Volume 888, Page 387, Deed Records of Rusk County, Texas and Lots 62 and 63, Block 1, Goforth Addition, an addition of the City of Overton. Also being all of Lot 2, Block 1, Greenwood Addition an addition of the City of Overton according to plat of same recorded in Volume 888, Page 387, Deed Records of Rusk County, Texas as described in Warranty Deed with an effective date of August 4, 1976 from Bobby Wayne Beasley, et ux, Jo Ann to Allan R. Torbert, et ux, Patti that is recorded in Volume 1030, Page 580 of Official Public Records of Rusk County, Texas. The subject property is more commonly referred to as 305 Linda Lane, Overton, Rusk County, Texas.

### • **CLOSE PUBLIC HEARING**

2. Hear and take action to make a recommendation to City Council regarding Variance Application 2020-03 — Allan R. Torbert's request, on behalf of Allan R. and Patti Torbert, 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 from the requirement to install curb, gutter and sidewalk along approximately 150.51 linear feet on FM 850 and a variance from the requirement to install sidewalk along 229.21 linear feet along North Linda Lane where adjacent to the subject properties. The four (4) subject properties are approximately an 0.785-acre tract of land and is a part of the E. Thompson Survey A-768, Rusk County, Texas. Also being all of those certain three tracts (Tract I, Tract II and Tract III) of land described in a Correction Warranty Deed with an effective date of November 15, 1995 from Debbie Barnes Rhodes to Allan Torbert, et ux, Patti that is recorded in Volume 3710, Page 718 of the Official Public Records of Rusk County, Texas also being legally described as being all of Lot 1, Block 1, Greenwood Addition an addition of the City of Overton according to plat of same recorded in Volume 888, Page 387, Deed Records of Rusk County, Texas and Lots 62 and 63, Block 1, Goforth Addition, an addition of the City of Overton. Also being all of Lot 2, Block 1, Greenwood Addition an addition of the City of Overton according to plat of same recorded in Volume 888, Page 387, Deed Records of Rusk County, Texas as described in Warranty Deed with an effective date of August 4, 1976 from Bobby Wayne Beasley, et ux, Jo Ann to Allan R. Torbert, et ux, Patti that is recorded in Volume 1030, Page 580 of Official Public Records of Rusk County, Texas. The subject property is more commonly referred to as 305 Linda



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Lane, Overton, Rusk County, Texas. (*The Planning & Zoning Commission recommends approval 4 – 0, Commissioner’s Garcia And Cox Absent.*)

3. Act regarding a recommendation to the City Council regarding Replat Application 2020-01 — Allan R. Torbert’s request, on behalf of Allan R. and Patti Torbert, to final plat Lot 1R, Block 1, Greenwood Addition. (*The Planning & Zoning Commission recommends approval 4 – 0, Commissioner’s Garcia And Cox Absent.*)

## **E. CONSENT AGENDA**

1. Act on the approval of the minutes from the August 13, 2020 Special Called Council Budget Workshop
2. Act on the approval of the minutes from the August 13, 2020 Regular Council Meeting
3. Act on approval of the minutes from the August 31, 2020 Special Called Council Meeting and Budget Workshop.
4. Act on approval of the minutes of the September 3, 2020 Special Called Council Meeting.
5. Act upon approval of an agreement with the OMDD for Administrative Services to be provided by City Staff for Fiscal Year 2021.
6. Act upon approval of an agreement with the OEDC for Administrative Services to be provided by City Staff for Fiscal Year 2021.
7. Act on the reappointment of Robert Raney, Kim Cox and Lane Schurbon to additional two (2) year terms on the Planning & Zoning Commission.
8. Act on the reappointment of David Stone and Nathan Kendall to additional two (2) year terms on the Overton Municipal Development District Board.
9. Act on the reappointment of Joshua Stuart to a three (3) year term on the Overton Economic Development Corporation Board.

## **F. BUSINESS**

1. Presentation of Emergency Management Services monthly reports.
  - a. Christus EMS report
  - b. Overton Volunteer Fire Department report
2. Discuss and act on appointment to fill Overton Economic Development Corporation Board vacancy.
3. Discuss and act regarding a Resolution to authorize the Interim City Manager to enter into a contract with OpenEdge Payments, LLC to be the City’s credit card processor.
4. Discuss and act regarding an Ordinance to amend the City of Overton Schedule of Fees for FY 2021.
5. Discuss and act regarding an Ordinance of the City of Overton to approve amendments and adjustments to Fiscal Year 2019 - 2020 Budget.
6. Discuss and act regarding an Ordinance of the City of Overton approving and adopting a Budget for the City of Overton for the Fiscal Year 2020 -2021 (*Record vote required*).



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7. Ratification Vote to adopt the budget for Fiscal Year 2020 – 2021 that will raise total property tax revenue (*Record vote required*).
8. Consider and act on an Ordinance approving the 2020 Certified Appraisal Rolls; to adopt and levy the ad valorem tax rate for Fiscal Year 2020 – 2021 for Maintenance and Operation and the Interest and Sinking fund of the City of Overton for the 2020 Tax Year (*Record Vote Required*).
9. Consider and act on an Ordinance approving the 2020 Certified Appraisal Rolls; to adopt and levy the ad valorem tax rate for Fiscal Year 2020 – 2021 for the Maintenance and Operations of the Overton Municipal Cemetery for the 2020 Tax Year (*Record Vote Required*).
10. Discuss and act regarding the Texas Municipal Intergovernmental Risk Pool (IRP) Board of Trustees Election.

## **G. FUTURE MEETINGS**

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

## **H. 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. Finance Director's Report
  - b. Accounts Payable Check Register
  - ~~c. Statement of Revenue and Expenditures by Fund~~
  - d. Monthly Bank Statement
  - e. Overton Economic Development Corporation (OEDC) expenditures over \$50K

## **I. ADJOURNMENT**

Prepared and posted this the 4<sup>th</sup> day of **September, 2020**, by **7:00 p.m.** in accordance with Chapter 551, Texas Government Code.

***Rachél Gafford***

Rachél Gafford, TRMC, CITY SECRETARY





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Note: 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).

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.

## CERTIFICATION

I, Rachél Gafford, TRMC, City Secretary of the City of Overton, Texas do hereby certify that notice of the above meeting with the agenda of items to be considered by the City Council was removed by me from the bulletin board outside of City Hall.

REMOVED FROM BULLETIN BOARD:

Date	Time	Rachél Gafford, TRMC, CITY SECRETARY
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