



CITY OF OVERTON

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

CITY COUNCIL *SPECIAL* MEETING MINUTES FEBRUARY 23, 2021 7:00 p.m.

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD FEBRUARY 23, 2021 AT 7:00 PM IN THE COUNCIL CHAMBERS, CITY HALL, 1200 SOUTH COMMERCE, OVERTON, TEXAS.

<u>NAME</u>	<u>POSITION</u>	<u>ATTENDED</u>
C. R. Evans Jr.	Mayor	Y
Josh Hill	1	Y
John Posey (Mayor Pro-Tem)	2	Y
Lane Schurbon	3	Y
Reggie Thompson	4	Y
Michael Paul Williams	5	Y

Staff in attendance were Interim City Manager/Police Chief Clyde Carter, Captain Gabe Wallace, and Finance Director/Interim City Secretary Sherry Roberts.

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

1. Invocation was led by Councilmember Thompson.
2. Pledges of Allegiance were led by Councilmember Williams.

B. PUBLIC FORUM

Wendy Bates, Senior Finance Clerk/UB Clerk for the City. Ms. Bates addressed the Council about the change in the environment at City Hall. She stated that lately the environment has been filled with frustration, uncertainties, and suspicions about what is going on. She stated how awesome staff is and the great team environment has been until lately. She stated that she is concerned about the City Manager position on the agenda, and she is surprised that he is back on the agenda since City Manager Carter was just appointed to the position. She wanted to remind Council and citizens that any city manager that works here is working under extreme situations. This City is very strapped financially. The City has no resources, a high level of fixed expenses, and a high number of emergencies. Most of the issues and situations the City is in were decisions made decades ago of which we are still feeling the repercussions.

She stated that she is disappointed that the recently chosen candidate for Police Chief has declined the offer because of the uncertainty he felt from this Council. Staff is very supportive of City Manager Carter. She handed out a petition that all city employees signed supporting City Manager Carter. She believes this says a lot about him and his leadership capabilities and what he has done for this City. Ms. Bates explained that she also passed out a more detailed letter to the Council. She also discussed the stress and frustration with employees at City Hall regarding the haters on Facebook. These people are spreading hate, falsities, and rumors. She stated she doesn't know why all of a sudden things have changed. For the years that she was the Finance Director, she only had a couple of citizens complain about the finances and she happily explained everything. However, she did not experience anything like her replacement, Sherry Roberts, has experienced and she is unsure what has changed. She explained that staff needs help because if something does not change soon, the environment at City Hall has gotten so bad that staff is beginning to look elsewhere. She stated that if anyone wanted to discuss this further, she would be happy to do so.



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Josh Joplin, Smith County Precinct 4 Constable. He stated he wanted to introduce himself to the City Council. He explained that his office is close by if the City ever needed anything. The need for law enforcement is needed in small towns.

C. CONSENT AGENDA

1. Act on the approval of the minutes from the January 21, 2021 Regular Called Council Meeting.
2. Act on the approval of the minutes from the February 4, 2021 Special Called Council Meeting.
3. Act on the approval of the minutes from the February 5, 2021 Special Called Council Meeting.
4. Act on the approval of the minutes from the February 6, 2021 Special Called Council Meeting.
5. Consider and/or approve Resolution 2021.02.23A regarding an extension of the Disaster Declaration issued by Mayor Evans on February 19, 2021.

Motion to approve as corrected made by Councilmember Williams, seconded by Councilmember Schurbon. Carried unanimously.

D. REQUESTS OF COUNCIL

1. Approval request from the Overton-New London Area Chamber of Commerce to hold their annual Easter Egg hunt on March 28, 2021 at a City facility to be determined, requesting that the City purchase and provide 1,000 candy filled eggs and 1,000 trinket filled eggs and requesting the aid of the Overton Police Department to provide traffic and crowd control from the beginning of the event until the event completely concludes.

Motion to approve made by Councilmember Williams, seconded by Councilmember Thompson. Carried unanimously.

E. BUSINESS

1. Presentation of Emergency Management Services monthly reports.
 - a. Christus EMS report
 1. Scott Cargill from Christus gave the Council a brief report for January 2021 activity.
 - b. Overton Volunteer Fire Department report
2. Discussion regarding the City's Annual Firework Show.

Interim City Manager Carter explained that we need a volunteer committee to help organize this event because it is too much for staff to do alone.

F. COMMUNITY DEVELOPMENT CASES

PUBLIC HEARING

At 7:20 p.m., City Council acted as the Zoning Board of Adjustments for this item.

Regarding a request from WRP Development, LLC for a variance to the City of Overton Design Standards Regulations, Section 106.1 – Sidewalk Requirements. Specifically, applicant is requesting a variance from the requirement to install sidewalks along 887 linear feet on Sunnyside Drive, 596 linear feet along Wood Drive, and 385 linear feet along W. Kingsway Drive where adjacent to the subject properties. The 17 subject properties are approximately a 2.332-acre tract of land out of the Obadiah Waters Survey A-1070, legally described as all those being all of Lots 1-7, Block 2 and Lot 25, Block 3 as shown in the final plat of Briarwood Unit No. 2, as recorded in Cabinet D, Slide 363-C of the plat records of Smith County, Texas and being a part of that certain called 18.21 acre tract of land described



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in a Warranty Deed from Cecil Bannister to WRP Development, LLC., as recorded in instrument No. 2017010004628 of the official public records of Smith County, Texas.

Interim City Manager Carter explained that Mr. Kirk Acheson would like a variance to omit sidewalks in front of these lots on Kingsway Drive.

Mayor Evans opened the public hearing at 7:20 p.m.

Mayor Evans closed the public hearing at 7:25 p.m.

Motion to approve the variance by Councilmember Thompson, seconded by Councilmember Williams. Carried 6-0.

CONSIDER AND TAKE ANY ACTION NECESSARY regarding a request from WRP Development, LLC for a variance to the City of Overton Design Standards Regulations, Section 106.1 – Sidewalk Requirements. Specifically, applicant is requesting a variance from the requirement to install sidewalks along 887 linear feet on Sunnyside Drive, 596 linear feet along Wood Drive, and 385 linear feet along W. Kingsway Drive where adjacent to the subject properties. The 17 subject properties are approximately a 2.332-acre tract of land out of the Obadiah Waters Survey A-1070, legally described as all those being all of Lots 1-7, Block 2 and Lot 25, Block 3 as shown in the final plat of Briarwood Unit No. 2, as recorded in Cabinet D, Slide 363-C of the plat records of Smith County, Texas and being a part of that certain called 18.21 acre tract of land described in a Warranty Deed from Cecil Bannister to WRP Development, LLC., as recorded in instrument No. 2017010004628 of the official public records of Smith County, Texas.

Acting as City Council, Councilmember Hill made the motion to approve, seconded by Councilmember Williams. Carried 5-0.

G. FUTURE MEETINGS

1. Present revised upcoming meetings and events schedule.
The next City Council meeting is March 18, 2021.
2. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.
None.

Mayor Evans skipped to item J at this time.

H. CONVENE TO EXECUTIVE SESSION

The Overton City Council will convene in an Executive Session to discuss the following matters as authorized by §551.074 of the Texas Government Code – regarding personnel matters including the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. City Council to deliberate regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of a patrol officer.
2. City Council to deliberate regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of a reserve patrol officer.
3. City Council to deliberate regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of a police chief.



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4. City Council to deliberate regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.
5. City Council to deliberate regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of the Interim City Secretary.

City Council entered into executive session at 7:34 p.m.

City Council reconvened into open session at 9:07 p.m.

I. ACTION ON ITEM(S) DISCUSSED IN EXECUTIVE SESSION

1. City Council to take action deemed appropriate in the City Council's discretion as a result of the executive session regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of a patrol officer.

No action necessary.

2. City Council to take action deemed appropriate in the City Council's discretion as a result of the executive session regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of a reserve patrol officer.

No action necessary.

3. City Council to take action deemed appropriate in the City Council's discretion as a result of the executive session regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of a police chief.

Motion to post the position of police chief by Councilmember Hill, seconded by Councilmember Williams. Carried 5-0.

Motion to schedule a special meeting for March 11, 2021 at 7:00 p.m. Councilmember Thompson, seconded by Councilmember Hill. Carried 5-0.

4. City Council to take action deemed appropriate in the City Council's discretion as a result of the executive session regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager.

No action was taken.

5. City Council to take action deemed appropriate in the City Council's discretion as a result of the executive session regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of the Interim City Secretary.

Motion to extend Sherry Roberts for an additional six months by Councilmember Schurbon, seconded by Councilmember Williams. Carried 5-0.

J. 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

Interim City Manager informed the Council about the culvert by the school being replaced. The City lost the employee that holds our sewer license and one of our Class C water licenses. The Baseball Park meter is leaking, and a new meter has been ordered. Staff



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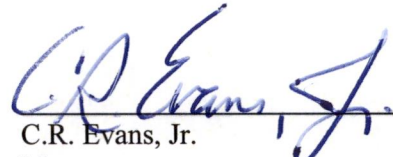
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repaired the water leak behind Brookshire's. The City-wide clean up days are scheduled for April 23-24, 2021. Due to the Winter Weather Event, there will be no late fees nor disconnects for February 2021.

- b. Police Department Report
 - i. 2020 Racial Profiling Report
Police Chief/Interim City Manager Carter stated the Report is posted in the dispatch lobby.
 - c. Code Compliance/Enforcement Report
The reports for December 2020 and January 2021 are included.
 - d. Municipal Cemetery Report
 - ~~e. Community Development Report~~
 - f. Public Works Department Report
2. Finance Monthly Reports
- a. Finance Director's Report
Councilmember Schurbon asked that a quarterly column be added to the sales tax history report.
 - b. Income Statement for January 2021
 - c. Expense Approval Report
 - d. Monthly Bank Statement
 - e. Sales Tax History

K. ADJOURNMENT

Motion to adjourn at 9:11 p.m. by Mayor Pro-Tem Posey, seconded by Councilmember Hill. Carried unanimously.


C.R. Evans, Jr.
Mayor

ATTEST:


Sherry Roberts, TRMC
Interim City Secretary

