



CITY OF OVERTON

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**CITY COUNCIL MEETING MINUTES
DECEMBER 16, 2021**

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD DECEMBER 16, 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>
Curtis Gilbert	Mayor	Y
Josh Hill	1	By Phone
Chris Hall	2	Y
Reggie Thompson	3	Y
Monty Ward, Jr.	4	Y
Michael Paul Williams	5	Y

Staff in attendance were City Manager, Shane West, Police Chief Bryan Pool and City Secretary, Laurie Kaczmarek

The meeting was called to order at 7:03 p.m.

Invocation was led by Councilmember Hall

Pledge of Allegiance was led by Councilmember Williams

Public Forum

There were no speakers present at this time.

Consent Agenda

A motion was made, to pull off Consent Items B, C and D for separate consideration, by Councilmember Williams and was seconded by Councilmember Thompson.
Motion carried 5,0.

- B.** Consider and/or act on Resolution 2021.12.16A authorizing the acceptance, administration, and expenditure of funds from the Coronavirus Relief Fund specified for use of State and Local Governments pursuant to the Coronavirus Aid, Relief and Economic Security (CARES) Act.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS, AUTHORIZING THE ACCEPTANCE, ADMINISTRATION AND EXPENDITURE OF FUNDS FROM THE AMERICAN RESCUE PLAN FUND ACT SPECIFIED FOR USE OF STATE AND LOCAL GOVERNMENTS PURSUANT TO THE AMERICAN RESCUE PLAN ACT; AUTHORIZING ACCEPTANCE OF AND COMPLIANCE WITH ALL CONDITIONS, LAWS, RULES AND REGULATIONS IMPOSED IN CONNECTION WITH SAID FUNDING; AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF OVERTON A/D/OR OTHER OFFICIAL OF THE CITY AS SHALL BE REQUIRED TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO SECURING, ADMINISTERING AND EXPENDING THE AFORESAID FUNDS AND COMPLYING WITH ANY AND ALL APPLICABLE CONDITIONS, LAWS, RULES AND REGULATIONS IMPOSED IN CONNECTION WITH SAID FUNDS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

Motion was made to approve with changes, from Coronavirus Aid, Relief and Economic Security (CARES) Act to American Rescue Plan Act, by Councilmember Thompson, and was seconded by Councilmember Hall.

Motion carried 5-0

- C. Consider and/or act on Resolution 2021.12.16B reappointing/appointing the Municipal Court Judge and authorize the City Manager to enter into a Professional Services Agreement with them with an effective date of January 1, 2022 through December 31, 2024.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS, APPOINTING A MUNICIPAL JUDGE FOR THE CITY OF OVERTON'S MUNICIPAL COURT; DESIGNATING SAID APPOINTEE AS PRESIDING JUDGE; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

Motion was made, to appoint Pat McCrory as Municipal Judge for the City of Overton's Municipal Court, by Councilmember Hill, and was seconded by Councilmember Ward.

Motion carried 5-0

- D. Consider and/or act on Resolution 2021.12.16C reappointing/appointing the Associate Municipal Court Judge with mileage reimbursement per the current IRS Standard Mileage rate with an effective date of January 1, 2022 through December 31, 2024.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS, REAPPOINTING ASSOCIATE MUNICIPAL JUDGE FOR THE CITY OF OVERTON'S MUNICIPAL COURT; PROVIDING FOR AN EFFECTIVE DATE; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

Motion was made, to re-appoint Rand Cates as Associate Municipal Judge for the City of Overton's Municipal Court, by Councilmember Thompson, and was seconded by Councilmember Hall.

Motion carried 5-0

- A. Consider approval of the following minutes: November 18, 2021.

Motion was made, to approve remaining Consent Agenda (Item A) by Councilmember Williams and was seconded by Councilmember Ward.

Motion carried 5,0

Oaths for Newly Appointed Officials

Mayor Gilbert administered Statement of Appointed Official and Oath of Office to Pat McCrory the newly appointed Municipal Court Judge

Mayor Gilbert administered Statement of Appointed Official and Oath of Office to Rand Cates the newly appointed Associate Municipal Court Judge.

Business

- A. Consider and/or act on the authorization of the Overton Police Department to auction Seizure Vehicles.

Police Chief Bryan Pool presented this item to Council. He stated the City would use Auctioneer Express and their fee is ten (10) percent. There were currently three (3) vehicles ready for auction. He also stated that we would have to give Rusk and Smith County a portion of the proceeds but the remaining would go into the Overton Police Department's budget.

Motion was made to approve by Councilmember Hall and was seconded by Councilmember Thompson.

Motion carried 5,0

- B. Consider and/or act on adding a previously removed position back to the Overton Police Department.

Police Chief Bryan Pool presented this item to Council. When he was hired, he was told that there were six (6) Police Officer positions but \$55,000 worth of cuts were done to the Department, including one (1) officer. When asked why this was done, the response was that the position was frozen. Chief Pool stated that he thinks Council was not aware of this and it was a move to defund the Police Department. Chief Pool dissolved dispatch and saved the City of Overton \$110,000. Due to the cuts that were made to the budget and the personnel, the city is no longer paying out \$13,888 a month. He asked that the Council consider adding this position back.

Councilmember Williams asked, if this was done without the Council's knowledge, why was it coming before the Council for approval to add the position back.

It was stated that this was done by previous staff and in order to do this the right and correct way, it was being brought before Council.

Mayor Gilbert stated, are you satisfied?

Councilmember Williams stated that he never saw anything come across the dias that we would defund any of our officers.

Motion was made to approve by Councilmember Hill and was seconded by Councilmember Hall.

Motion carried 5,0

- C. Consider and/or act on Ordinance 2021.12.16A amending Chapter 6, Section 6-01 of the City of Overton Personnel Policies and Procedures by defining a day as eight (8) hours for non-exempt/non-sworn employees and twelve (12) hours for non-exempt/sworn employees.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS, AMENDING AND ADOPTING THE PERSONNEL POLICIES AND PROCEDURES GUIDE OF THE CITY OF OVERTON; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS

OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

Motion was made to approve by Councilmember Thompson and was seconded by Councilmember Williams.

Motion carried 5,0

- D. Consider and/or act on Resolution 2021.12.16D amending and adopting the Investment Policy of the City of Overton.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS, AMENDING AND ADOPTING THE INVESTMENT POLICY OF THE CITY OF OVERTON HERETOFORE ADOPTED BY RESOLUTION NO. 2018-09-13D; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING AN EFFECTIVE DATE.

Motion was made to approve by Councilmember Thompson and was seconded by Councilmember Hall.

Motion carried 5,0

Presentation

This item was accidentally skipped and was presented at this time.

Mr. and Mrs. Ward with Field of Dreams spoke about their non-profit organization. Their organization helps families who have one or both parents incarcerated. This Christmas they were able to help 100 families in Overton and Rusk County.

This organization is in need of a Board and Volunteers.

Future Meetings

City Council Regular Meeting – January 20, 2021 at 7:00 p.m.

Mayor Gilbert received a request from Councilman Hill that he may not be at this meeting.

City Administration's Monthly Reports

- A. Administration Monthly Reports

- 1. City Manager's Report
- 3. Public Works Department Report

Shane West, City Manager presented these reports to the Council

2. Police Department Report

Bryan Pool, Police Chief presented these reports to the Council

4. Christus EMS report

5. Overton Volunteer Fire Department Report

There were no questions or concerns on these items. Bryan Pool, Police Chief did comment that these departments are doing a good job.

B. Finance Monthly Reports

- a. Income Statement
- b. Expense Approval Report
- c. Monthly Bank Statement
- d. Sales Tax Report

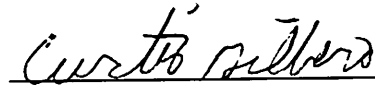
There were no questions or concerns, regarding the Finance Monthly Reports, at this time.

Adjournment

Motion to adjourn was made by Councilmember Hill, and was seconded by Councilmember Williams.


Motion carried 3-0.

Meeting was adjourned at 7:56 pm.



Curtis Gilbert
Mayor

ATTEST:



Laurie Kaczmarek
City Secretary

