



## City Council Meeting Agenda

7:00 p.m.

June 16<sup>th</sup> 2022

1200 South Commerce Street

Overton, Texas 75684

City Hall Council Chamber

**I. Call to Order**

**II. Invocation**

**III. Pledge of Allegiance**

*U.S. flag*

*Texas flag ("Honor the Texas flag. I pledge allegiance to thee, Texas, one state under God, one and indivisible")*

**IV. Public Forum - Each individual will be allowed three (3) minutes.**

*Anyone wishing to speak on a posted agenda item must complete a speaker card with his/her name and address and must identify the agenda item number for which he/she would like to speak. A speaker card must be presented to Laurie Kaczmarek, City Secretary, prior to the meeting so that the speaker may be recognized by the Chair at the appropriate time. Speakers will each be allowed a three (3) minute time period to provide comments regarding the posted agenda items for which the request to speak was submitted and may speak before or during the Council's consideration of the agenda item.*

**Please be advised that by law, City Council may not respond to any comments or questions asked of them by a 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.*

**V. Presentation**

PROTHRO, WILHELMI & COMPANY to review the 2016 Audit Results

**VI Request of Council**

Council to hear, discuss and/or take action on a request from Allan Cook to connect to Overton Water

**VII Citizen/Customer Request**

Larry Dowden has submitted letters of protest for the re-zoning of the tract of land located as corner of Holly and Elm.

## VII. Community Development Cases

### **PUBLIC HEARING ITEM(S):**

- **OPEN PUBLIC HEARING**

- A. The City of Overton City Council will hold a public hearing on Thursday, June 16, 2022 at 7:00 pm at the City Hall Council Chambers located at 1200 South Commerce Street, Overton, Texas, for the consideration of Lance Dunton's request to rezone three (3) two (2) family duplex - multifamily, showing Lot 2R2-1 and 2R2-6, Block 1 of the Hillcrest Addition a replat of Lot 2R, Block 1, Hillcrest Addition as shown according to plat thereof recorded in Sleeve XXX of the Plat Records of Rusk County, Texas. The subject property is on the corner of Holly & Elm, Overton, Rusk County, Texas.
  - a. Staff presentation
  - b. Applicant presentation
  - c. Public comments

- **CLOSE PUBLIC HEARING**

## VII. Consent Agenda

**(NOTE: The Consent Agenda includes non-controversial and routine items that the Council may act on with one single vote. If the Council wishes, they may pull any item from the Consent Agenda to discuss and act upon individually.)**

- A. Consider approval of the following minutes: May 19, 2022.

## VIII. Business

- A Discuss and/or act on the Zoning Board recommendation for Hillcrest Addition
- B Discuss and/or act on the approval of bids submitted for 3 tracts of land in Smith County, submitted by Linebarger and Sloan.
- C Discuss and/or act on appointing Connie Chasteen as Interim City Secretary
- D Consider and Approve a Resolution 2022.06.16A to update signers on the City of Overton Banking and Investment Accounts to add a member of council.
- E Approve an Ordinance 2022.06.16A ordering a General and Special Election for the election to be held on November 8<sup>th</sup>, 2022.

- F Consider and Approve a Resolution 2022.06.16B authorizing the Mayor to sign a Contract with Rusk County Elections for the November 8 2022 General and Special Election
- G Consider and Approve a Resolution 2022.06.16C authorizing the Mayor to sign a Contract with Smith County Elections for the November 8 2022 General and Special Election.
- H Consider and/or approve action regarding a single Notice of Election posting in the newspapers (Tyler & Henderson) that would split the costs.
- I Consider and Approve a Resolution 2022.06.16D to suspend Oncor SOI-2022-Resolution-Suspension-1-AIS-FINAL-051322 proposed effective rate increase date for ninety (90) days, .
- J Consider and Approve a Resolution 2202.06.16E to suspend Oncor SOI-2022-Resolution-Suspension-2-RESOLUTION-FINAL051322
- K Discuss and take action on the request by Overton Volunteer Fire Dept to raise call-out reimbursement from \$5.00 to \$10.00 per call.
- L Discussion regarding the Preliminary FY 2022-2023 Municipal Budget
- M Ratification Vote For a “No-New-Revenue” Tax Rate for purposes of the FY 2022-2023 Budget  
  

Brief explanation- If the adoption of a budget will require raising more revenue from property taxes than in the previous year, state law requires the city council to vote to ratify the property tax increase reflected in the budget. This vote to ratify a property tax increase is in addition to and separate from, the vote to adopt the budget or the vote to set the tax rate as required by chapter 26 of the Tax Code.

Since the appraisal district has raised property values it is possible that we will receive more in taxes, even with a No-New-Revenue Tax Rate which may require a vote on record.
- N Discuss and take action on OMDD motion to adjust their By-Laws for the election of Chairman and Vice-Chairman
- O Discuss and take action to authorize the city attorney to seek judicial relief regarding resigned council members and the Holdover Doctrine.

**IX. Future Meetings**

- A. Present upcoming meeting and events schedule

1. City Council Regular Meeting – July 21, 2022 at 7:00 p.m.
- B. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.

**X. City Administration’s Monthly Reports**

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

- A. Administration Monthly Reports
  1. City Manager’s Report
    - a. Upcoming Projects
  2. Police Department Report
  3. Public Works Department Report
  4. Christus EMS report
  5. Overton Volunteer Fire Department Report
  6. Municipal Court Report
- B. Finance Monthly Reports
  1. Income Statement
  2. Expense Approval Report
  3. Monthly Bank Statement
  4. Sales Tax Report

**XI. Boards and Commissions**

- A. Overton Economic Development Corporation (OEDC) Board Update
- B. Overton Municipal Development District (OMDD) Board Update

**XII. Adjournment**

I, Connie Chasteen, Interim City Secretary of the City of Overton, Texas do hereby certify that notice of the above-named meeting was posted on the City Hall bulletin board of the City of Overton, Texas, a place readily accessible to the public at all times, on June 10, 2022 by 7:00 p.m. and remained continuously posted for at least 72 hours immediately preceding the said meeting and that said notice was posted in accordance with Chapter 551, Texas Government Code.

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Connie Chasteen  
Finance/ Interim City Secretary



**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.