



**City Council Minutes  
Regular Called Meeting 6/16/2022**

<u>NAME</u>	<u>POSITION</u>	<u>ATTENDED</u>
Curtis Gilbert	Mayor	Y
Josh Hill	1	N
Chris Hall	2	Y
Reggie Thompson	3	Y
Monty Ward, Jr.	4	N
Michael Paul Williams	5	Y

Staff in attendance were City Manager Shane West, Police Chief Bryan Pool, Finance/ Interim City Secretary Connie Chasteen, Court Clerk/ UB Cashier- Katherine McCandless

The meeting was Called to Order at 7:02 by Mayor Gilbert

The Invocation lead by Mayor Gilbert

The Pledge of Allegiance led by Councilman Hall

**Public Forum**

Michael Baskerville, 101 S. Commerce Overton -spoke again on leasing the Overton City Pool and asked to be on the Agenda for the next meeting.

Dale Grandstaff PO Box 304, Overton, -spoke again on the need for a new survey/ corner marking for his property line at the Overton Lake- removed during dirt work on the lake's dam. City Manager spoke that he has tried to reach Lacy Survey in Arp three times with no call back so far,- will continue to pursue resolution.

James Alexander, 306 E. Madison St, Overton, OMDD Chairman spoke on agenda item to adjust OMDD Bylaws for term limits of two years in place of the current one year limits.

Gene Keenan, PO Box 1139, Kilgore presented a check donation for the Overton Fireworks in the Park 4h of July Celebration of \$1000. From Republic Services.

Denise Hill, 712 E Henderson Overton spoke on agenda item of Property Taxes, requesting consideration of a Homestead Exemption for city citizens. Requested to be added to future meeting agenda. Overton legal representative Blake Armstrong spoke that the City cannot process tax issues without having four council members present.

## **Presentation**

Walter Wilhelmi of PROTHRO, WILHELMI & COMPANY reviewed the 2016 Audit Results. Explained their findings The Audit was Fairly Stated.-that they had no problem with past management co-operation, however turnover was a problem. The city operated at a deficit in 2016. The city restructured their debt in 2017 to free up cash flow for operations. Current administration was praised for the support given to provide information and allow them the complete the audit.

**Request of Council** to take action on a request from Allan Cook to connect to Overton Water for development of multiple two acre lots outside city limits on CR 132. Property owner will finance 2600 ft of water line per city standards to connect to Overton water supply and supply a pending housing development. Sewage will be aerobic systems. Motion made by Councilman Thompson, seconded by Councilman Hall, motion passed 3/0

**Citizen/Customer Request-** Larry Dowden has submitted letters of protest for the rezoning of the tract of land located as corner of Holly and Elm.

## **Community Development Cases**

**PUBLIC HEARING opened 7:21 pm** -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.

P&Z approved the re-zone at the June 14<sup>th</sup> meeting. Council viewed and discussed letters of objection provided by Larry Dunson. Reviewed the developer's pictures of existing project completed in Arp TX and statement of project's standards. No public comments were offered. Request was passed by a vote of 3/0.

**CLOSE PUBLIC HEARING** at 7:28pm

## **VII. Consent Agenda**

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

Motion made by Councilman Williams to approve the minutes. Councilman Hall seconded the motion. Motion carried 3/0

## **Business**

Discuss and/or act on the Zoning Board recommendation for Hillcrest Addition Councilman Hall made a motion to approve, Councilman Thompson seconded the motion. Motion passed 3/0

Discuss and/or act on the approval of bids submitted for 3 tracts of land in Smith County, submitted by Linebarger and Sloan.

Bill Webster of Linebarger and Sloan explained these properties were struck off the roles and put up for bid but no bids were offered. A Buyer made an offer and they need council approval to accept the offer.

Councilman Williams made a motion to approve. Councilman Hall seconded the motion and the motion passed 3/0.

Discuss and/or act on appointing Connie Chasteen as Interim City Secretary.

Councilman Thompson made a motion to accept, seconded by Councilman Hall. Motion passed 3/0

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.

Councilman Thompson made a motion for Christopher Hall to be appointed as a signer. Councilman Williams seconded the motion and the motion passed 3/0

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.

Councilman Williams made a motion to approve, Councilman Hall seconded the motion. Motion passed 3/0

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.

Councilman Williams made a motion to approve with a correction to the name on page 4. (The corrected paperwork had been received but was not included in the packets.) Councilman Thompson seconded the motion. Motion carried 3/0

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.

Councilman Williams made a motion to approve. Councilman Thompson seconded the motion. Motion carried 3/0

Consider and/or approve action regarding a single Notice of Election posting in the newspapers (Tyler & Henderson) that would split the costs.

Councilman Williams made a motion to approve. Councilman Thompson seconded the motion. Motion carried 3/0

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,

Councilman Thompson made a motion to approve. Councilman Williams seconded the motion. Motion carried 3/0

Consider and Approve a Resolution 2202.06.16E to suspend Oncor SOI-2022-Resolution-Suspension-2-RESOLUTION-FINAL051322

Blake Thompson, Legal Council explained that Oncor is asking we suspend the rate increase so they can negotiate a lower rate for cities.

Councilman Thompson made a motion to approve. Councilman Williams seconded the motion. Motion carried 3/0

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.

Councilman Thompson made a motion to approve. Councilman Hall seconded the motion. Motion carried 3/0

Discuss and take action on OMDD motion to adjust their By-Laws for the election of Chairman and Vice-Chairman

Terms will be two year terms alternating position change each two years.

Councilman Thompson made a motion to approve. Councilman Williams seconded the motion. Motion carried 3/0

Ratification Vote For a "No-New-Revenue" Tax Rate for purposes of the FY 2022-2023 Budget

This item was pulled from Agenda- cannot be voted on until after July 24<sup>th</sup> per county officials.

Discuss and take action to authorize the city attorney to seek judicial relief regarding resigned council members and the Holdover Doctrine.

Blake Armstrong-legal Council explained that the Texas Constitution requires elected council members to remain active until their seat can be filled. Councilman Thompson was fulfilling his responsibility with his presence, having an active resignation.

Councilman Hall made a motion to approve, Councilman Williams seconded the motion. Motion passed 2/1

Discussion regarding the Preliminary FY 2022-2023 Municipal Budget

This item was pulled from Agenda-

**Future Meetings** City Council Regular Meeting – July 21, 2022 at 7:00 p.m.

There were no requests for absence

### **City Administration's Monthly Reports**

City Manager's Report

Police Department Report

Chief Bryan Pool spoke of the Uvalde Tx School shooting and a pending conversation with the Overton ISD Superintendent about placing an officer in the school and splitting the cost.

Public Works Department Report

Public Works employees were still working and City Manager spoke on the major leaks/ water outage the department has been dealing with in the past week and the Boil Water Notice. Causes were outside contractor incidents and old infrastructure.

**Christus EMS report**

EMS reported 50 calls last month, average response time 11-12 minutes. One emergency and only a two minute response time on that one.

**Overton Volunteer Fire Department Report**

T Lewis spoke of the department's assistance to the Kilgore Fire Department on a Kilgore hotel fire they worked all night

Robert Wall's retirement letter was read to the council by Mayor Gilbert.

Municipal Court Report given by court clerk Katherine McCandless expressing the amount of money gathered from fines and tickets since her hire date in February 2022.

Finance Monthly Reports brief explanation by Finance-Connie Chasteen of sales tax received and the increase from last year, bank statement balances, bills paid & progress with budget for 2023.

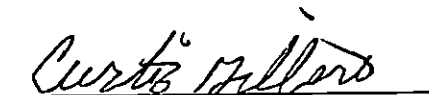
**Boards and Commissions**

Overton Economic Development Corporation (OEDC) Board Update

Overton Municipal Development District (OMDD) Board Update

Motion to adjourn made by Councilman Williams and seconded by Councilman Hall  
Passed 3/0

**Meeting Adjournment at 8:04pm**



Curtis Gilbert- Mayor

Attested



Connie Chasteen  
Interim City Secretary

