



# CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.ci.overton.tx.us

## AGENDA CITY COUNCIL

Thursday, April 19, 2018

### REGULAR CALLED MEETING (7:00 p.m.)

#### I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

#### II. PROCLAMATIONS

1. Fair Housing Month

#### III. CITIZEN FORUM- Each citizen will be allowed three (3) minutes.

This particular listing has been included on the agenda to allow public comments and presentations. Citizens may issue comments for topics that do not appear on this agenda. Any citizen who wishes to speak before the City Council must submit to the City Secretary a signed request to speak under Citizen Forum prior to the opening of the council meeting.

In accordance with existing law, the City Council cannot discuss, deliberate, or take action on any item(s) or topic(s) that is not so scheduled on this agenda. Public comments requiring action or deliberation of the Council may be scheduled on a following regular agenda. The Mayor, Council Members or City Staff may only respond to Citizens comments with a:

1. Factual Informational Statement
2. Statement of Current Policy
3. Discussion of Placing Topic on Future Agenda

#### IV. CITIZEN'S REQUEST

1. Consider, discuss and / or take action on Dail Warwick's request for a waiver of the Sewer Tap Fee at 112 E Allen St. originally installed in 2011 as a sub tap on the Sewer Service line which services 108 E Allen St.
2. Consider, discuss and / or take action on Ed Johnson's request for the following items:
  - a. Installation of a sewer tap on Piercy Street
  - b. Closing of Piercy Street
  - c. Water bill at the Masonic Lodge
  - d. Street repairs needed to Timberlake Street

#### V. CONSENT AGENDA

Any or all items under Consent Agenda may be removed by the Mayor, any Council Member or the City Manager for discussion.

1. Review, make possible corrections and approve minutes from Regular Called Meeting of the City Council held on March 15, 2018.
2. Review, make possible corrections and approve minutes from Special Called Meeting of the City Council held on March 29, 2018.
3. Review, make possible corrections and approve minutes from Special Called Workshop of the City Council held on March 29, 2018.



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## VI. BUSINESS

1. Present revised meeting schedule for the City Council as updated April 16, 2018.
  - a. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings
2. Consider, discuss and/or take action regarding the installation of a sign to mark location and direct potential patrons to High Hill Farm in the Greenway at the intersection of Henderson Street (FM 850) and Commerce Street (State Highway 135). The proposed sign would also have interchangeable signs to promote the venue's various events. *(This item was postponed from the March 29, 2018 Special Called Meeting)*
3. Consider, discuss and/or take action regarding request by Rusk County Commissioner Bill Hale to take over the street maintenance of County Road 130 D per several requests they have received from local citizens regarding the conditions of the road.
4. Consider, discuss and/or take action regarding Rusk / Panola Counties Child Advocacy Center (CAC) annual financial support of \$1,000 in exchange for services rendered.
5. Consider, discuss and/or take action regarding an Ordinance to repeal Exhibit B - Subdivision Ordinance of Ordinance No. 2014-10-07A and the Adoption of the Subdivision Ordinance as submitted by staff and the City Engineer. *(The Planning & Zoning Commission recommend approval 5 – 0, Commissioner Raney absent)*
6. Consider, discuss and/or take action regarding an Ordinance to repeal the existing Engineering and Construction Standards section of Exhibit B of Ordinance No. 2014-10-07A and the Adoption of The City of Overton Design Criteria and Construction Standards (Construction Detail) Requirements as submitted by staff and the City Engineer. *(The Planning & Zoning Commission recommend approval 5 – 0, Commissioner Raney absent)*
7. Consider, discuss and/or take action regarding an Ordinance of the City of Overton, Texas amending Chapter 92 (Fence Regulations) of Ordinance no. 2014-07-29A City of Overton, Texas Code of Ordinances by the amendments of sections 92.01, 92.02, 92.04, 92.07, 92.08 (b) (1), 92.11 and the addition of sections 92.13, 92.14, 92.15, 92.16 and 92.17; providing for a penalty for the violation of this ordinance; providing for repealing, savings and severability clauses, providing for an effective date of this ordinance; and providing for the publication of the caption hereof.
8. Consider, discuss and/or take action regarding a Resolution by the City of Overton, Texas, ("City") responding to the application of Centerpoint Energy Resources Corp., Beaumont/East Texas Division, to increase rates under the gas reliability infrastructure program; suspending the effective date of this rate application for forty-five days; authorizing the city to continue to participate in a coalition of cities known as the "Alliance Of Centerpoint Municipalities"; requiring the reimbursement of costs; determining that the meeting at which the resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and declaring an effective date.



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9. Consider, discuss and/or take action regarding a Resolution by the City of Overton (“City”) suspending the effective date for ninety days in connection with the rate decrease filing of Southwestern Electric Power Company made on or about April 5, 2018; approving interim rates subject to refund; requiring the reimbursement of municipal rate case expenses; authorizing participation in the coalition of similarly situated cities; authorizing intervention and participation in related rate proceedings; authorizing the retention of special counsel; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject; and declaring an effective date.
10. Consider, discuss and/or take action regarding an Resolution by the City of Overton, Texas (“City”) denying the Distribution Cost Recovery Factor Rate request of Oncor Electric Delivery Company LLC made on or about April 5, 2018; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; authorizing the retention of special counsel; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject; and declaring an effective date
11. Consider, discuss and/or take action regarding an Ordinance authorizing the issuance of "City of Overton, Texas, Tax and Revenue Certificates of Obligation, Series 2018"; specifying the terms and features of said certificates; providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a subordinate pledge of the net revenues from the operation of the City's waterworks and sewer system; and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said certificates, including the approval and execution of a paying agent/registrar agreement; and providing an effective date.
12. Consider, discuss and/or take action regarding an Ordinance authorizing the issuance Of "City of Overton, Texas, General Obligation Refunding Bonds, Series 2018"; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a paying agent/registrar agreement; providing for the redemption of certain outstanding obligations of the city; and providing an effective date.
13. Consider, discuss and/or take action regarding authorizing the City Manager to accept proposal for and sign an engagement letter with David K. Godwin, CPA for bookkeeping catch up services for FY 2014-15, FY 2015-16 and FY 2016-17.
14. Consider, discuss and/or take action regarding authorizing the City Manager to accept proposal for and sign an engagement letter with Prothro Wilhelmi to provide Audit catch up services for FY 2013-14 and FY 2014-15.
15. Consider, discuss and/or take action regarding authorizing the City Manager to accept proposal for and sign a contract with Fund Accounting Software Technologies (FAST) to provide Financial Software services including conversion services for the City of Overton.
16. Consider, discuss and/or take action directing staff to issue Request for Proposals (RFP) regarding Audit Services for FY 2015-16, FY 2016-17 and FY 2017-18.



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17. Consider, discuss and/or take action directing staff how to proceed with funding and replacement of the water & sewer lines for Lamar, Arcola, Short and Brandon Streets in conjunction with the Community Development Block Grant Project from the following options:
  - a. Replace lines in streets as they are currently located
  - b. Seek voluntary easements from property owners to run replacement water and sewer lines in easements (taking the lines out of the road).

## **VII. CONVENE TO EXECUTIVE SESSION**

### **City Council to adjourn into Executive Session**

1. Council to discuss and evaluate the appointment of the current Interim City Manager pursuant to Section 551.074(A) (1) of the “TEXAS GOVERNMENT CODE”.
2. Council to consider and discuss a proposed “Excess Duties Stipend” for the City Secretary and the City Comptroller positions as it relates to the extra work and duties that have been assumed by the two positions in the lapse of a full time City Manager pursuant to Section 551.074(A) (1) of the “TEXAS GOVERNMENT CODE”.

### **City Council to adjourn executive session and return to open meeting**

## **VIII. RECONVENE INTO OPEN SESSION**

*The Overton City Council will reconvene in open session to act on any matter listed for deliberation in executive session.*

1. Council to take action regarding the evaluation and the continued appointment of the current Interim City Manager as discussed in Executive Session pursuant to Section 551.074(A) (1) of the “TEXAS GOVERNMENT CODE”.
2. Council to take action regarding the proposed “Excess Duties Stipend” as proposed and discussed in Executive Session for the City Secretary and City Comptroller positions as it relates to the extra work and duties assumed in the absence of a full time City Manager pursuant to Section 551.074(A) (1) of the “TEXAS GOVERNMENT CODE”.

## **IX. CITY ADMINISTRATION’S MONTHLY REPORTS**

1. Emergency Services Monthly Reports
  - a. Fire Department
  - b. Champion EMS
  - c. Police Department
2. Department of Finance Monthly Report
  - a. Accounts Payable Check Register
  - b. Statement of Revenue and Expenditures by Fund
  - c. Monthly Bank Statement
3. City Manager’s Monthly Report to include if needed
  - a. Public Works Department
  - b. Community Development
  - c. Cemetery

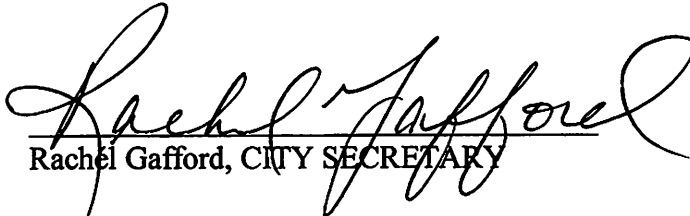
## **X. ADJOURNMENT**



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I, **Rachél Gafford, City Secretary** of the City of Overton, Texas do hereby certify that notice of the above-named meeting was posted on the bulletin board of City Hall of the City of Overton, Texas, a place readily accessible to the public at all times, on the **16<sup>th</sup>** day of **April, 2018** by 5:00 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.

  
Rachél Gafford, CITY SECRETARY



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).

This facility is wheelchair accessible and accessible parking spaces are available. Individuals who require auxiliary aids or services for the meeting should contact the City Secretary's office at least forty-eight (48) hours prior to the meeting. To make arrangements, call 903-834-3171.

### CERTIFICATION

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

REMOVED FROM BULLETIN BOARD:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

\_\_\_\_\_  
Rachél Gafford, CITY SECRETARY