

**REGULAR CALLED CITY COUNCIL MEETING
July 19, 2018**

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD **JULY 19, 2018 AT 7:00 PM** IN THE COUNCIL CHAMBERS, CITY HALL, 1200 SOUTH COMMERCE, OVERTON, TEXAS.

PRESENT:

C. R. Evans Jr., Mayor
John Posey, Mayor Pro Tem
Jerry Clark
Trampas Freeman
David Stone
Michael Paul Williams

ABSENT:

Also, in attendance were Clyde Carter, Interim City Manager / Police Chief, Gabe Wallace, Police Captain, Wendy Bates, City Comptroller and Rachél Gafford, City Secretary representing staff. Scott Cargil, Champion EMS, Stephen DuBose, Overton I.S.D., Tom Trimble, Oncor, Bettye Scarborough, Byron Jones, Tanner Carnes, Cheree Carnes, Sara True and Debbie Poole representing the public.

I. CALL TO ORDER – Mayor Evans called the meeting to order at 7:00 PM.

1. *Invocation was given by Mayor Pro Tem Posey.*
2. *Pledge of Allegiance was led by Councilman Williams.*

Mayor Evans skipped to Agenda Item VII.1b – Champion EMS Monthly Report

Council reviewed the Champion EMS report and had no questions for Scott Cargil regarding the report.

Mayor Evans then resumed with Council Agenda Item II.

II. PROCLAMATIONS / RECOGNITIONS /APPOINTMENTS

1. None

III. CITIZEN FORUM

Bettye Scarborough, representing Wise Up Rusk County, addressed Council stating that her organization is urging cities in Rusk County to adopt or revamp a Smoking Ordinance that would prohibit and include vaping as well as tobacco products.

No response made by Council or staff.

Debbie Poole, 1311 E Hwy 135, Overton, requested information regarding rumors that were circulating on Facebook regarding a possible citizen having been assaulted.

City Manager/Police Chief Carter responded that there was an ongoing investigation that he would not be able to comment on; however, he assured Ms. Poole that the community and her neighborhood is safe.

IV. CITIZEN'S REQUEST

1. None

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 June 21, 2018.

Mayor Pro Tem Posey made a motion to approve Consent Agenda as submitted.

Councilman Williams seconded the motion.

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

VI. BUSINESS

1. Present revised meeting schedule for the City Council as updated July 16, 2018.
 - a. Mayor to receive request, if any, for leave of absence from any Council Member from future meetings.

Mayor Evans reviewed the meetings calendar with Council and asked if anyone needed to request an excused absence for the August 16, 2018 Regular Called Council Meeting.

No requests made

2. Discuss and/or act regarding a Resolution rescheduling the September Regular City Council meeting.

City Manager / Police Chief Carter presented proposed resolution to reschedule the September regular council meeting to September 13th to adopt the 2018 Tax Rates so that Rusk County could make their deadline for ordering the tax statements.

Councilman Freeman made a motion to approve Resolution 2018.07.19A as submitted.

Councilman Clark seconded the motion.

Mayor Evans called for discussion. No discussion

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

3. Discuss and/or act regarding authorizing the potential conveyance of a portion of McDavid Street to property owner of 208 McDavid Street.

City Manager / Police Chief Carter presented proposed staff report stating that the City's Engineer had recommended the City look at abandoning the portion of McDavid Street in front of the property and conveying the street to the property owner at 208 McDavid where the street is a dead end. The Engineer made this recommendation due to the fact that the utility service lines end in front of this property and there are no future plans to extend city services any further in that direction.

Mayor Pro Tem Posey made a motion to approve the partial abandonment and conveyance of the street located in front of the property located at 208 McDavid Street to Casey True (property owner) and to waive the curb, gutter and sidewalk variance application fee.

Councilman Freeman seconded the motion.

Mayor Evans called for discussion. No discussion

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

4. Discuss and/or act regarding potential conveyance of said property currently known as the Overton Baseball Park #2 to Overton Independent School District.

City Manager / Police Chief Carter presented a staff report explaining Overton Independent School District's intention to invest \$150,000 toward improvements to the Overton Baseball Park #2 which is currently leased to the School District by the City for \$1 per year. Carter stated that the Mayor and he had approached Superintendent DuBose to see if the School District would be open to the conveyance of the property to the School District in return for the School District's agreement to final plat the property.

Superintendent DuBose was present at the meeting to inform Council that the School Board had voted on Monday, July 16, 2018 to accept the offer of the property being conveyed to the School District for the cost of the property being final platted.

Mayor Pro Tem Posey made a motion (pending legal review of the deed for restrictions) to convey Overton Baseball Park #2 to Overton Independent School District pending the school district final platting the property at its cost which would be required prior to issuance of any building permit.

Councilman Williams seconded the motion.

Mayor Evans called for discussion. No discussion

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

5. Discuss and/or act regarding staff proposal to waive the formal permit valuation calculation for the Overton Baseball Park #2, Concession Stand / Restroom building permit fees.

City Manager / Police Chief Carter presented staff report recommending that the City waive the formal permit fee and instead just charge the Building Inspector fees for the proposed construction of the concession stand and restroom building to take place at the Overton Baseball Park #2.

Mayor Pro Tem Posey made a motion reduce the permit fee to actual costs to the City for the contract Building Inspector.

Councilman Freeman seconded the motion.

Mayor Evans called for discussion. No discussion

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

6. Discuss and/or act regarding a Resolution nominating candidate(s) for re-election to the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool.

Mayor Evans presented letter from TML-IRP requesting nominations for the Board of Trustees election. Evans stated that staff recommended nomination of the existing Board Members willing to serve another term.

Mayor Pro Tem Posey made a motion to approve Resolution 2018.07.19B as submitted nominating the incumbent Board Members for reelection.

Councilman Clark seconded the motion.

Mayor Evans called for discussion. No discussion

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

7. Discuss and/or act regarding a Resolution nominating a candidate to represent Region 15 for re-election to represent Region 15 on the Board of Trustees of the Texas Municipal League Intergovernmental Employee Benefits Pool (TML-IEBP).

Mayor Evans presented letter from TML-IEBP requesting nominations for the Board of Trustees election. Evans stated that staff recommended nomination of the existing Board Member willing to serve another term.

Councilman Williams made a motion to approve Resolution 2018.07.19C as submitted nominating the incumbent Board Member for reelection.

Councilman Stone seconded the motion.

Mayor Evans called for discussion. No discussion

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

8. Council to hear presentation and possibly act regarding use of Gordian (job order contracting service).

Byron Jones, Gordian, presented a high-level presentation of the services offered by their company for helping municipalities save time and money on the procurement process of services and contractors for various projects and jobs.

Mayor Pro Tem Posey made a motion to approve the use of the Gordian Job Order Contracting Service as presented.

Councilman Clark seconded the motion.

Mayor Evans called for discussion. No discussion

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

VII. CITY ADMINISTRATION'S MONTHLY REPORTS

1. Emergency Services Monthly Reports
 - a. Fire Department
 - b. *Champion EMS – this item covered earlier in the meeting*
 - 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

City Manager / Chief Carter presented and answered questions regarding the departmental reports.

VIII. ADJOURNMENT

Councilman Williams made a motion to adjourn.

Councilman Clark seconded the motion.

Mayor Evans called for a vote.

Motion carried with a vote of 5 – 0.

With no further business, the meeting was adjourned at **8:42 PM**

Minutes submitted, approved and/or corrected this **16th day of August, 2018.**

CITY OF OVERTON


 C. R. Evans, Jr. Mayor

ATTEST:


 Rachel Gafford, City Secretary



Action Items:

- A. CA2018.07.19A – Approval of Quit Claim Deed to abandon and convey a portion of McDavid Street to Casey True (property owner of 208 McDavid Street).
- B. CA2018. 07.19B - Approval of Quit Claim Deed to deed 13 acres of land known as the Overton Baseball Park #2 to Overton Independent School District.
- C. CA2018-07.19C – Approval of waiver of formal permit fees for Overton Baseball Park #2 renovation project for Overton Independent School District.
- D. Resolution No. 2018.07.19A – Reschedule of September 2018 Regular Council Meeting
- E. Resolution No. 2018.07.19B – TML-IRP Board of Trustees Nomination.
- F. Resolution No. 2018.07.19C – TML-IEBP Board of Trustees Nomination.
- G. CA2018.07.19D – Approval of use of Gordian Contracting Services.