

**REGULAR CALLED CITY COUNCIL MEETING
FEBRUARY 21, 2019**

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD **FEBRUARY 21, 2019 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, Wendy Bates, City Controller, Gabe Wallace, Police Captain and Rachél Gafford, City Secretary representing staff. Stephen DuBose, Overton I.S.D, Scott Cargill, Champion EMS, Kelvin Darden, K. Darden Lawn Care and Jim Hamblen, Phillip Sully, Michelle Williams and Mike Williams representing the public.

A. CALL TO ORDER - Mayor Evans called the meeting to order at 7:01 p.m.

1. *Invocation was given by Mayor Pro Tem Posey.*
2. *Pledge of Allegiance of the U. S. Flag was led by Councilmember Stone and the pledge to the Texas Flag was led Mayor Evans.*

B. PRESENTATIONS & ANNOUNCEMENTS

Stephen DuBose, Overton ISD Superintendent, gave a brief presentation to Council regarding the proposed North Texas Career and Technology Education Center scheduled to debut in fall of 2019 and will be located at 1304 South FM 2089 in Overton, Texas. The Center will be a joint effort between Arp ISD, Carlisle ISD, Leverett's Chapel ISD, Overton ISD and West Rusk ISD and will have higher education partnerships with UT Tyler, UT Austin and Kilgore College with no cost to Overton ISD students.

C. PROCLAMATION / RECOGNITION / APPOINTMENTS

Mayor skipped the item to consider nominations for appointments for Planning & Zoning Commission and the Overton Economic Development Corporation open positions and there were no proclamations or recognitions items listed on the agenda.

D. CITIZEN FORUM - No one spoke.

E. 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. City Council to review, make possible corrections and approve minutes from a Regular Called Meeting of the City Council on January 17, 2019.

Councilmember Williams made a motion to approve the consent agenda as submitted.

Councilmember Stone seconded the motion.

Motion carried 5 – 0.

F. BUSINESS

1. Presentation of Emergency Management Services monthly reports.
 - a. Christus EMS report
 - b. Overton Volunteer Fire Department report

Scott Cargill, Christus EMS, presented the previous monthly EMS report for Council Review.

Mayor Evans skipped to Agenda Item #3.

3. Consider action on a Resolution to change the date of the April Regular Called Meeting.

Mayor Pro Tem Posey made a motion to approve Resolution No. 2019.02.21A as submitted.

Councilmember Williams seconded the motion.

Motion carried 5 – 0.

The following is a caption of the adopted Resolution:

RESOLUTION NO: 2019.02.21A

A RESOLUTION OF THE CITY OF OVERTON, TEXAS, RESCHEDULING THE APRIL 2019 REGULAR CITY COUNCIL MEETING FROM THURSDAY, APRIL 18, 2019 TO THURSDAY, APRIL 25, 2019.

4. Consider action on a Resolution to ratify the OMDD approval of funding Joshua Davis Eagle Scout Project for replacement foot bridge in the Overton Municipal Park.

Mayor Pro Tem Posey made a motion to approve Resolution No. 2019.02.21B as submitted.

Councilmember Williams seconded the motion.

Motion carried 5 – 0.

The following is a caption of the adopted Resolution:

RESOLUTION NO: 2019.02.21B

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS RATIFYING THE FUNDING BY THE OVERTON MUNICIPAL DEVELOPMENT DISTRICT (OMDD) OF EAGLE SCOUT PROJECT AS PRESENTED BY JOSHUA DAVIS FOR A NEW BRIDGE AND REPAIR OF TWO BRIDGES IN THE OVERTON MUNICIPAL PARK FOR THE CITY OF OVERTON.

5. Consider action on a Resolution to approve loan refinancing of the EMS Building located at 110 – 114 N. Rusk Street and further authorizing the Mayor and the City Manager to sign the loan documents.

Councilmember Freeman made a motion to approve Resolution No. 2019.02.21C as submitted.

Councilmember Clark seconded the motion.

Motion carried 5 – 0.

The following is a caption of the adopted Resolution:

RESOLUTION NO: 2019.02.21C

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS AUTHORIZING THE EXECUTION OF A LOAN WITH TEXAS BANK AND TRUST THAT WILL REFINANCE THE EXISTING EMS BUILDING BALLOON NOTE LOAN TO A TEN (10) YEAR TERM LOAN WITH FIXED EQUAL MONTHLY PAYMENTS AND FURTHER AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE THE LOAN DOCUMENTS.

6. Consider action to award the Overton Municipal Cemetery Landscape Maintenance contract from received proposals opened February 15, 2019.

Mayor Pro Tem Posey made a motion to award the Overton Municipal Cemetery Landscape Maintenance RFP to K. Darden Lawn Care pending an agreement of contract terms can be reached between the city and the contractor. Expert Lawn Care is named as an alternate to award the contract to in the event that contract terms could not be reached with the K. Darden Lawn Care or if K. Darden Lawn Care is unable to fulfill the specified requirements as outlined by the contract.

Councilmember Williams seconded the motion.

Motion carried 5 – 0.

7. Consider action regarding quotes for asbestos survey and demolition of old dilapidated Golf Cart Sheds at 505 Lakeshore Drive which need to be demolished.

In regards to the Asbestos Survey Quotes received:

Mayor Pro Tem Posey made a motion to authorize staff to hire Brady Environmental to perform the Asbestos Inspection for the proposed demolition per the quote as submitted.

Councilmember Williams seconded the motion.

Motion carried 5 – 0.

In regards to the Demolition Quotes received:

Mayor Pro Tem Posey made a motion to authorize staff to hire American Safety & Environmental Services to demolish the Golf Cart sheds per the quote as submitted.

Councilmember Clark seconded the motion.

Motion carried 5 – 0.

At 7:43 p.m., Mayor Pro Tem Posey recused himself from the meeting and left Council Chambers.

8. Discuss and consider options for how to handle the portion of the 60' R.O.W of Front Street currently used as parking lot for 102 W. Henderson Street.

City Secretary Gafford presented documentation to Council regarding an easement that was granted to Brookshire Grocery Company (BGC) in 1972 for the use and construction of the existing parking lot on City owned R.O.W. at the above referenced property which reverted back to the City when BGC closed the store and opened the new Brookshires store at its current location. Gafford stated that the title search during the recent sale of the land and building to Dr. Silvertooth uncovered that the Pharmacy Drive through and the Catherine Building parking lot is on City property with no easement in place. Gafford stated that this item was on the agenda to merely inform Council this month of the history of the situation so that the when Dr. Silvertooth approaches Council to request an easement or a conveyance of said property that they were informed of the history as documented through Council Minutes.

Councilman Stone made a motion to discuss.

Councilmember Williams seconded the motion.

Motion carried 4 – 0; Mayor Pro Tem Posey recused.

After a brief question and answer session between Council and Staff the meeting resumed with no action taken on this item.

At 8:03 p.m., Mayor Pro Tem Posey returned to the dais.

9. Discuss and consider action regarding lease and / or sale options for the Golf Course property located at 505 Lakeshore Dr.

City Manager Carter and City Controller Bates presented a brief staff report with possible alternatives; however, staff recommended postponement of this item as staff had an opportunity to meet with a potential lessee for the property pending a proposal being submitted by the next Council meeting.

Councilman Stone stated that he would like to see the City find some way to keep the Golf Course property even if it was to convert it to a walking track and an extension of the existing City park. This property is a gem and once it is gone or sold the City will never be able to get that property back.

Councilman Freeman made a motion to postpone this item until the next Council Meeting.

Councilmember Clark seconded the motion.

Motion carried 5 – 0.

10. Consider action to authorize the purchase of lawn maintenance equipment and the addition of one full time person with benefits to staff for maintenance of the park and golf course property.

City Manager Carter and City Controller Bates presented a brief staff report with possible alternatives; however, staff recommended postponement of this item as staff had an opportunity to meet with a potential lessee for the property pending a proposal being submitted by the next Council meeting which will determine what equipment and staff may be needed if the golf course lease proposal falls through.

Councilman Freeman made a motion to postpone this item until the next Council Meeting.

Councilmember Clark seconded the motion.

Motion carried 5 – 0.

Mayor Evans then went back to Agenda Item #2.

4. Present revised meeting schedule for the City Council as updated February 18, 2019.
 - a. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.

No leave requests were received.

Mayor Evans requested a show of hands of which dates would be good to set a Special Called Meeting if needed March 5, 6 or 7th to meet with the potential lease for the Golf Course.

Mayor Evans set a proposed date of a Special Called Meeting for March 7, 2019 at 7 p.m. if needed.

G. CITY ADMINISTRATION'S MONTHLY REPORTS

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

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

1. Administration Monthly Reports
 - a. City Manager's Report
 - b. Police Department Report
 - i. Racial Profiling Report
 - c. Municipal Cemetery Report
 - d. Community Development Report
 - e. Public Works Department Report

No action taken.

City Controller Bates presented and answered questions regarding the following Finance department reports.

2. Finance Monthly Reports
 - a. City Controller's Report

- b. Accounts Payable Check Register
- c. Statement of Revenue and Expenditures by Fund
- d. Monthly Bank Statement

No action taken.

H. ADJOURNMENT

Councilman Clark made a motion to adjourn.

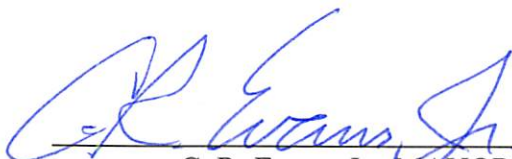
Councilman Freeman seconded the motion.

Motion carried 5 – 0.

With no further business, the meeting was adjourned at **8:44 p.m.**

Minutes submitted, approved and/or corrected this **21st** day of **March, 2019.**

CITY OF OVRTON



 C. R. Evans, Jr., MAYOR

ATTEST:



 Rachel Gafford, TRMC, CITY SECRETARY



Council Action Items:

1. Res. No. 2019.02.21A – Moving April Council Meeting Date
2. Res. No. 2019.02.21B – Ratifying OMDD funding of Eagle Scout project regarding Overton City Park Bridges
3. Res. No. 2019.02.21C – Authorizing refinancing the EMS Building Loan
4. CA2019.02.21A – Awarding of Cemetery Maintenance RFP to K. Darden Lawn Care
5. CA2019.02.21B – Awarding the Asbestos Inspection contract for 505 Lakeshore Dr. Golf Cart Sheds to Brady Environmental
6. CA2019.02.21C – Awarding the Demolition contract for 505 Lakeshore Dr. Golf Cart Sheds to American Safety & Environmental Services