



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

CITY COUNCIL REGULAR MEETING MINUTES JANUARY 21, 2021 7:00 p.m.

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD JANUARY 21, 2021 AT 7:00 PM IN THE COUNCIL CHAMBERS, CITY HALL, 1200 SOUTH COMMERCE, OVERTON, TEXAS.

<u>NAME</u>	<u>POSITION</u>	<u>ATTENDED</u>
C. R. Evans Jr.	Mayor	Y
Josh Hill	1	Y
John Posey (Mayor Pro-Tem)	2	Y
Lane Schurbon	3	Y
Reggie Thompson	4	Y
Michael Paul Williams	5	Y

Staff in attendance were Interim City Manager/Police Chief Clyde Carter, Captain Gabe Wallace, and Sr. Finance/UB Clerk Wendy Bates.

A. CALL TO ORDER – Mayor Evans called the meeting to order at 7:00 p.m.

1. Invocation was led by Mayor Pro-Tem Posey.
2. Pledges of Allegiance were led by Councilmember Thompson.

B. PUBLIC FORUM

Monty Ward, 532 Kingsway, informed the Council of his high water bill. He was told by staff that he must have a water leak to which he disagrees. Mr. Ward made a social media post and he said there seems to be other citizens with the same problem. He requested there be an action item on the next meeting agenda to discuss the findings, outcomes, and factual information of what caused his increase. He understands the concept of doing more with less; however, this can cause future problems which is not fair to the employees or the citizens.

Jean Beth Hamblin, 702 E. Henderson St., addressed the Council about a grave that was dug in the wrong place for a funeral at the City Cemetery. Ms. Hamblin asked several questions. Who oversees cemetery activities? Who is in charge of the cemetery maintenance? Trash cans are left continuously by the street or hidden behind the brick poles. She stated she picked up trash because she wanted the premises to be presentable for the funeral. Who is responsible for keeping up the sign that the Posey's so generously donated? The information on the sign was old and she questioned who was in charge. There is a house on Henderson Street past the cemetery and VFW Hall makes her feel sad because she feels like the City is being an enabler by allowing a human to live in a house that is inhabitable. She also complained about a mattress down from the house that has been there for at least six months and this is unhealthy. These are problems that need to be addressed. Her last question is whether the audit will ever be done.

C. CONSENT AGENDA

1. Act on the approval of the minutes from the December 17, 2020 Regular Called Council Meeting.
2. Act on the approval of the minutes from the January 12, 2021 Special Called Joint Council Meeting.



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

3. Act on the approval the reappointment of Robert Loftice, Tamela Morgan, and Cheryl Gardner to the Overton Housing Authority's Board of Commissioners from January 1, 2021 to December 31, 2022.

Motion to approve made by Mayor Pro-Tem Posey, seconded by Councilmember Williams. Councilmember Hill asked about the minutes from last month regarding the issue Ms. Shirley Shaw brought to the Council during the public forum. Councilmember Hill asked Interim City Manager/Police Chief Carter if the City has done anything to confirm, deny, or investigate the issue. Chief Carter answered that the police department is currently investigating it but there is another pending case relating to this subject.

Councilmember Schurbon stated that he has been on Council for about three months now and has not seen any Code Compliance reports in any of the agendas. Mayor Evans explained there was not one given this time. Interim City Manager Carter stated that he will address it with the Code Compliance Officer, and he will make sure one is produced for Council.

Mayor Evans asked for a vote. Motion carried 5-0.

D. BUSINESS

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

Interim City Manager Carter informed the Council that ambulance services have been running slow due to COVID. Christus representative Brian Wilkinson asked Mr. Carter to have the Council pick out which calls they wanted explanation about, and he would be happy to provide details. Mayor Evans would like any response that took over 15 minutes to be explained.

2. Mayor's update on the first 2021 Texas Parks & Wildlife Recreational Trails Grant Committee meeting.

Mayor Evans explained that the OEDC and OMDD have met and approved their part of the 20% match. Each board agreed to a match of up to \$35,000 for their portion of the match.

3. **DISCUSS AND TAKE ACTION** to accept nominations and appoint a new member to fill a vacancy on the Planning & Zoning Commission.

Mayor Evans explained that when Councilmember Schurbon was voted onto the Council, he automatically was removed from the Planning & Zoning Commission. There is one applicant to fill the vacancy, which is Allen Tolbert.

Councilmember Hill made the motion to nominate Allen Tolbert to the Planning & Zoning Commission, seconded by Councilmember Thompson. Carried 5-0.

4. **CONSIDER AND/OR ACT** on Resolution 2021:01:21A approving the election of new officers of the Overton Volunteer Fire Department for the 2121 calendar year.

Mayor Pro-Tem made a motion to table, seconded by Councilmember Schurbon. Carried 5-0.

5. **CONSIDER AND/OR TAKE ACTION** to approve a new engine in the 2007 Ford F-450 Crane Utility Truck.

Councilmember Thompson made a motion to direct staff to research replacing the truck as opposed to replacing the engine because the engine quotes are as much as the value of the truck and to gather quotes to replace the truck in the fleet. Mayor Evans asked for the motion to be clarified. Councilmember Thompson made the motion to not replace the engine in the 2007 Ford F-450 but instead have staff gather quotes to replace the truck altogether, excluding the bed and the crane: just the truck. Councilmember Thomson explained the engine quotes and stated the quotes were not clear and he would feel uncomfortable choosing any of them, Mayor Pro-Tem Posey agreed.



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

Councilmember Schurbon also agreed that the quotes were not apples to apples. Councilmember Hill stated that the truck sat for months unused and he wondered if the truck was really a necessity. He suggested selling the truck and simply rent one when needed. Councilmember Thompson agreed with Councilmember Hill and also asked if it was really a necessity. Mayor Pro-Tem Posey stated that when the City purchased the truck, it costs an exorbitant amount to pull a pump. Interim City Manager Carter stated that it costs the City \$1,000 to \$1,200 every time a pump needs to be pulled. Councilmember Thompson opined that the City of Overton does not need a diesel truck because when there is a catastrophic failure like this, it costs the City five times as much to repair it.

Mayor Evans called for a vote on Councilmember Thompson's, seconded by Mayor Pro-tem Posey and was carried 5-0.

6. Mayor discussion regarding *Council Rules & Procedures*, Section 12.

Mayor Evans explained that he hopes this is the last time he has to read this. This section is regarding Conflict of Interest. He then read the section out loud.

E. FUTURE MEETINGS

1. Present revised upcoming meetings and events schedule.
2. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.

F. CONVENE TO EXECUTIVE SESSION

The Overton City Council will convene in an Executive Session to discuss the following matters as authorized by §551.074 of the Texas Government Code – regarding personnel matters including the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

1. City Council to deliberate regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of the Police Chief position.

Council exited open session and convened into executive session at 7:39 p.m.

G. ACTION ON ITEM(S) DISCUSSED IN EXECUTIVE SESSION

1. City Council to take action deemed appropriate in the City Council's discretion as a result of the executive session regarding a) the employment, evaluation, reassignment, duties, discipline, or dismissal of the Police Chief position.

Council reconvened into open session at 8:40 p.m.

Mayor Evans announced that Council will be interviewing six candidates for police chief on February 4 and 5 at 6:30 and on February 6 at 4:00 p.m. There is a possibility there will be a decision on February 6, 2021 after the interviews are completed.

H. CITY ADMINISTRATION'S MONTHLY REPORTS

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

1. Administration Monthly Reports



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

- a. City Manager's Report
- b. Police Department Report
- c. Code Compliance/Enforcement Report
- d. Municipal Cemetery Report
- e. Community Development Report
- f. Public Works Department Report

Interim City Manager Carter informed the Council that the OEDC tree-trimming project is complete. The Overton Reconstruction Group installed guardrails on the east side of Front Street. The west side still needs to be installed and called for volunteers.

Mayor Evans explained there were no reports for the Code Compliance, Cemetery, Community Development, and Public Works. He further explained that Council should not expect any reports on Community Development until there is someone involved in it unless the Planning & Zoning Commission meets and presents an issue to the Council.

Councilmember Hill asked if staff could break down the daily activity lists. Interim City Manager/Police Chief stated that he and Captain Wallace will get with the software company about the reports. Councilmember Hill then stated that there were 181 calls for the month of December yet there were only 21 reports were done. He asked Mr. Carter if the City has policies for documentation purposes because he finds it strange to only have 21 reports out of 181 calls. Mr. Carter explained that staff can type notes into CAD (Computer Aided Dispatch) versus writing actual reports. Councilmember Hill then stated the City clearly has a problem with the number of possession of marijuana misdemeanors. He then stated that the City has much greater problems than marijuana. He asked Interim City Manager Carter if the police department has any programs, incentives, or does the department do stings because he cannot believe that there were only six arrests in a month with a 24-hour patrol. He then asked if the police department does any sting operations or undercover buys to target the City's drug problem. Interim City Manager Carter stated that they have worked in the past with the Sheriff's department with that because everyone here knows the City's officers.

Councilmember Schurbon asked about the Code Compliance Report. Interim City Manager Carter explained that he knows that the house in question from Ms. Hamblin has received multiple citations. There was discussion regarding the process and issuing warrants. Councilmember Hill spoke about the living conditions and questioned why if the house needs to be condemned, the City is allowing the citizen to build fires every night. He then stated that staff is issuing citations to other citizens for less important issues and he feels like this is a double standard. Councilmember Hill then asked what the next step was for enforcement. Interim City Manager Carter answered that if the City forces the resident to vacate, the City is financially responsible for the relocation. There was discussion regarding housing programs to help relocate residents that live in such conditions. Councilmember Hill stated that if the City is going to continue writing tickets to some and not all that are not complying with the Code, then maybe Code Compliance needs to be discontinued.

2. Finance Monthly Reports
 - a. Finance Director's Report
 - b. Statement of Revenues & Expenditures for October & November 2020
 - c. Accounts Payable Check Register
 - d. Monthly Bank Statement

Mayor Evans stated he had a hard time finding where payroll is reflected in the Statement of Revenues & Expenditures. Sr. Finance/UB Clerk Wendy Bates explained that payroll is reflected in each department's line item that ends in 5000. Further discussion ensued about the multiple ways of running financial reports.

Councilmember Schurbon questioned the payments to Tyler Technologies. Sr. Finance/UB Clerk Wendy Bates explained that this is the City's new accounting software. Staff is still finalizing some of the payments



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

for the conversion and the production assistance. They bill for services as they occur. She explained that while the City is live on the software, staff is still finalizing some of the training. She explained that this is not additional training, it is part of the original contract. Councilmember Schurbon asked how many more payments we have to Tyler Technologies. Ms. Bates stated she could not answer that question because staff made contract changes to delete unnecessary modules to save money. At this time, the cemetery module has not come online. There will be charges for this service when the conversion begins.

Councilmember Thompson asked Ms. Bates if this is what staff spent for December. Ms. Bates answered yes. He specifically asked about the amount spent in total for equipment maintenance. Ms. Bates explained that the expense would be shown in the department where it was incurred. There was discussion on the low amount of maintenance expenses for equipment for one month.

Mayor Pro-Tem Posey asked if staff applied for COVID-19 expenses. Ms. Bates answered yes. There was discussion about the budget for COVID expenses, the allowable and percentages of expenses according to the grant, and future budget amendments related to COVID grant revenue and expenses.

Mayor Pro-Tem Posey asked about the negative amount in Capital Outlay. Ms. Bates explained the budget and the financial software related to timing to which fiscal year the expenditures would hit.

Mayor Pro-Tem asked about the water meter reading software line item that was not budgeted. Ms. Bates explained she will have to get with Finance Director Sherry Roberts about it because this is a new line item. She explained that she believes it was budgeted elsewhere and needs to have a budget adjustment to move to the new line item.

Councilmember Schurbon asked if the \$50,000 90-day short term loan was repaid. Interim City Manager Carter answered yes.

Councilmember Thompson asked about the audit fees and inquired about the status of the audit. Ms. Bates answered that there is one last adjusting entry that Financial Director Sherry Roberts needs to complete. Councilmember Thompson asked when staff expects to be completed with the adjusting entries. Ms. Bates explained that there have been a lot of conflicting deadlines.

Councilmember Williams asked about a motor change out at the well for \$19,000. Interim City Manager Carter answered that this was the Well #5 pump that burned out and he hopes the warranty will reimburse the City \$10,000 but may take several months to receive.

CONSIDER AND/OR ACT on Resolution 2021.01.21A approving the election of new officers of the Overton Volunteer Fire Department for the 2021 calendar year.

Mayor Pro-Tem Posey made a motion to take item #4 off the table, seconded by Councilmember Thompson. Carried 5-0.

Interim City Manager Carter explained that Council normally approves the election of new officers; however, this year, the Council is only going to approve the Fire Chief and let the fire department choose their own officers.

Motion to approve the Fire Chief only made by Councilmember Thompson, seconded by Councilmember Hill. Carried 5-0.

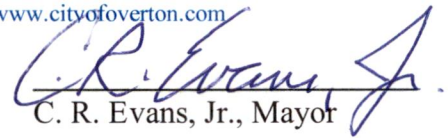
I. ADJOURNMENT

Motion to adjourn at 9:19 p.m. made by Mayor Pro-Tem Posey, seconded by Councilmember Hill. Carried unanimously.

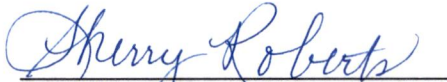


CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com


C. R. Evans, Jr., Mayor

ATTEST:


Sherry Roberts, TRMC
Interim City Secretary

