



CITY OF OVERTON

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

CITY COUNCIL MEETING MINUTES OCTOBER 21, 2021

MINUTES OF THE REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT WAS HELD OCTOBER 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
Chris Hall	2	Y
Curtis Gilbert	3	Y
Reggie Thompson	4	Y
Michael Paul Williams	5	Y

- I. **Call to Order** at 7:00 p.m.
- II. **Invocation** was given by Councilmember Gilbert
- III. **Pledge of Allegiance** was given by Councilmember Williams

Councilmember Thompson showed up at 7:49 p.m.

IV. **Citizen/Customer Requests**

Judge Carolyn Walters, P.O. Box 47, New London, Texas thanked Mayor Evans for his years of service with the City of Overton. She talked about being appointed in 2013 and gave an update on the office of the Municipal Court. Lastly she asked if there was any money in her budget and if not, where is it.

Misty Rhodes of 302 E Henderson St, Overton, Texas spoke to the Council about a plot that was sold to her that had been previously sold to someone else. Because of this mistake on the part of the City Ms. Rhodes had to move her father to another plot. She is out \$3,051.00 and would like to be refunded this money.

Original Plot and Fees	\$1,196.00
Headstone Deposit Refund	-100.00
Total that needs to be refunded for plot	\$1,096.00
Expense to move body to new plot	1,705.00
Expense to move headstone to new plot	<u>250.00</u>
Expense to move headstone to new plot	\$3,051.00

Faithe Jackson of 704 N Sherwood Drive, Overton, Texas presented a check to the Council in the amount of \$500.00 (which will go into the General Fund). She did not want to use the money on campaign signs and since the City is in debt, she decided to donate that money back to the City.

V. Public Forum

Robbi Carnes 512 Kingsway, Overton, Texas 75684

Spoke about donation to city/Council/Finances/Audits/Penalties with TCEQ

VI. Community Development Case

Council was seated as the Zoning Board of Adjustment at 7:28 pm

Public Hearing items were opened at 7:28

Laurie Kaczmarek presented Eli Hernandez's request for a Variance recommending approval of the plat making it specific to La Hacienda with the requirement of sanitary sewer and water plans, drainage plans, grading plans and no hazardous materials on site be turned in.

Robert Haberle with Schaumburg & Polk, Inc. was present to answer any questions and spoke about the current situation of the Ordinance with the City of Overton. Mr. Hernandez was granted a Variance from the platting requirements with the plan that sanitary sewer and water plans, drainage plans, grading plans and no hazardous materials on site be met before construction.

Motion to approve with above conditions was made by Councilmember Gilbert, seconded by Councilmember Hall. Carried 5-0 Councilmember Thompson was not present for the vote.

Public Hearing was closed at 7:44 pm.

Council was reseated as the City Council at 7:44 pm.

VII. Consent Agenda

- A. Consider approval of the following minutes: September 21, 2021
- B. Consider and/or act on permission for the Annual Christmas Parade on November 29, 2021. Route to be determined after consultation with Overton Police Department.

- C. Consider and/or act on permission for the Overton Classic Car Show at the Overton City Park on November 6, 2021.
- D. Consider and/or act on a Resolution designating an official newspaper for the City of Overton for Fiscal Year 2021-2022.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS DESIGNATING THE TYLER MORNING TELEGRAPH AS THE OFFICIAL NEWSPAPER FOR THE CITY OF OVERTON, TEXAS AND THE HENDERSON NEWS AS THE OFFICIAL SUPPORT NEWSPAPER OF THE CITY OF OVERTON, TEXAS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

- E. Consider and/or act on a Resolution and Settlement Participation in an Opioid Suit against Johnson and Johnson and three (3) opioid distributors.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS JOINING WITH THE STATE OF TEXAS AND POLITICAL SUBDIVISIONS OF THE STATE AS A PARTY IN THE TEXAS OPIOID SETTLEMENT AGREEMENTS SECURED BY THE OFFICE OF THE ATTORNEY GENERAL; AUTHORIZING THE EXECUTION OF SETTLEMENT PARTICIPATION FORMS; AND ESTABLISHING AN EFFECTIVE DATE.

- F. Consider and/or act on a Resolution Adopting the Rusk County 2021 Multi-Jurisdictional Hazard Mitigation Plan.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS ADOPTING THE RUSK COUNTY 2021 MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

A motion was made to approve the Consent Agenda by Councilmember Gilbert and seconded by Councilmember Williams. Motion carried 4-0. Councilmember Thompson was not present for the vote.

VIII. Future Meetings

A. Present upcoming meeting and events schedule

1. City Council Regular Meeting – November 18, 2021 at 7:00 p.m.

B. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.

Councilmember Hill stated he will be absent for this meeting.

A motion was made by Councilmember Williams to excuse Councilmember Hill and seconded by Councilmember Hall. Motion carried 4-0. Councilmember Thompson was not present for the vote.

IX. City Administration's Monthly Reports

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

- A. Administration Monthly Reports
 - a. Police Department Report
 - b. Christus EMS report
 - c. Overton Volunteer Fire Department report

- B. Finance Monthly Reports
 - a. Income Statement
 - b. A/P Payment Report
 - c. Monthly Bank Statement
 - d. Sales Tax Report

Interim City Manager, Shane West reported on Finance items.

X. 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.

- A. City Council to deliberate regarding the employment, evaluation, reassignment, duties, discipline or dismissal of the

Organizational Chart
City Secretary
City Manager

Council entered into Executive Session at 7:59 pm.

XI. Action On Item(s) Discussed in Executive Session

Council reconvened into open session at 9:21 pm.

A. City Council to take action deemed appropriate.

No action was taken at this time regarding restructure of the Organizational Chart.

Councilmember Williams made a motion to give the City Secretary a raise to \$49,920 as a result of a 90-day probation period. Seconded by Councilmember Gilbert. Motion carried 5-0

B. Consider and/or act on hiring Shane West as the City Manager for the City of Overton – Chris Hall, City Council Member Place 2.

Councilmember Hall made a motion to make Shane West the Overton City Manager. Seconded by Councilmember Gilbert. Motion carried 4-1 with Councilmember Hill opposing.

XII. Adjournment

A motion to adjourn was made by Councilmember Gilbert and seconded by Councilmember Thompson. Motion carried 5-0.

Adjourned at 9:30 pm.

Curtis Gilbert

Curtis Gilbert
Mayor

ATTEST:

Laurie Kaczmarek

Laurie Kaczmarek
City Secretary

