



**NOTICE OF MEETING
OF THE GOVERNING BODY
OF THE
CITY OF OVERTON, TEXAS**

Notice is hereby given that the Regular Called Meeting of the above named City Council will be held on the 17th day of November, 2016 at 7:00 P.M. at City Hall Council Chambers, 1200 South Commerce Street, Overton, Texas.

AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge Of Allegiance

II. CANVAS GENERAL ELECTION

1. City Council, acting as the Canvassing Board to Canvas the General Election held on November 8, 2016.
2. City Council to consider and/or take action on **Resolution No. 2016-11-17A**; a Resolution to canvass votes of the November 8, 2016 General Election and proclaim the following members of City Council duly elected.
3. Presentation of Certificates of Election.

III. 2016 GENERAL Election

1. Administration of the "Statement of Officer" & swearing in of duly elected City Council Members.
2. Election of Mayor *Pro Tempore*.

IV. CITIZEN FORUM

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. 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 following regular agendas. 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. Each citizen is allowed three (3) minutes.

V. CITIZEN'S REQUEST

1. Request by Jason and Cassidy Boothe to be allowed to keep a bench at Jaxen Boothe's (their son) grave.
2. Jerome Lacy, on behalf of Triple Alliance Enterprises, Inc. and Legacy Funeral Home, request that the Application Fee of \$150.00 fee be waived and refunded for Zoning Board of Adjustment Variance Application No. 2017-01 (ZBA2017-01) Parking Variance Request to reduce the number of required parking spaces as prescribed by the City of Overton Zoning Ordinance.

VI. 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 October 20, 2016.

VII. PUBLIC HEARING

OPEN PUBLIC HEARING

1. The City Council acting as the Zoning Board of Adjustment; to hear public comment and consider taking action regarding the request of Jerome Lacy, on behalf of Triple Alliance Enterprises, Inc. and Legacy Funeral Home, for a variance from the City of Overton Zoning Ordinance regarding parking regulations as outlined in Section 15 (12) of the City of Overton Zoning Ordinance. Specifically, applicant is requesting to reduce the required number of parking spaces for the proposed funeral home from fifty (50) parking spaces to seven (7) parking spaces, a variance of forty-three (43) parking spaces. The subject property is a 1.257 acre tract of land that is legally described as Part of Lot 12, Block 134, Original City of Overton, Rusk County, Texas and is more commonly referred to as 1000 South Commerce Street, Overton, Texas.
 - a. Staff presentation of Parking Variance Application ZBA2017-01.
 - b. Council to receive Public comments

CLOSE PUBLIC HEARING

- a. Council to take action on Parking Variance Application ZBA2017-01.

VIII. EXECUTIVE SESSION

1. City Council to retire to Executive Session to consider legal action concerning an appeal by MTC Corporation to the Public Utilities Commission concern objections to a utility rate increase that was imposed by passage of **Ordinance 2016-05-19B** on July 14th, 2016.

IX. OLD BUSINESS

1. Present revised meeting schedule for the City Council as updated November 14, 2016.
 - a. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings
2. City Council to hear, review, discuss and consider first reading of **Ordinance No. 2016-12-15A**, an Ordinance of the City Council of the City of Overton, Texas which shall replace Chapter 90, Sections 90.01, 90.02, 90.03, 90.10, 90.11, 90.12, 90.13, 90.14, 90.15, 90.16, 90.17, 90.18, 90.19, 90.20; repeal Chapter 90, Sections 90.21, 90.22, 90.23, 90.24, 90.25, 90.26, 90.27, 90.28, 90.29, 90.30, 90.40, 90.41, 90.42, 90.50, 90.51, 90.60, 90.61 in their entirety, and amend the following sections of Chapter 90 as amended as listed herein: 90.77(E), 90.77(F), 90.80(8) , 90.81, 90.82, 90.84; as relating to the Permit Requirements, Permitting Procedures, Construction Codes Adopted, Construction And Inspection Activities within the corporate limits of the City of Overton, Texas, and enforcement of Building Provisions as provided in said codes; containing a severability clause, providing for a penalty of up to

\$2,000.00 (as defined in Appendix B "Schedule of Fines" of the Overton Code of Ordinances) for violation of this Ordinance and providing for publication and for an effective date.

X. NEW BUSINESS

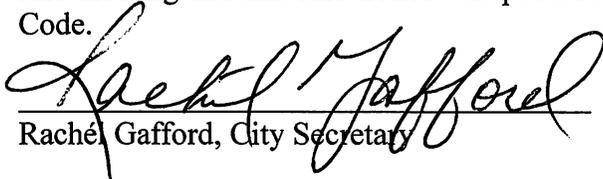
1. Consider and/or take action on approving the selection of an ad hoc Committee made up of a member of the City Council, one member of the OMDD and one member of the OEDC to consider and evaluate Qualifications of three Engineering firms who submitted statements of said qualifications to the City, for consideration as the Appointed Engineering Consultant Firm to work with City Staff to define a project area and develop specifications for a CDBG application and if successful in securing a grant, coordinate the bidding, evaluate the bids of Contractors and supervise construction of the Project funded by a Community Development Block Grant (CDBG) in 2017.
2. Consider and/or take action on approving **Resolution No. 2016-11-17B**, a Resolution to select Traylor and Associates to assist the City in applying for a CDBG Grant and if successful in being awarded a grant, entering into a contract with them to provide grant administration services to the City.
3. Consider and/or take action on approving **Resolution No. 2016-11-17C**, a Resolution authorizing the taking of bids for the sale of a 0.261 acre tract of land owned by the City of Overton, Tax Foreclosed Property, being legally described as Lots 22, 23, 24 and West 3.3 Lot 21, Block 135, Original City of Overton and more commonly referred to as 210 E. Henderson Street, Overton, Rusk County, Texas.

XI. CITY ADMINISTRATION'S MONTHLY REPORTS

4. Fire Department Monthly Report
5. Police Department Monthly
6. Department of Finance Monthly Report
7. City Secretary's Monthly Report
8. City Manager's Monthly Report

XII. ADJOURNMENT

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 **14th day of November, 2016** at 05:00 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:

By:

Rachél Gafford, City Secretary