

April 26, 2021

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF OLNEY, TEXAS

6:00 P.M.

The City Council of the City of Olney, Texas, met Monday, April 26, 2021, at 6:00 P.M. Those present were: Mayor Rue Rogers, Mayor Pro-Tem Tom Parker, Councilmembers Phil Jeske, Tommy Kimbro, Chuck Stennett, and Terri Wipperman. Absent: None. Staff Present: City Administrator Neal Welch, Chief of Police Dan Birbeck, Assistant City Administrator Arpegea Pagsuberon, City Secretary Tammy Hourigan and City Attorney William Myers. All agenda items were subject to action. Meeting was broadcast and recorded online using GoToMeeting.com in accordance with Open Meetings Laws guidance during COVID-19 Pandemic Disaster.

Mayor Rogers called the meeting to order at 6:00 P.M.

CALL TO ORDER

Councilmember Wipperman gave the invocation.

INVOCATION

There were no citizens present during the Citizen Comment Period.

CITIZEN COMMENT
PERIOD

Mayor Rogers entertained a motion to adopt the minutes from April 12, 2021 as written. Mayor Pro-Tem Parker made said motion, and Councilmember Wipperman seconded. Council voted unanimously to approve the minutes.

CONSIDER APPROVAL OF
MINUTES FROM
PREVIOUS MEETING(S)

Mr. Wiley Hughey previously presented to the Council that Air Tractor has purchased a company manufacturing a critical single-source part for their agricultural aircraft. The prior Lease Agreement with Brazos Truck & Auto stated that there was to be an increase in employees, going forward there is no requirement for new tenant. The proposed Air Tractor Lease for the property at 302 East Elm Street will commence on May 1, 2021 for a term of 24 months. Mayor Rogers entertained a motion to adopt the Lease of 302 E. Elm Street to Air Tractor. Mayor Pro-Tem Parker made said motion and Councilmember Stennett seconded. Councilmember Jeske abstained. Council voted unanimously to approve the Lease.

CONSIDER EXECUTING
LEASE OF BRAZOS
TRUCK & AUTO BUILDING
(302 E ELM ST) TO AIR
TRACTOR

Mr. Welch presented information pertaining to Resolution #R4-21. On April 5, 2021 Texas-New Mexico Power Company ("TNMP") submitted an Application for Approval of a Distribution Cost Recovery Factor ("DCRF") to increase its annual revenues by approximately \$13.96 million. TNMP proposes to implement this increase on September 1, 2021. TNMP filed its Application of Approval for a DCRF with the City on the same date it filed its application with the Public Utility Commission of Texas. It is important to participate in the Commission's proceeding because the final decision will impact rates within the City. The recommendation was made to retain the law firm of Herrera Law & Associates, PLLC to represent the City. Mayor Rogers entertained a motion to adopt Resolution #R4-21 to deny TNMP DCRF rate increase and to retain the law firm of Herrera Law & Associates. Councilmember Kimbro made said motion and Councilmember Wipperman seconded. Council voted unanimously to approve Resolution #R4-21 and retain the law firm of Herrera Law & Associates.

CONSIDER RESOLUTION
TO DENY TNMP DCRF
RATE INCREASE
REQUEST

Mr. Welch presented information pertaining to entering into an Interlocal Agreement with SHARE. North Texas SHARE is a cooperative purchasing program created by the North Central Texas Council of Governments (NCTCOG). The process as to whether documents would be re-created or on a "go forward" basis was discussed. Mr. Welch stated that no re-creation of documents had been discussed. Mayor Rogers entertained a motion to authorize City Administrator Neal Welch to execute Interlocal Agreement with SHARE. Councilmember Stennett made said motion and Councilmember Jeske seconded.

CONSIDER AUTHORIZING
CITY ADMINISTRATOR TO
EXECUTE INTERLOCAL
AGREEMENT WITH
SHARE

The purchase and use of USTI/ASYST handheld devices to read meters was discussed. Mayor Pro-Tem Parker inquired as to the ability of the devices to interact with GPS, populate the acquired data and map the exact locations of the meters. USTI will be contacted to obtain the additional information and pricing. Mayor Rogers also requested that cell phone applications and costs be explored. He stated that this would possibly be more cost effective. Various applications and phone interaction information will be obtained. No action was taken at this time.

DISCUSS USTI/ASYST
HANDHELD DEVICES TO
READ METERS

Mayor Rogers announced that pursuant to Section 551.072 of the Texas Government Code the City Council would enter Executive Session at 6:18 P.M. for the purpose of discussing the City Attorney position.

EXECUTIVE SESSION:
REVIEW AND DISCUSS
CITY ATTORNEY POSITON

Council reconvened in regular open session at 7:47 P.M.

Mayor Rogers entertained a motion to approve the agreement set forth by City Attorney Myers. Councilmember Stennett made said motion. Councilmember Jeske seconded. Council voted unanimously to approve the agreement.

ANY ACTION AS A
RESULT OF THE
EXECUTIVE SESSION

Mayor Rogers entertained a motion to approve the agreement set forth by Attorney Branum. Councilmember Wiperman made said motion. Councilmember Kimbro seconded. Council voted unanimously to approve the agreement.

Chief Dan Birbeck and Police Officer Hudson swore in Daryl Bell as Police Officer for the City of Olney. Chief Birbeck stated that the Police Department is now fully staffed. Chief Birbeck presented information concerning Senate Bill 2224 which will allow the permit less carry of handguns. Chief Birbeck also presented a letter received from a couple that experienced a traffic stop on 04/20/21 conducted by Police Officer Hudson. They commented on his professionalism and his handling of the incident. To show their appreciation they sent a \$200.00 check for a donation to National Night Out.

DISCUSS OTHER
COUNCIL MATTERS-
ITEMS OF CONCERN TO
MEMBERS OF THE CITY
COUNCIL

Mr. Welch stated that one of the rotary assemblies at the Wastewater plant would have to be replaced at a cost of \$42,000.00. It has been ordered and will be installed upon arrival.

Arpegea Pagsuberon stated that she is continuing to receive the quotes for the phone system update.

There being no further business to come before the Council, the Council adjourned by consent at 8:00 P.M. ADJOURNMENT

ATTEST:

City Secretary