

September 27, 2021	MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF OLNEY, TEXAS	5:00 P.M.
<p>The City Council of the City of Olney, Texas, met Monday, September 27, 2021 at 5:00 P.M. Those present were: Mayor Rue Rogers, Mayor Pro-Tem Tom Parker, Councilmembers Brad Simmons, Harrison Wellman, , Terri Wipperman and Chuck Stennett. Staff Present: Interim City Administrator Arpegea Pagsuberon, Chief Dan Birbeck, Officer Dustin Hudson, City Secretary Tammy Hourigan, Public Works Director K.C. Blassingame, City Attorney Bill Myers and Attorney Daniel Branum. 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.</p>		
Mayor Rogers called the meeting to order at 5:05 P.M.	CALL TO ORDER	
Councilmember Wipperman gave the invocation.	INVOCATION	
There were no citizens present during the Citizen Comment Period.	CITIZEN COMMENT PERIOD	
There were no Minutes to Approve at this Meeting. No Action was taken.	CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)	
Mayor Rogers read aloud the Proclamation declaring October 5, 2021 as City of Olney Teacher's Day, requesting that Citizens and Businesses display light blue ribbons to honor the deserving teachers.	PRESENTATION OF PROCLAMATION DECLARING P2-21 OISD TEACHERS' DAY	
<p>Mr. Blassingame gave the information that the location in question is 1429 Mockingbird Lane, Olney, Texas. The meter would be located inside the City Limits on the East side of the street, almost to the Lift Station. The service address will be outside the City Limits. He stated that the intention of the property owner was to eventually build a new residence at the address. Mayor Rogers reminded the Council that there had recently been an Ordinance passed increasing the fees associated with new meters and water taps and that those new fees would apply. Councilmember Wellman inquired as to how the rates would be assessed, since the meter was inside the City Limits. It was stated that since the service address was outside the City Limits, the outside City Limits rates would be charged. City Attorney Myers stated that the City needed to explore annexing the property if it was adjacent to existing property that was in the City Limits. Mayor Pro-Tem Parker reminded the Council that the previous individuals that had come before the Council requesting water service outside the City Limits were informed that they would have to be annexed, but due to time constraints, the meters would be approved in order for the individuals to have water service. Ms.</p>	DISCUSS AND CONSIDER WATER SERVICE FOR PROPERTY LOCATED OUTSIDE OF CITY LIMITS	

<p>Pagsuberon accessed the maps for viewing purposes to examine the location of the property (1429 Mockingbird Lane) and it was verified that the property is not within the City Limits and that there is an area adjoining the property that is also not within the City Limits. It was stated by City Attorney Myers that up to 5% additional of the existing City Limits could be annexed annually by the City of Olney (for informational purposes). It was determined that the location(s) of properties having water service outside of the City Limits would be re-examined at a later date but that there was no reason to not allow the requesting individual to have service. Mayor Rogers entertained a Motion to establish water service at 1429 Mockingbird Lane, Olney, Texas, which is currently outside the City Limits. Mayor Pro-Tem Parker made said Motion. Councilmember Wellman seconded. The Council voted unanimously to approve the Motion.</p>	
<p>Mayor Rogers stated that the places currently held by Sanford Heard and Valerie Stroud on the Olney Housing Authority Board of Directors was expiring October 1, 2021. Each individual was willing to accept reappointment to the Board for another two- year term. There were no questions or comments from the Councilmembers. Mayor Rogers entertained a Motion to appoint Sanford Heard and Valerie Stroud to the Olney Housing Authority Board of Directors for another two-year term expiring October 1, 2023. Councilmember Simmons made said Motion. Councilmember Wellman seconded. The Council voted unanimously to approve the Motion.</p>	<p>CONSIDER RE-APPOINTMENTS TO THE OLNEY HOUSING AUTHORITY BOARD OF DIRECTORS</p>
<p>It was explained by Ms. Pagsuberon that the purpose of Resolution R7-21 was to remove Neal Welch as a signer on the bank accounts and to add Chief Birbeck as a signer. This would result in the current signers being Dan Birbeck, Arpegea Pagsuberon, Tammy Hourigan and K.C. Blassingame. Mayor Rogers entertained a Motion to accept Resolution R7-21 to change the signatories on the City of Olney accounts held at Olney Interbank. Mayor Pro-Tem Parker made said Motion. Councilmember Wipperman seconded. The Council voted unanimously to approve the Motion.</p>	<p>CONSIDER RESOLUTION R7-21 TO CHANGE SIGNATORIES ON CITY ACCOUNTS HELD AT OLNEY INTERBANK</p>
<p>Mayor Rogers explained that Neal Welch had been serving as the Emergency Management Coordinator with TDEM and Ms. Pagsuberon was serving as Assistant. Mr. Welch had stated to Mayor Rogers that he was willing to continue serving, since retiring August 31, 2021, until a replacement for City Administrator was hired. There was discussion within the Council and Chief Birbeck stated that he would volunteer for the position. Mayor Rogers stated that he liked that idea, since in all likelihood the Chief would be involved and on sight for any emergency. Mayor Rogers entertained a Motion to appoint Chief Birbeck as Emergency Management Coordinator with TDEM while Ms. Pagsuberon continues as Assistant. Councilmember Simmons made said Motion. Mayor Pro-Tem Parker seconded. The Council voted unanimously to approve the Motion.</p>	<p>CONSIDER APPOINTING EMERGENCY MANAGEMENT COORDINATOR WITH TDEM</p>

<p>Officer Hudson stated that the Family Dollar owners had closed on the property located at 1117 W. Main, Olney, Texas the week before and had a demolition crew awaiting notification pending the approval of the variance for 43 parking spaces vs. 47 parking spaces which is the amount designated for the size of the store. Officer Hudson stated that all ADA compliance was being met. The parking spaces were the only problem. There was discussion among the Council and Attorneys and it was determined that City Attorney Myers and Attorney Branum would excuse themselves from the meeting to explore options while the Council continued with the meeting. It was a concern that the Council could not possibly rule on this and that it needed to be presented to the Planning and Zoning Committee. The attorneys would check into what needed to be done and report back. This item would possibly have to be tabled until the Planning and Zoning Committee could schedule a meeting and those meeting arrangements be posted. This Agenda item was re-opened after review by City Attorney Myers and Attorney Branum. Attorney Myers stated that variances can be granted as long as they do not differ greatly from the approved amount, does not harm the public and the applicant is not at fault. It was determined that the Code Official can grant a variance after review with the Zoning Board of Adjustment, which the City of Olney does not have. The City of Olney only has the Planning and Zoning Committee. It was the determination of City Attorney Myers that the City Council IS the Zoning Board of Adjustment and that they are able to grant the variance. Mayor Rogers entertained a Motion to approve the request of Family Dollar located at 1117 W. Main, Olney, Texas for a variance of 43 parking spaces vs. 47 parking spaces, which is the amount stated in the Building Code. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. The Council voted unanimously to approve the Motion.</p>	<p>CONSIDER APPROVING PARKING SPACE VARIANCE FOR FAMILY DOLLAR</p>
<p>Ms. Pagsuberon stated that she had visited with the Auditor to inquire as to what actually determined Departments for the sake of approving the Budget and Budget Amendments being needed. The Auditor explained that for Budget purposes, those Departments were separated by what produces revenue. Although the City of Olney reports separate areas as different Departments, the actual Departments are General, Water and Airport and the different entities fall under those three. As long as the three (3) are operating in the "Black" there is no need for an amendment and this is currently the case. No departments are currently over Budget. Ms. Pagsuberon stated to the Council that the documents supplied to them would show such, but that the Statement of Revenue would easily show her references. There is 3.3% of the Budget remaining available in the General expenditures. Utility Fund Expenditures were budgeted at \$1.3 Million and are currently at \$1.255 Million, still in the "Black". The Airport Budget was \$39,000.00 with Airport Expenditures of \$26,000.00. Again, in the "Black". Ms. Pagsuberon stated that going forward, it was a goal of the Department Heads to present to the Council, quarterly, an overview of Budget vs. Expenditures to alleviate everything waiting until the end of the Budget year to be fully examined. Before moving forward there was a discussion involving the matter that a heater needed to be repaired/installed in the garage. Although this was not going to place the</p>	<p>BUDGET WORKSHOP: FY 2020-2021 BUDGET AMENDMENT</p>

<p>Department in the "Red" it was decided that there was a need for a Capital Outlay amendment to take care of this Expenditure. It was also noted by Mayor Pro-Tem Parker that although this would be noted in the recording and the Minutes, there needed to be a better more efficient way to deal with these matters in the future. Mayor Rogers entertained a Motion to move \$5000.00 of Capital Outlay funds to line item 02-15-5910. Councilmember Wellman made said Motion. Mayor Pro-Tem Parker seconded. Council voted unanimously to approve the Motion.</p>	
<p>Chief Birbeck explained that he would request \$20,000 in Capital Outlay for the four new vehicles that had been on order but that would not be delivered until after the beginning of the FY 2021-2022. This would include a \$5,000.00 lease for each vehicle with the payments to continue into the following Fiscal Year Budgets.</p> <p>Ms. Pagsuberon reviewed the projected numbers with the Council. When the Departments were reviewed, the General Department was negative \$283,000. It was then stated by Councilmember Wellman that he didn't remember the Projected Budget ever being reviewed other than as a Total Budget (bottom line). Mayor Pro-Tem Parker and Mayor Rogers were in agreement. Ms. Pagsuberon then stated that if reviewed as a Total, the Projected Budget Amount would be \$84,000.00. It was discussed that the shortfall was in the General Fund. It was the Water Revenue which was projected to make up the difference and result in the positive of \$84,000. Ms. Pagsuberon again highlighted what the auditor had stated. It was then reviewed with City Attorney Myers and he was in agreement. There was no action to be taken, since the item was a workshop. Mayor Rogers then stated that the Council would re-open item #10-Consider Approving Parking Space Variance for Family Dollar.</p>	<p>BUDGET WORKSHOP: FY 2021-2022 BUDGET</p>
<p>The Public Hearing for the Second Reading of Amendment to FY 2020-2021 Municipal Appropriations Budget was opened at 6:16 P.M. and closed at 6:17 P.M.</p> <p>The Public Hearing for the Second Reading of FY 2021-2022 Municipal Appropriations Budget was opened at 6:18 P.M. and closed at 6:18 P.M.</p> <p>The Public Hearing for the 2021 Tax Rate Increase was opened at 6:18 P.M. and closed at 6:19 P.M.</p>	<p>PUBLIC HEARING(S)</p> <p>A. SECOND READING OF AMENDMENT TO FY 2020-2021 MUNICIPAL APPROPRIATIONS BUDGET</p> <p>B. SECOND READING OF FY 2021-2022 MUNICIPAL APPROPRIATIONS BUDGET</p> <p>C. 2021 TAX RATE INCREASE</p>
<p>Mayor Rogers performed the second reading of Ordinance 06-21 Amending FY 2020-2021 Municipal Appropriations Budget. Mayor Rogers entertained a Motion to approve Ordinance 06-21. Mayor Pro-Tem Parker made said Motion. Councilmember Wellman seconded. The Council voted unanimously to approve the Motion.</p>	<p>CONSIDER ON SECOND READING OF AMENDMENT TO FY 2020-2021 MUNICIPAL APPROPRIATIONS BUDGET</p>

<p>Mayor Rogers performed the second reading of Ordinance 07-21 for FY 2021-2022 Municipal Appropriations Budget. Mayor Rogers entertained a Motion to approve Ordinance 07-21. Councilmember Stennett made said Motion. Councilmember Simmons seconded. The Council voted unanimously to approve the Motion.</p>	<p>CONSIDER ON SECOND READING OF FY 2021-2022 MUNICIPAL APPROPRIATIONS BUDGET</p>
<p>Mayor Rogers performed the second reading of Ordinance 08-21 adopting 2021 Tax Rate Increase. Mayor Rogers entertained a Motion to approve Ordinance 08-21. Councilmember Wipperman made said Motion. Councilmember Wellman seconded. The Council voted unanimously to approve the Motion.</p>	<p>CONSIDER ORDINANCE ADOPTING 2021 TAX RATE INCREASE</p>
<p>Mayor Pro-Tem Parker asked that the franchise agreement in effect with Atmos Energy be reviewed prior to the next meeting. He asked Attorney Branum to review. Councilmember Wellman asked the reasons and Mayor Pro-Tem Parker sated that it was all needed to look into what was needed to bring the use of propane into the City of Olney as a source of heating, cooling, anything that propane could be used for. He wants to make sure that all areas are covered for compliance and installation. Mayor Rogers thanked everyone for their hard work.</p>	<p>DISCUSS OTHER COUNCIL MATTERS – ITEMS OF CONCERN TO MEMBERS OF THE CITY COUNCIL</p>
<p>There being no further business to come before the Council, the Council adjourned by consent at 6:26 P.M.</p>	<p>ADJOURNMENT</p>
<p>ATTEST:</p> <p>_____</p> <p>Tammy Hourigan, City Secretary</p>	