

September 26, 2022	MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF OLNEY, TEXAS	6:00 P.M.
<p>The City Council of the City of Olney, Texas met Monday, September 26, 2022 at 6:00 P.M. Those present were: Mayor Rue Rogers, Mayor Pro-Tem Tom Parker, Councilmembers Brad Simmons, Tommy Kimbro, Harrison Wellman and Chuck Stennett. Staff Present: Interim City Administrator Arpegea Pagsuberon, Chief Dan Birbeck, City Secretary Tammy Hourigan, Interim Public Works Director Michael Jacoba, City Attorney Bill Myers and Attorney Dan 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 6:00 P.M.		CALL TO ORDER
Bill Myers gave the invocation.		INVOCATION
No one was present.		CITIZEN COMMENT PERIOD
<p>Mayor Rogers entertained a Motion to approve the Minutes from the August 22, 2022 Council Meeting. Councilmember Simmons made said Motion. Councilmember Stennett seconded. Council voted unanimously to approve the Motion.</p>		CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)
<p>Mayor Rogers read Proclamation P1-22, Declaring October 5, 2022 Olney I.S.D. Teacher's Day.</p>		PRESENTATION OF PROCLAMATION DECLARING P1-22 OISD TEACHER'S DAY
<p>Charles Brantley attended the Council Meeting. He had several questions. He asked about truck weight and how bulk water could be delivered and stay within the limits? Getting water from the lake?, Can those living out there sell? Mayor Pro-Tem Parker stated that he felt it was best to get the Ordinance passed, then individuals could apply for variances depending on their individual situations on a case -by- case basis. Mayor Rogers read Ordinance O24-22 with the amendments from the First Reading. Mayor Rogers entertained a Motion to pass Ordinance O24-22 Lake Cooper Ordinance as Amended. Mayor Pro-Tem Parker made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion.</p>		CONSIDER SECOND READING ON ORDINANCE O24-22 LAKE COOPER ORDINANCE AS AMENDED
<p>It was explained that the Ordinance O24-22 had to be passed in order to enact the new Lake Lot Lease Agreement. The lease packet would be mailed out to the individuals, completed and sent back to City Hall for the approval of the Council. The plan is to have the new lease agreements beginning January 1, 2023.</p>		DISCUSS AND CONSIDER APPROVAL OF LAKE LOT LEASE AGREEMENT

Mayor Rogers entertained a Motion to approve the Lake Lot Lease Agreement. Councilmember Simmons made said Motion. Councilmember Kimbro seconded. Council voted unanimously to approve the Motion.	
Mayor Rogers stated that the Lake Lots will need to be newly measured and marked in order to be able to distinguish property boundaries and better enable enforcement of the laws and ordinances. Chief Birbeck stated that he and Officer Hudson would get with the current tenants and map out the area. They will then bring the information back to Council. Mayor Rogers entertained a Motion to allow Chief Birbeck and Officer Hudson to mark/measure the lot boundaries at Lake Cooper. Councilmember Kimbro made said Motion. Councilmember Stennett seconded. Council voted unanimously to approve the Motion.	DISCUSS AND CONSIDER WHO THE COUNCIL IS AUTHORIZING/DIRECTING TO ESTABLISH THE LAKE LOT PROPERTY LINES
Interim City Administrator stated that the program being offered by Rolling Plains is similar to what the Ministerial Alliance currently does and is just another avenue of assistance. It's not to be used by individuals as a regular basis of repayment but as "per need" based on special circumstances. The program is contracted through the State. The program will pay for specific expenses and will not pay for garbage expense. There is no cost to the City of Olney to participate. Attorney Branum reviewed the contract and stated that he saw no hidden costs. He did say that there were some "small things" that could be changed, but that they were fine as is and that the changing would be problem due to the contract being prepared at the State level. Mayor Rogers entertained a Motion to authorize Interim City Administrator to enter into a contract with Rolling Plains Management Corporation to participate in their low- income household Water Assistance Program. Mayor Pro-Tem Parker made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion.	DISCUSS AND CONSIDER AUTHORIZING INTERIM CITY ADMINISTRATOR ARPEGEA PAGSUBERON TO ENTER INTO A CONTRACT WITH ROLLING PLAINS MANAGEMENT CORPORATION TO PARTICIPATE IN THEIR LOW- INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM
Mayor Rogers stated that this is a program that the City of Olney participates in annually. This is a 50/50 Grant up to \$100,000.00. Interim City Administrator stated that the funds must be used for items/repairs/upgrades that are stationary and related to the Airport. There is no cost to the City of Olney if the Grant is not used. Mayor Rogers entertained a Motion to authorize Interim City Administrator Arpegea Pagsuberon to enter into the TxDot Routine Airport Maintenance Program (RAMP) Grant Agreement. Councilmember Simmons made said Motion. Councilmember Stennett seconded. Council voted unanimously to approve the Motion.	DISCUSS AND CONSIDER AUTHORIZING INTERIM CITY ADMINISTRATOR ARPEGEA PAGSUBERON TO ENTER INTO TXDOT ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP) GRANT AGREEMENT
Interim Public Works Director Michael Jacoba reported that Lake Cooper is currently at 1132 1/2, which computes to 58%. Level 2 continues. Water continues to be drawn from Lake Kickapoo.	DISCUSS LAKE LEVELS

<p>The tax resale property was discussed. Each tract was addressed separately. Initially 409 East Elm was approved, then after discussion it was decided that the offer would be rejected. Mayor Rogers entertained a Motion to approve the bid made for 409 East Elm. Mayor Pro-Tem Parker made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion. The property located at 611 South Avenue B was processed the same way. Mayor Rogers entertained a Motion to approve the bid for 611 South Avenue B. Mayor Pro-Tem Parker made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion. After further discussion it was determined that the prospective bidders needed to produce a plan and make it available to Council in order for them to make an informed decision. At this time Mayor Rogers entertained a Motion to reject the previously approved bids. Mayor Pro-Tem Parker made said Motion. Councilmember Wellman seconded. Council voted unanimously to approve the Motion. Continuing Mayor Rogers entertained a Motion to Reject the Bid to each of the following tax resale properties that will be listed below. The Councilmember(s) that Made the Motion and seconded will be listed beside the respective address. Council voted unanimously to approve each Motion. 609 South Avenue B, Councilmember Simmons made the Motion Mayor Pro-Tem Parker seconded, 1006 West Oak Street, Councilmember Kimbro made the Motion. Councilmember Simmons seconded, 404 South Avenue F, Councilmember Simmons made the Motion. Mayor Pro-Tem Parker seconded, 601 North Grand Avenue, Councilmember Wellman made the Motion, Councilmember Stennett seconded, 709 South Avenue C, Councilmember Wellman made the Motion, Councilmember Kimbro seconded, 707 North Grand Avenue, Mayor Pro-Tem Parker made the Motion. Councilmember Kimbro seconded, 103 East Church Street, Councilmember Stennett made the Motion, Mayor Pro-Tem Parker seconded, 308 South Avenue F, Councilmember Stennett made the Motion, Councilmember Kimbro seconded, 105 East Church Street, Councilmember Stennett made the Motion. Councilmember Kimbro seconded, 605 North Avenue E, Mayor Pro-Tem Parker made the Motion, Councilmember Simmons seconded, 314 South Avenue F, Councilmember Stennett made the Motion, Mayor Pro-Tem Parker seconded. During the discussion it was also stated by City Attorney Myers that even though it had been mentioned in the past to possibly do so, the City of Olney cannot make a “gift” of Municipal Property.</p>	<p>DISCUSS AND CONSIDER TAX RESALE BIDS</p>
<p>The First Reading of the Fiscal Year 2022-2023 Appropriations Ordinance was presented to Council by Interim City Administrator Pagsuberon. She stated that there was still \$19,000. Listed for the SCADA system that was not yet spent. It was also discussed that the income from the meters would be adjusted to reflect 1800 meters. Mayor Rogers entertained a Motion to approve the First</p>	<p>CONSIDER FIRST READING ON ORDINANCE O25-22 MUNICIPAL APPROPRIATIONS ORDINANCE FY 2022-2023</p>

Reading of Ordinance O25-22 Municipal Appropriations FY 2022-2023. Councilmember Wellman made said Motion. Councilmember Simons seconded. Council voted unanimously to approve the Motion.	
Council entered into Executive Session at 8:00 P.M. and came out of Executive Session at 8:11 P.M.	EXECUTIVE SESSION: DISCUSS THE EVALUATION AND DUTIES OF CHIEF OF POLICE DAN BIRBECK PURSUANT TO SECTION 551.074(a) OF THE TEXAS GOVERNMENT CODE
Mayor Rogers entertained a Motion to approve a 5% salary increase for Chief Birbeck and to table the evaluations until a later date to be determined. Mayor Pro-Tem Parker made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion.	DISCUSS AND CONSIDER ANY ACTION(S) AS A RESULT OF THE EXECUTIVE SESSION
Council entered into Executive Session at 8:11 P.M. and came out of Executive Session at 8:11 P.M.	EXECUTIVE SESSION: DISCUSS THE EVALUATION AND DUTIES OF CITY SECRETARY TAMMY HOURIGAN PURSUANT TO SECTION 551.074(a) OF THE TEXAS GOVERNMENT CODE
Mayor Rogers entertained a Motion to approve a 5% salary increase for City Secretary Tammy Hourigan. Councilmember Kimbro made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion.	DISCUSS AND CONSIDER ANY ACTION(S) AS A RESULT OF THE EXECUTIVE SESSION
Council entered into Executive Session at 8:12 P.M. and came out of Executive Session at 8:21 P.M.	EXECUTIVE SESSION: DISCUSS THE EVALUATION AND DUTIES OF INTERIM CITY ADMINISTRATOR ARPEGEA PAGSUBERON
Mayor Rogers entertained a Motion to remove the Interim from the title of Arpegea Pagsuberon and make her City Administrator along with a 5% salary increase. Mayor Pro-Tem Parker made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion.	DISCUSS AND CONSIDER ANY ACTION(S) AS A RESULT OF THE EXECUTIVE SESSION
City Administrator Arpegea Pagsuberon and City Secretary Tammy Hourigan will be attending the TML (Texas Municipal League) Conference in San Antonio the preceding week before the Oct. 10, 2022 meeting. This would conflict with preparations for the meeting. Mayor Roges entertained a Motion to reschedule the October 10, 2022 City Council Meeting to October 17, 2022.	DISCUSS AND CONSIDER OCTOBER 10, 2022 CITY COUNCIL MEETING

Mayor Pro-Tem Parker made said Motion. Councilmember Kimbro seconded. Council voted to reschedule the meeting to October 17, 2022. Councilmember Wellman was opposed.	
There were none.	DISCUSS OTHER COUNCIL MATTERS-ITEMS OF CONCERN TO MEMBERS OF THE CITY COUNCIL
There being no further business to come before the Council, the Council adjourned at 8:24 P.M.	ADJOURNMENT
ATTEST:	
Tammy Hourigan, City Secretary	