

June 12, 2023	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, June 12, 2023 at 6:00 P.M. Those present were: Mayor Rue Rogers, Mayor Pro-Tem Tom Parker, Councilmembers Brad Simmons, Harrison Wellman, Chuck Stennett and Tommy Kimbro. Staff Present: City Administrator Arpegea Pagsuberon, Officer Dustin Hudson, Public works Director Michael Jacoba, City Secretary Tammy Hourigan, Attorney Dan Branum and City Attorney Bill 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.</p>		
Mayor Rogers called the meeting to order at 6:00 P.M.		CALL TO ORDER
Bill Myers gave the invocation.		INVOCATION
<p>Johnny Moore was in attendance to get an update on some areas of concern. He wanted to know who would be taking care of the maintenance of the old Olney Savings Building since it was now property belonging to the City of Olney? Mayor Rogers stated that it would now be the responsibility of the City of Olney and that they would take care of the maintenance. City Administrator Pagsuberon stated that most likely it would be added to the properties that are maintained by the House of Mercy. Mr. Moore also wanted to get an update on the Tire Store located on Main and the status of getting the tires cleaned up on Main Street? Ms. Pagsuberon stated that since the Right of Redemption period had now expired, the City of Olney was working with the owner to determine the best course of action to clean up the tires. She stated that a grant has been received by the City of Olney to purchase a tire cutter. It has been ordered and once received it will be easier to know what exactly will be required to clean up the tire store and a more accurate account of the costs involved.</p> <p>Mr. Moore also wanted to know the status of the new housed being built in the City of Olney. Mayor Pro-Tem Parker stated that the Grove Project located on Oak and Ave E foundation was poured and that they were waiting on wood. Framing should begin this week. They were also clearing across the street on Howard and Ave D (southeast corner). As far as the other properties go, 2 lots have been surveyed and one of the stakes is in front of the neighbor's house. There are property line issues that will have to be determined and dealt with.</p>		CITIZEN COMMENT PERIOD

<p>Mayor Rogers entertained a Motion to approve the Minutes from the April 24, 2023 Council Meeting. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. Council voted unanimously to approve the Motion.</p>	<p>CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)</p>
<p>A representative from Enterprise Fleet Services was in attendance to discuss the advantages of the City of Olney using them to purchase/sell our existing fleet of vehicles. He said that this would allow the City of Olney to maintain a fleet that is much newer and with their expertise the City of Olney would be able to get the best trade in amounts for their existing vehicles. The representative stated that they assist with what type and get the lowest prices available. They give advice but do not make the decisions. That is left up to Council. Each vehicle is equipped with a mobile app that records the driver, speed, violations of lights/signs, accidents, etc. The representative also stated that they would never sell City vehicles at a public auction. Mayor Pro-Tem Parker inquired as to whether a local repair/mechanic could be used? The answer was yes, that they could be added. The number of vehicles and the expense presented seemed elevated to the Council. Mayor Pro-Tem Parker suggested that an entire department be taken into consideration and "real dollars" be examined and an example of exactly how the program works with a full and complete outline for another presentation. The fact that all vehicles would be replaced much sooner than what is currently done was concerning. There are Public Works vehicles that have minimum miles and they are kept for 10-15 years. The estimation of the Enterprise program would be 5-6 years. The Council would like to see an example of how that is beneficial and how that saves money? Councilmember Stennett asked if there is a specific brand that is used? The representative stated that any brands can be acquired, but that it has been challenging to find Ford vehicles for municipality use. It was the suggestion of Mayor Pro-Tem Parker for the representative to get with Mr. Jacoba and determine what exactly needs to be replaced within the public works Department? Clean up the inventory and get firm numbers for a presentation. Mayor Rogers stated that it did seem like a good long-term strategy to rotate the fleet and have newer vehicles, but that the data needed to be presented with firm numbers and that it was too early for a decision. The representative will get the requested information together and return with another presentation.</p>	<p>DISCUSS AND CONSIDER ENTERPRISE FLEET PROGRAM FOR POLICE AND PUBLIC WORKS VEHICLES</p>
<p>Every other year, there is a reading of the Ray Perkins Will which pertains to the Perkins Park. Mayor Rogers read the Will. There was no action to be taken.</p>	<p>BI-ANNUAL JUNE READING OF RAY PERKINS WILL</p>
<p>Attorney Branum stated that the canvassing had already taken place at a previous Council Meeting but that the Texas Comptroller's office has on their list of needed items, a Resolution</p>	<p>DISCUSS, CONSIDER AND ADOPT RESOLUTION R9-23 CONFIRMING CANVASS OF</p>

<p>confirming such. Resolution R9-23 should fulfill that need and this will need to continue for future elections. The upcoming Resolutions should be done at the actual canvassing. This one is a little more involved, since it pertains to the passing of the Proposition that abolishes the O.I.D.C and establishes the E.D.C. Mr. Johnny Moore asked what this would mean for the O.I.D.C. Attorney Branum stated that the O.I.D.C would continue to operate and finish up their business in order to allow the E.D.C. to begin operating on October 1, 2023. At that point, no sales tax would be received by the O.I.D.C. The new E.D.C. would begin receiving the new tax revenue effective October 1, 2023. Mr. Branum stated that technically, the Council could vote to allow the O.I.D.C. to continue beyond that October 1, 2023 date, but that he did not feel that was the intention. Mr. Branum stated that an O.I.D.C. or an E.D.C. could exist without a tax being received, but that he did not feel that would be the case. Mr. Moore inquired as to what would become of the assets belonging to the O.I.D.C? Mr. Branum stated that between now and October 1, 2023, the assets would revert to the City of Olney and those assets would be redistributed to the E.D.C. Mr. Moore then asked if the State Comptroller had to approve the transfer from an O.I.D.C. to an E.D.C.? Mr. Branum stated that the Council would approve the formation and the By-Laws, the State Comptroller would receive the Resolution and the Election Results, showing that the formation of an E.D.C. was approved in the General Election. Mayor Rogers reiterated that Mr. Branum was receiving his guidance as to how to proceed directly from the State Comptroller Office on how to abolish the O.I.D.C. and establish the E.D.C. Mr. Moore stated that he had some reservations about the O.I.D.C. continuing operations as related to anything that could be for a longer term than until October 1, 2023. Mayor Pro-Tem stated that is why everything is presented to Council for approval. That way it's addressed for the limited amount of time until the E.D.C. is actually in operation. The Council has the final decision as to whether the agreement is agreeable to all parties. Mayor Rogers stated that he welcomed Mr. Moore's questions, especially since he was onboard for the creation of the O.I.D.C. and feels that it is a way of making sure that everything is processed in a correct manner. Mayor Rogers entertained a Motion to approve Resolution R9-23 Confirming Canvass of the returns and Declaring the Results of the General Election held May 6, 2023 and how it results in the abolishment of the O.I.D.C. and the establishing of the E.D.C. Councilmember Wellman made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion.</p>	<p>THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD MAY 6, 2023</p>
<p>City Secretary Hourigan presented the documents to the Council members for signing. No additional action was needed.</p>	<p>SIGN CERTIFICATES OF ELECTION AND STATEMENT OF OFFICERS</p>

<p>City Secretary Hourigan presented the Council with the renewal rates from Texas Health Benefits Pool (formerly TML). The new rates, if the Council chose to stay with the exact same plan would result in a 16% increase, going from \$791.66 per month for each employee to \$918.34. There were also additional plans that were included in the package that she did not outline, but presented to Council. Mayor Pro-Tem Parker stated that the insurance was going up approximately \$10.00 per month per person? Ms. Hourigan stated no, the increase was not per employee per year, buy per employee per month. An increase of \$126.68 for the exact same coverage as the prior year. She stated that this increase would take place October 1, 2023 and reflect on the 2023-2024 FY Budget. Mayor Rogers asked for thoughts? Stated that he wanted to make sure that the City of Olney employees continued to be taken care of. Mayor Pro-Tem Parker reiterated that this coverage was only for the individual? Ms. Hourigan stated yes, only the employee and that historically the premiums were covered 100% by the City of Olney. He then asked if there was a way to broaden the coverage to include family? Ms. Pagsuberon stated that yes, there was, but it was cost prohibitive Councilmember Wellman stated that since \$791.66t was paid by the City of Olney, If an employee wanted to add Family coverage, the cost would be an additional \$1300.00 per month? Yes, that was correct. Ms. Hourigan stated that the decision would have to be made at the latest by the next Council meeting in order to return the renewal to Texas Health Benefits Pool. Councilmember Wellman stated that he wanted to study it and explore some other options and see how the City of Olney compares to other entities. Mayor Pro-Tem Parker stated that the City of Olney needed to at least continue to offer what had been offered in the past to the City of Olney employees. Mayor Pro-Tem Parker mentioned looking into a self -funded insurance program and exploring what that would entail. Mayor Rogers stated that Councilmember Wellman would explore options, report back and reminded everyone that the topic would be on the next Council Meeting Agenda.</p>	<p>DISCUSS AND CONSIDER RENEWAL OF EMPLOYEE HEALTH BENEFITS</p>
<p>Mayor Rogers had reviewed the documents and stated that Lake Cooper current level was 1134 ft, which is 64%. The level of 1137 ft. (3 ft. more) to lift the Phase 2 Drought Contingency, if that is a decision that is warranted, it will have to be brought before the Council. 65% capacity is important because that level is what drives whether water can be pulled from Lake Kickapoo. Mayor Rogers stated that all those percentages would be verified and the contract reviewed.</p>	<p>DISCUSS LAKE COOPER AND LAKE OLNEY WATER LEVELS AND PHASE 2 DROUGHT CONTINGENCY</p>
<p>City Administrator Pagsuberon reported that a proposal was submitted for the surveying of the lake lots. This survey outlined the cost for 40 lots at approximately \$1,000.00 per lot, unless the Council decides to change the number. Currently there are 40 lots, 17 are actively rented at a rate of \$200/month (\$2400.00</p>	<p>DISCUSS AND CONSIDER LAKE LOT SURVEY ESTIMATE</p>

<p>annually). Attorney Branum recommended that Council approve the surveying of the lake lots at an expense up to \$40,000.00. That would give the Committee previously formed guidelines to use when making the decision. Mayor Pro-Tem Parker had stated that since the City of Olney was collecting the rent at the new rates, this needed to be done. Mayor Rogers entertained a motion to approve spending up to \$40,000.00 for the surveying of the lake lots to be directed by the Committee. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. Council voted unanimously to approve the Motion.</p>	
<p>Mayor Rogers reported that Keep Olney Beautiful (KOB) has been working for about a year and half, ever since the realization that the current pool was not able to be used, working to come u with a new design, a new idea and then funding. They have located a builder for the pool. The quote includes the pool and amenities. The pool will not be as big as the pool built 60 years ago, but the needs are now different. The plan includes a new concession/bathroom building as well. The idea is that the restrooms can be accessible from both sides. They can be utilized during the season when the pool is not open, then used from the pool side when it is open. The old restrooms located on the northwest corner of the park will be removed. The other thought is to change the location of the pool to the south side and then have the new playground equipment and new pavilion to the northeast. The center area has two big dead trees, remove the trees and build the pool in that area. Everything will be in the circular drive area. Mayor Rogers stated that obviously there is nothing ready this year, but that there has been a lot of momentum during the last 6 months and that a lot of money has been raised. Before breaking ground, KOB will be coming before the Council to make sure that everyone is on the same page and that it is his hope that the new pool will be ready next year. There was no action to be taken.</p>	<p>DISCUSS AND CONSIDER CITY POOL CONSTRUCTION AND PLACEMENT</p>
<p>City Administrator Pagsuberon stated that the air conditioner located in the Animal Control and Hollie's office was not working. The existing unit cannot be repaired and needs to be replaced. Len Bernhardt gave a quote of \$5,200.00. Mayor Pro-Tem Parker asked if Hollie will be officing there? Ms. Pagsuberon stated that she will not be moving to a new location if the Police Department moves. He then asked if the animals could be transported to Graham instead of being kept local? Chief Birbeck stated that there is then the added expense of being charged for the animals being taken in by Graham, fuel, wear and tear on the vehicles, Hollie not being available to take calls here in the City of Olney and that having the animals local allows for getting them back to the owners. It was also noted that it is not lawful to house animals in a facility that is not properly equipped. Mayor Rogers entertained a Motion to approve the unbudgeted capital expense of installing a new AC unit in the Animal Control building.</p>	<p>DISCUSS AND CONSIDER UNBUDGETED CAPITAL EXPENSE</p>

<p>Councilmember Wellman made said Motion. Councilmember Simmons seconded. Council voted unanimously to approve the Motion.</p>	
<p>Mayor Rogers stated that he knew it had been a long meeting and that the Council had been given the Departmental Reports. If anyone had any questions they could ask. The Department Heads could give a summary of anything not included. Chief Birbeck stated that the Code Enforcement position held by Officer Logan was in full force. He was currently working Main Street and was working with the Texas Sate Health Department in order to be able to conduct Food Inspections. He had sent out several warning letters noting code violations. He stated that they had been back in communication with the new owner of the Tire Store located on Main. The redemption time period has now expired and an enforcement letter to clean up has now been sent with a 30- day time period. With the purchase of the tire cutter, she will be given options for disposal and hopefully this will result in revenue to the City of Olney.</p> <p>Mr. Jacoba stated that the city wide clean up went well and that his plan is to have another one in the Fall in order to keep trash and debris from laying around for such a long period of time. City Administrator Pagsuberon stated that she can submit the clean up to Nortex for reimbursement, unless the Council has something else that they want submitted. Clean up is one of the areas that can be reimbursed by the SWAC funds.</p> <p>Ms. Hourigan stated that the Tx Class funds were earning 5%. Councilmember Wellman asked if there were additional funds that could be transferred from the General Operating Account that was currently earning .25%? She stated that any amount that the Council decided on could be moved. The money is readily available when placed at Tx Class, should it be needed. Mayor Pro-Tem Parker asked what amount of money was required, as a Home Rule City to be on hand? City Attorney Myers stated that the Charter did not have a requirement. Mayor Pro-Tem Parker stated that there were Federal guidelines. Councilmember Wellman inquired about a “sweep” account that had been mentioned previously. Ms. Hourigan stated that Inter Bank had offered the account and that it would pay 5%, but currently Mathis, West &amp; Huffines is working with the City on reconciliation and has suggested not changing the type of account until completion. Councilmember Wellman stated that for the five years he has been on Council, he has wanted the excess funds in the General Operating Account to be invested in a higher interest -bearing product that would make money for things such as replacing a \$5000.00 air conditioner or getting a new vehicle, Mayor Pro-Tem Parker requested that Ms. Hourigan conduct a 3 -year history and have the amount of cash needed to operate for quarter? His recommendation would be to leave the amount needed to operate</p>	<p>MONTHLYH DEPARTMENTAL REPORTS</p>

<p>for a quarter in the General Operating Account and transfer the rest into a higher interest bearing -account.</p> <p>City Administrator Pagsuberon stated that on May 10, 2023 there was a Water Treatment Plant meeting with Corlett, Probst &amp; Boyd. They reported that the plans had been submitted to TCEQ on May 9, 2023. TCEQ has until July 10, 2023 to respond. The recent Sheriff's Sale added two new properties. 1104 W. Elm is severely overgrown and House of Mercy has been notified to mow. There is no address listed on the other property. It is parcel 8829 and is located on the corner of S. Ave C &amp; Hamilton. It has not yet been inspected, but will have to be maintained by the City of Olney. She also stated that she had contacted Nortex about the scrap tire facility and was informed that the purchase of the tire cutter does not have to be delayed by waiting on TCEQ since it is a reimbursable Grant. If the Council ok's the tire cutter purchase, currently held funds can be used. The cost is approximately \$37,000.00 with one half being reimbursable. Mayor Rogers stated that Councilmembers Stennett and Kimbro were working on the shipping container Ordinance. Ms. Pagsuberon stated that the Sub Committee met on June 5, 2023. Councilmembers Stennett and Kimbro had started what they wanted in the Ordinance. They were going to look at like size cities, the Ordinance would be prepared and sent to the attorney for review, then presented to Council for approval.</p> <p>Mayor Rogers asked what the time frame was working with Mathis West &amp; Huffines, getting everything cleaned up for the audit. It was stated that the information is still being pulled from Fund View and that as soon as they have everything compared and balanced from the conversion Matt will come to the offices and work with Ms. Hourigan and Ms. Pagsuberon to have everything completed.</p>	
<p>Mayor Pro-Tem Parker asked City Attorney Myers the status of water right of way easements? City Attorney Myers stated that all were completed except Don Lunn and one that was not going to sign. City Administrator Pagsuberon stated that she thought Dan Branum's still needed signing. Mr. Myers stated that he would have to check. He thought that it had been signed at City Hall. Mayor Pro-Tem Parker asked about eminent domain being used if an individual would not sign? There was no definitive answer heard.</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 at 8:08</p> <p>ATTEST:</p>	<p>ADJOURNMENT</p>

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Tammy Hourigan, City Secretary