

August 14, 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, August, 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, Police Officer Dustin Hudson, Public works Director Michael Jacoba, City Secretary Tammy Hourigan and City Attorney Bill Myers. Chief Dan Birbeck and Attorney Dan Branum were absent. 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	
Councilmember Harrison Wellman	INVOCATION	
No one was present	CITIZEN COMMENT PERIOD	
<p>Mayor Rogers entertained a Motion to approve the Minutes from the June 12th July 10th and July 24th Council Meetings. Councilmember Simmons made said Motion. Councilmember Kimbro seconded. Council voted unanimously to approve the Motion.</p>	CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)	
<p>Clint Pulliam and Kenley Lane were in attendance due to questions they had about a column that had been written in the paper concerning the Fire Department and the possible filing of insurance claims when the Fire Department was called out. Mayor Rogers stated that it was a general discussion about Budget and if that could be a way of recouping expenses. It was not a specific topic. Clint was concerned because he had received several phone calls and did not know what had been discussed or what the article was referencing. Johnny Moore from the State Farm office was in attendance and stated that the only way there is a claim to be paid is if there is negligence. Rue then stated that the discussion had included reference to \$18,000.00 being recouped by the city when a car demolished a fire hydrant. The claim was filed against the driver's automobile insurance. Mayor Rogers then stated that he felt information was taken out of context. There had been no action taken or no directive from the City Council. Councilmember Simmons stated that the Fire Department definitely has their support. Mayor Rogers took the opportunity to thank the Fire Department for their work on the Campbell Road Fire from the previous week. Public works director Michael Jacoba did remind them that he</p>	DISCUSS FIRE DEPARTMENT POLICIES	

<p>needed to get a call when they were responding to a fire in order to ensure that the pumps were running correctly in order to avoid the water towers from becoming empty and cause the City of Olney to run out of water. They stated that they would try to remember to call. Clint Pulliam also stated that he would try in the future to have a representative at the first meeting of the month in order to have a Fire Department report.</p>	
<p>City Administrator stated that all of her information was listed as separate agenda items. Officer Hudson was at the meeting and did not have a copy of the Police Department Report, one was included in the packet that was sent to Council. Public works director Michael Jacoba reported that the lake is currently at 58%. The discrepancy between water treated and water billed was higher this month at 2.5 Mil gallons, but the fires in the area and the filling of tanks will account for parts of the discrepancy. Mayor Pro-Tem Parker asked if there was not a meter to determine those amounts. The previous public works director did not put it in place. He then asked if there was a log kept? Kenley Lane, from the Fire Department stated that they do not keep a log when filling. It was mentioned by City Administrator Arpegea Pagsuberon that there needs to be some kind of record keeping put in place to account for the water used for fighting fires. Not in any way to limit the amounts or the ability to access, but for discrepancy reporting purposes. She stated that the previous weekend she had observed several different agencies pulling water in order to assist with the fire fighting. City Secretary Tammy Hourigan supplied the Council with the most recent Income and Expense Report. She also stated that the money placed at Texas Class earned during the month of July at a rate of 5.3245% average monthly yield. This resulted in the Revenue Bond earning \$63,773.35, General Operating Sub Account earned \$7,335.97 and the Water Ops Sub Account earned \$3,040.41. Council had no other questions.</p>	<p>MONTHLY DEPARTMENTAL REPORTS</p>
<p>City Administrator Arpegea Pagsuberon stated that she had a follow up meeting during the previous week with Corlett, Probst & Boyd. They presented three options. These three options included different Alternate Bids A, B and C. Alternate Bid A-Construction of Raw Water Pump Staton and Pump Improvements. Alternate Bid B-Construction of New Bolted Steel Tank Clear wells. Alternate Bid C-Construction of Kickapoo Reservoir Improvements. Option #1 is the Water Plant Rebuild along with Alternate Bids A and C with a cost of \$14,427,168.81; Option #2 is the Water Plant Rebuild along with Alternate Bid A with a cost of \$13,614,668.81 and Option #3 is the Water Plant Rebuild along with Alternate Bid A and B with a cost of \$12,340,668.81. Mayor Rogers asked Public works director his opinion? He stated that Alternate Bid A was his choice. This would widen rails and using the concrete would be nice too. Eventually could transfer Lake Cooper water and cut down on chemical costs. Eventually dirty</p>	<p>DISCUSS AND CONSIDER WATER TREATMENT PLANT OPINION OF PROBABLE COSTS AND PROJECT UPDATE</p>

<p>water could pump to Kickapoo reservoir, letting the water sit in the reservoir and settle out would result in better water (future possibility). He stated that he realized the Option #1 that includes Alternate Bids A & C is the most expensive at \$14.4 Million, but that it also is the most desirable option. Mayor Pro-Tem Parker asked if the clear wells would be re-surfaced or cleaned and relined? Mr. Jacoba stated that they had never been relined. Mayor Pro-Tem Parker asked if anyone was surprised by the additional costs? Councilmember Simmons confirmed that Option #1 with Alternate Bids A & C would have concrete still wells. Mayor Rogers entertained a Motion to approve Option #1 with Alternate Bids A & C with a cost of \$14,427,168.81. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. Council voted unanimously to approve the Motion. Mayor Pro-Tem Parker then pointed out that water is the #1 priority for the City of Olney and that Council needed to be mindful of the additional \$1 Mil dollars of construction costs during the next 2 Budget Cycles. He also stated that the \$2.5 Mil Water Re-use Project had never been done.</p>	
<p>City Administrator Arpegea Pagsuberon gave an update of the Elm Street CDBG Grant. She stated that when the Grant was awarded, Corlett, Probst & Boyd and Grant Works were under the impression that the water was in the street, which is not the case. She stated that this is a reimbursable grant and that the City of Olney will owe 10%. Grant Works will send the \$350,000.00 and then the City of Olney has three days to pay the Vendor. Mayor Pro-Tem Parker inquired as to who hires the contractor? Corlett, Probst & Boyd will rehire the contractor. Since the scope of the project changed, everything had to start over.</p>	<p>DISCUSS CEDBG GRANT CDV21-0221 ON ELM STREET UPDATE</p>
<p>City Administrator Arpegea Pagsuberon stated that she was working on acquiring quotes for a Dump Truck and Asphalt Roller. She has received two quotes for the Clamp Bucket and needs one more. The Radar Feed Back Sign has received two quotes and needs one more. Quotes have been received for the Dodge SUV's and Michael Jacoba is working on getting quotes for the backhoe. Quotes are required and specific rules must be followed in order to use the ARPA Grant funds. If the rules are not followed the funds are returned and the costs are absorbed by the city. Councilmember Wellman asked what was remaining? Ms. Pagsuberon stated \$573,857.00.</p>	<p>DISCUSS ARPA GRANT UPDATE</p>
<p>City Administrator Pagsuberon stated that during the meeting the two Councilmembers on the Sub-Committee (Councilmember Kimbro and Stennett) had requested water and electricity be allowed in the containers. Initially an Ordinance that Councilmember Kimbro had read was going to be provided as a "model" for the City of Olney Ordinance. Since it was not provided, Ms. Pagsuberon used one for the City of Canton and</p>	<p>DISCUSS AND CONSIDER FIRST READING OF ORDINANCE 07-23 INSTALLATION AND USE OF SHIPPING CONTAINERS IN THE CITY OF OLNEY</p>

<p>had Officer Hudson review it. It was mentioned that the use of containers was only restricted in R1, which encompasses Country Club and one block on Edwards. Ms. Pagsuberon stated that if their minds changed on anything that the Ordinance required two readings and amendments could be made. Mayor Pro-Tem Parker inquired as to whether the containers could be “set up” for living, since having water and electricity. Ms. Pagsuberon stated that the two Councilmembers had requested those two modifications from a previous Ordinance that was presented to the Council. She also stated that multiple sections of the Ordinance state “no living quarters”. Mayor Pro-Tem Parker then asked if these containers could be used at the Lake? Ms. Pagsuberon stated that the Ordinance specifies inside City Limits of Olney. After a thorough discussion it was determined that the Ordinance would continue to exclude the use of containers in R-1 and be amended to remove plumbing. Mayor Rogers stated that since a second reading was required, further amendments could be made at that time if the Council felt it was needed. Mayor Rogers entertained a Motion to accept the first reading of Ordinance O7-23 Installation and Use of Shipping Containers in the City of Olney with the amendment of removing plumbing as an option. Mayor Pro-Tem Parker made said Motion. Councilmember Kimbro seconded. Council voted unanimously to approve the Motion.</p>	
<p>Public works Director Michael Jacoba stated that Air Tractor wanted a tap to fill the fire suppression system. He also stated that it would be a 1” line and not close to the maximum amount of pressure that could be tolerated. Ms. Pagsuberon, Ms. Hourigan and Mr. Jacoba were under the impression that since the tap would be located outside the City Limits of Olney and is a new tap, the request needed to be brought to the Council. City Attorney Myers stated that since Air Tractor already has a water tap(s), the matter does not have to be brought before the Council for a decision The current contract can be amended. No action was taken.</p>	<p>DISCUSS AND CONSIDER REQUEST FOR AIR TRACTOR WATER TAP</p>
<p>Council entered Executive Session at 7:05 P.M. and came out of Executive Session at 7:32 P.M.</p>	<p>EXECUTIVE SESSION: DISCUSS REAL PROPERTY EASEMENT PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE</p>
<p>No action was taken.</p>	<p>DISCUSS AND CONSIDER ANY ACTION(S) AS A RESULT OF THE EXECUTIVE SESSION</p>
<p>Council entered Executive Session at 7:33 P.M. and came out of Executive Session at 7:47 P.M.</p>	<p>EXECUTIVE SESSION: CITY COUNCIL SEEKING LEGAL OPINION OF CITY ATTORNEY</p>

	PURSUANT TO 551.071 PARAGRAPH 1 OF THE TEXAS GOVERNMENT CODE
No action was taken.	DISCUSS AND CONSIDER ANY ACTION(S) AS A RESULT OF THE EXECUTIVE SESSION
Mayor Rogers inquired as to whether all the Councilmembers were able to access FundView (software). He stated that everyone needed to review the information that was presented for each department and that the next meeting the numbers would be discussed with department heads and all plans for capital outlay. City Administrator Arpegea Pagsuberon clarified that she had spoke with the accountant at Mathis West & Huffines that is assisting both her and Ms. Hourigan. He advised that the \$14.5 Mil budget was needed to correctly reflect the next fiscal year due to the approximately 60% Corlett, Probst & Boyd expenses incurred with the Water Treatment Plant Project. She stated that the ARPA Funds would be completely spent during the 2025 fiscal year.	DISCUSS BUDGET WORKSHOP: ANY MATTER PERTAINING TO BUDGET FY 2023-2024
Councilmember Wellman asked the status of the tire cutter. Mr. Jacoba stated that it has been assembled and works. The Department is currently short one employee and working on adding a part time position in order to be able to accomplish the task of taking care of the tires. Officer Logan has given the rate information for removal and disposal of the tires on Main Street to the owner. She has already agreed to it and the letter has been sent to Attorney Branum for review.	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 8:05 P.M. ATTEST: _____ Tammy Hourigan, City Secretary	ADJOURNMENT