

October 23, 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, October 23, 2023 at 6:00 P.M. Those present were: Mayor Rue Rogers, Mayor Pro-Tem Tom Parker, Councilmembers Harrison Wellman and Chuck Stennett. Councilmembers Tommy Kimbro and Brad Simmons were absent. Staff Present: City Administrator Arpegea Pagsuberon, Police Chief Dan Birbeck, Officer Dustin Hudson, Public works Director Michael Jacoba, City Secretary Tammy Hourigan, 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 6:01 P.M.	CALL TO ORDER	
Bill Myers	INVOCATION	
No one was present	CITIZEN COMMENT PERIOD	
<p>Mayor Rogers entertained a Motion to approve the Minutes from the September 11, 2023, September 29, 2023, October 9, 2023 and October 16, 2023 Meetings. Mayor Rogers entertained a Motion to approve the Minutes with no changes. Mayor Pro-Tem Parker made said Motion Councilmember Stennett seconded. Council voted unanimously to approve the Motion.</p>	CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)	
<p>Representatives from InterBank were in attendance in case there were any questions from the Council. They had met with City Administrator Arpegea Pagsuberon and City Secretary Tammy Hourigan previously and given them information about the rates available if a "sweep" account was used. It was determined that this would allow the funds to be placed in an account in Olney and still allow for the higher rate of interest to be paid. The current rate being paid on the sweep account has a yield of 5.64%. The amounts that would be transferred if agreed to by the Council from Texas Class to InterBank would be \$737,795.37 from the Texas Class Water Ops Sub Account and \$1,937,869.69 from the Texas Class Gen Op Sub Account. Mayor Rogers entertained a Motion to transfer the Water Ops Sub Account and the Gen Op Sub Account from Texas Class to InterBank. Mayor Pro-Tem Parker made said Motion. Councilmember Wellman seconded. Council voted unanimously to approve the Motion.</p>	DISCUSS AND CONSIDER TRANSFERRING FUNDS FROM TEXAS CLASS TO INTERBANK	
<p>Public Works-repaired fourteen water line leaks and seven wastewater leaks or sewer stops. The water treatment plant produced 18.5 million gallons and treated 7.9 million gallons of</p>	MONTHLY DEPARTMENTAL REPORTS	

wastewater. 17.5 million gallons of water was billed by the city. The lake level was 1131 feet or 52% capacity, just about a foot above where Phase 3 of the Drought Contingency Plan must be enacted. The picked up 42 loads of trash, cleared trash from four locations on Main Street and tree limbs from ten locations. 164 potholes were patched and the cemeteries and parks were all mowed. Police Department-129 calls for service, 14 arrests, 87 warnings and 36 citations. The K-9 was deployed five times making four detections. The K-9 assisted in one arrest and the seizure of one contraband item. Code Enforcement issued four written warnings, seven citations, nineteen door hangers and tagged nine cars. All the tires have been removed from the old tire store located at 301 West Main Street and transported to the Convenience Station and will be quartered. Code Enforcement issued 16 permits and responded to 29 calls for service. He performed 11 residential inspections and one commercial inspection. He performed 21 residential code enforcement and two commercial code enforcement actions. The city will begin tearing down condemned structures starting next month, hopefully at a rate of four per month. Finance-The Revenue and Expense Report was included in the packet, there were no questions from the Council. It was reported that the Revenue Bond had earned \$59,305.40 for a total of \$13,012,040.35. The Gen Op Sub Account earned \$8,738.70 and the Water Ops Sub Account earned \$4,531.87 for the month of September. The daily yield was 5.5%. City Administrator-reported that the City of Olney has \$564,618.88 remaining from the American Rescue Plan Act (ARPA). Those funds must be obligated by December 31, 2024 and spent by December 31, 2026. The City Council approved expenditures of \$203,181.12 in fiscal year 2022-2023. Council has approved the purchase of a dump trailer, asphalt roller, radar feedback sign and three Dodge Durango with some of the remaining funds. City Administrator Pagsuberon was able to locate and be awarded a grant in the amount of \$24,546.06 from Nortex and the Texas Commission on Environmental Quality for a clamp bucket that will assist with picking up large debris and tearing down condemned structures. The Texas Transportation Commission increased its contribution to the Routine Airport Maintenance Program (RAMP) to \$100,000.00 and this reduces the City's match to 10%. Ms. Pagsuberon has submitted grant applications to the U.S. Department of Agriculture for \$70,000.00 to assist in the relocation of the Olney Police Department to the Ranger College building and \$291,000.00 to replace the municipal swimming pool. The owner of the property located at 301 W. Main Street has paid the City of Olney \$13,440.00 for removing the tires. She also stated that a quote of almost \$1,000.00 for four months was received to rent scaffolding to protect visitors to the Old Olney City Hall on South Grand Avenue. Stucco is falling from the building's façade. She stated that she is continuing to explore for options to fund repairs to the building which houses the County Offices. Mayor Pro-Tem Parker asked about the costs to

purchase the scaffolding? She stated that she would look into it and that it could be advantageous to own instead of renting.	
City Administrator Arpegea Pagsuberon reported that the sealed bids would be opened at City Hall by the engineers Corlett, Probst & Boyd at 2:00 P.M. tomorrow, Tuesday, October 24, 2023. There will be a Special Called Meeting at Noon on November 1, 2023 for Corlett, Probst & Boyd to make their recommendations to the City Council. These meetings are open to the Public.	UPDATE ON WATER TREATMENT PLANT PROJECT
Ms. Pagsuberon stated that \$767,800.00 was received and \$203,000.00 has been spent. This is made up by the purchase of the new software, SUV Police Department materials, The Valve Exerciser and Clamp Bucket were removed. There sufficient department funds for the Exerciser and a \$24,546.00 grant received for the \$28,000.00 Clamp Bucket. Public Works Director Michael Jacoba requested a mini hydraulic excavator in lieu of the 4x4 backhoe. It can be easily hauled, fits in smaller areas and costs much less. The specifications were included in the Council packet. Mayor Rogers inquired as to whether ARPA funds could be used for water towers? Ms. Pagsuberon stated that yes, the funds could be used for anything related to water infrastructure. He stated that ways of spending the funds needed to be explored to get the best use of the money and what was most beneficial for the City of Olney. He stated that it could possibly be prudent to use for the water tower projects. Ms. Pagsuberon stated that Mr. Jacoba had contacted Consolidated Tanks and that they were scheduled to visit on Thursday. Hopefully they would be working up a 5 to10 year plan for the towers, but that other companies would be vetted as well. Mr. Jacoba also stated that out of the 117 fire hydrants located throughout the City of Olney, that over 30 of those do not work. There is currently \$10,000.00 in the budget. The costs of a single fire hydrant would be \$3,000 to \$4,000. Mayor Rogers stated that they would wait until after Consolidated Tanks makes their visit to see what the outcome will be. No action was taken.	DISCUSS AND CONSIDER ARPA GRANT PURCHASES
Ms. Pagsuberon stated that The Texas Transportation Commission increased its contribution to the Routine Airport Maintenance Program (RAMP) to \$100,000.00 which is usually \$50,000.00. This is an annual agreement that we enter with Tx Dot. It's a 50/50 match. If the funds are not used, they are not paid. Mayor Rogers entertained a Motion allow City Administrator Arpegea Pagsuberon to enter into Tx Dot RAMP Grant Agreement. Councilmember Stennett made said Motion. Mayor Pro Tem Parker seconded. Council voted unanimously to approve the Motion.	DISCUSS AND CONSIDER AUTHORIZING CITY ADMINISTRATOR ARPEGEA PAGSUBERON TO ENTER INTO TXDOT ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP) GRANT AGREEMENT
The bid for 411 East Elm Street was \$1,550.00. The bidder stated no intended plans for the property. It has been in the family for	CONSIDER TAX RESALE BID(S)

<p>many years and would like to purchase because of that. Mayor Rogers entertained a Motion to decline the offer due to the bid not meeting the minimum requirements stated on the TCG website. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. The Council voted unanimously to approve the Motion.</p> <p>The bid for 409 East Elm Street was \$1,540.00, The minimum listed bid was \$2,864.14. The bidder stated that they do plan to build any structure but that it adjoins land currently owned. Mayor Rogers entertained a Motion to decline the offer due to the bid not meeting the minimum requirements stated on the TCG website. Councilmember Stennett made said Motion. Mayor Pro-Tem Parker seconded. The Council voted unanimously to approve the Motion.</p> <p>The bid for 709 North Grand Avenue was \$1,800.00. The minimum bid was \$2,237.29. Mayor Rogers entertained a Motion to decline the offer due to the bid not meeting the minimum requirements stated on the TCG website. Councilmember Stennett made said Motion. Mayor Pro-Tem Parker seconded. The Council voted unanimously to approve the Motion.</p> <p>Ms. Pagsuberon stated that if the Council wanted to change the requirements for minimum bid, they needed to let her know if she needs to revisit with TCG and update the website. Mayor Rogers stated that he felt TCG should list the minimum bid and that be the threshold.</p>	<p>A. PARCEL 9240: 411 EAST ELM STREET</p> <p>B. PARCEL 9244: 409 EAST ELM STREET</p> <p>C. PARCEL 7832: 709 NORTH GRAND AVENUE</p>
<p>City Attorney Bill Myers stated that even though Mayor Pro-Tem Parker would be abstaining from the vote, a quorum was present and that the Council could proceed with the Agenda Item. Attorney Dan Branum stated that this was another step-in conjunction with abolishing the O.I.D.C. and establishing the O.E.D.C. He stated that all the assets would have to come back to the City of Olney by way of Resolution and be accepted by the City of Olney, then those assets would have to transferred to the O.E.D.C. from the City of Olney by way of Resolution. The purpose of Resolution R16-23 was to transfer the O.I.D.C. assets to the City of Olney. Mayor Rogers entertained a Motion to accept Resolution R16-23 transferring O.I.D.C. assets to the City of Olney. Councilmember Wellman made said Motion. Councilmember Stennett seconded. Mayor Pro-Tem Parker abstained. The Motion carried.</p>	<p>DISCUSS AND CONSIDER RESOLUTION R16-23 TO ACCEPT ASSETS FROM O.I.D.C.</p>
<p>This Agenda Item was the second step in the Resolution process. Attorney Branum stated that he had visited with the State Comptroller's office and that this would keep the City of Olney and the newly formed O.E.D.C. in compliance. Mayor Rogers entertained a Motion to accept Resolution R17-23 transferring the assets previously owned by the O.I.D.C. and accepted by the City of Olney to the O.E.D.C. Councilmember Stennett made said</p>	<p>DISCUSS AND CONSIDER RESOLUTION R17-23 TO ACCEDPT TRANSFER OF ASSETS TO E.D.C.</p>

<p>Motion. Councilmember Wellman seconded. Mayor Pro-Tem Parker abstained. The motion carried.</p>	
<p>The Council entered Executive Session at the times listed below:</p> <p>A. Entered 7:07 PM      Came out 7:26 PM</p> <p>B. Entered 7:26 PM      Came out 7:37 PM</p> <p>C. Entered 7:37 PM      Came out 7:43 PM</p>	<p>EXECUTIVE SESSIONS:</p> <p>A. DELIBERATION OF ACQUISITION OF INTEREST IN REAL PROPERTY AT 607 N., AVE E., OLNEY, TX- PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE</p> <p>B. CONSULTATION WITH ATTORNEY CONCERNING SETTLEMENT OFFER- PURSUANT TO SECTION 551.07(A) OF THE TEXAS GOVERNMENT CODE</p> <p>C. CONSULTATION WITH ATTORNEY CONCERNING CONTEMPLATED LITIGATION – PURSUANT TO SECTION 551.071(A) OF THE TEXAS GOVERNMENT CODE</p>
<p>A. Entered 7:07 PM      Came out 7:26 PM Resolution R18-23 states that the City of Olney does not accept title to the property located at 607 North Avenue E, Olney, Texas. Mayor Rogers entertained a Motion to accept Resolution R18-23. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. Council voted unanimously to approve the Motion. Attorney Branum will take a certified copy to the Courthouse for filing.</p> <p>B. Entered 7:26 PM      Came out 7:37 PM Mayor Rogers entertained a Motion to accept the settlement agreement with Dude Wipes. Mayor Pro-Tem Parker made said Motion. Councilmember Wellman seconded. Council voted unanimously to approve the Motion.</p> <p>C. Entered 7:37 PM      Came out 7:43 PM. No action was taken</p>	<p>DISCUSS AND CONSIDER ANY ACTION(S) AS A RESULT OF THE EXECUTIVE SESSIONS:</p> <p>A. ACQUISITION OF INTEREST IN REAL PROPERTY</p> <p>B. SETTLEMENT OFFER</p> <p>C. CONTEMPLATED LITIGATION</p>
<p>City Administrator Pagsuberon stated that the Interlocal Agreement between YCAD and the City of Olney that had not been accepted at a previous meeting had still not been returned</p>	<p>DISCUSS OTHER COUNCIL MATTERS-ITEMS OF</p>

<p>for further action. Mayor Pro-Tem Parker stated that he wanted it examined since there was no escape clause that he saw. Ms. Pagsuberon reminded the Council that if the City of Olney decided not to enter into the agreement, the City of Olney would be liable for all appraising of property billing and collecting all taxes, purchasing the specialized software. The City of Olney also would be required to employ a Certified Tax Appraiser. They would receive no assistance from Young Central Appraisal District. Mayor Rogers stated that hopefully it would be available for consideration at the next meeting. Chief Birbeck reminded everyone that Olney Night Out would be held the following evening</p>	<p>CONCERN TO MEMBERS OF THE CITY COUNCIL</p>
<p>There being no further business to come before the Council, the Council adjourned at 7:48 P.M.</p> <p>ATTEST:</p>   <p>_____</p> <p>Tammy Hourigan, City Secretary</p>	<p>ADJOURNMENT</p>