

December 11, 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, December 11, 2023 at 6:00 P.M. Those present were: Mayor Rue Rogers, Mayor Pro-Tem Tom Parker, Councilmembers Brad Simmons and Chuck Stennett. Councilmembers Tommy Kimbro and Harrison Wellman were absent. Staff Present: City Administrator Arpegea Pagsuberon, Police Chief Dan Birbeck, Officer Dustin Hudson, Public works Director Michael Jacoba and City Secretary Tammy Hourigan, City Attorney Bill Myers 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 6:01 P.M.	CALL TO ORDER	
Brad Simmons	INVOCATION	
<p>Cindy Moore was present. She was very complimentary of the Council and City Staff. She thanked them for what had been accomplished, but stated that with the upcoming New Year, they needed to gain momentum and stay on course. To be more diligent of taking care of issues that are brought to the attention of the Council and to not drag their feet when it comes to taking care of the issues. She stated that if an issue is not fair for everyone that is involved, that it is not fair. She stated that everything needs to have an end date. She sighted the tire shop as an example. Although being addressed, when would enough be enough? She asked what was being done to hold the new owner accountable? City Administrator Arpegea Pagsuberon stated that the owner had been invoiced for the removal of the tires, but that no payment had been received and that it would be addressed. Mrs. Moore also inquired as to the length that was allowed for individuals to have a roll-off at their disposal? It was stated by Ms. Pagsuberon that currently there is no time limit, but the Ordinance is being revised to have a per day rental fee, that is going to be imposed by Waste Connections when they invoice the City of Olney and this will be part of the plan that should limit the amount of time that the roll-offs are at a sight. Mayor Rogers thanked Ms. Moore for her remarks and stated that her involvement and attendance to the Council Meeting was greatly appreciated.</p>		CITIZEN COMMENT PERIOD
<p>Mayor Rogers entertained a Motion to approve the Minutes from the Special Called Meetings from November 1, 2023 and November 20, 2023. . Councilmember Stennett made said</p>	CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)	

<p>Motion. Councilmember Simmons seconded. Council voted to approve the Motion</p>	
<p>Chief Birbeck swore in the new addition to the Olney Police Department, Officer Clayton Morris. He stated that Officer Morris joins the Department with seven years of experience. He most recently came from Jacksboro specializing in narcotics. The Council and attending staff welcomed Officer Morris.</p>	<p>CEREMONY TO SWEAR-IN AND ISSUE OATH OF OFFICE TO CLAYTON MORRIS, POLICE OFFICER</p>
<p>Chief Birbeck-Police Dept. 140 Calls for service, 19 arrests, 157 Warnings, 43 Citations, 28 cases Opened; K-9-3 deployments, 3 detection deployments, 1 related arrest to deployment, 5 items seized. Code Enforcement-3 Door Hangers, 2 Substandard Structure Letters, 2 Grass Violation Letters, 2 Accumulated/Debris Letters, 4 Tagged Cars, 1 Impounded car, 15 Permits Issued, 16 Calls for Service, 12 Residential Inspections, 3 Commercial Inspections, 1 Commercial Code Enforcement, 6 Letters Mailed.</p> <p>Michael Jacoba-Public Works-48 Loads picked up, Main Street trash cleaned-4, 25 loads of tree limbs cleared, 59 pol holes repaired, all Parks mowed 4 times; Lines/Leaks Repaired-17 Water and 14 Wastewater, Lake is at 52% capacity, 11.494 million gallons of water was produced and 10,276 million gallons of water was used with a discrepancy of 1.218 million gallons.</p> <p>City Administrator Arpegea Pagsuberon reported that approximately 652 tires had been cut and disposed from the Tire Shop on Main Street. On 10/17/23 an invoice was sent out for the transportation of the tires to the Convenience Station for \$13,440.00. Another invoice was about to be sent for the 652 tires in the amount of \$11,139.66. .On November 7, 2023 Jay Lawson, the surveyor at the lake reported that multiple renters had placed structures on two lots and were only paying for one. He is working on defining the lots. She stated that she had reached out to Bill Myers to see if there was an agreement between the City of Olney and Young County for the re-model/repairs that were previously done to the Sub-Courthouse and who was responsible for the repairs? Nothing was yet received.</p> <p>City Secretary Tammy Hourigan reported that since the placing of the City of Olney accounts in a "sweep account" with InterBank the General Operating Account earned \$12,133.01, The Utility Reinvestment Account earned \$3,226.47 and the Revenue Bond Debt Reserve earned \$1,667.19 during the month of November. The Revenue Bond placed at Texas Class earned \$60,237.35 and has a balance of \$13,187,853.05. The funds placed at InterBank earned interest at a rate of 5.50% and the funds placed at Texas Class earned interest at a rate of 5.58%</p>	<p>MONTHLY DEPARTMENTAL REPORTS</p>

<p>The property located at 1005 West Payne Street was an item on the previous Council Meeting Agenda. It was tabled in order to allow an heir that was in attendance and wanted to keep, improve and maintain the property to produce documentation proving valid ownership. Chief Birbeck stated that there had been no communication from the individual and that no documentation had been received. His request was for Council to move forward with the abatement. Mayor Rogers asked the Council if anyone had any questions? There were none.</p>	<p>HEAR REPORT &amp; RECOMMENDATION FROM CODE ENFORCEMENT OFFICER CONCERNING CODE VIOLATIONS AT PARCEL 8614: 1005 WEST PAYNE STREET, OLNEY, TEXAS 76374</p>
<p>Mayor Rogers addressed Chief Birbeck and verified that it was the wishes of Code Enforcement and the Olney Police Department to move forward with the abatement of the property located at 1005 West Payne Street, Olney, Texas due to the code violations. Mayor Rogers entertained a Motion to abate Parcel 8614 located at 1005 West Payne Street, Olney, Texas 76374. Councilmember Simmons made said Motion. Mayor Pro-Tem Parker seconded. Council voted to approve the Motion.,</p>	<p>COUNCIL ACTING AS BUILDING COMMISSION- DISCUSS AND CONSIDER ORDER TO ABATE CODE VIOLATIONS AT PARCEL 8614: 1005 WEST PAYNE STREET, OLNEY, TX 76374</p>
<p>Mayor Rogers stated that due to the additional tasks and overseeing of the Water Treatment Plant Project along with his expertise, it was the decision of the Council to increase the Public Works Director, Michael Jacoba's salary to \$80,000. Annually. Mayor Rogers stated that the amount of the increase was already included in the Fiscal Year 2023-2024 Budget that was approved earlier but that the funds needed to be moved from one department to another. City Administrator Arpegea Pagsuberon also stated that the 2024 Budget Amendment would include the increase in the ad valorem tax revenue in the amount of \$500,000.00 since the adopted rate was not petitioned and the higher de minimus rate would be in effect. Mayor Rogers entertained a Motion to approved the amendments to the 2024 Budget. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. Council voted to approve the Motion.</p>	<p>DISCUSS AND CONSIDER FY 2024 BUDGET AMENDMENT</p>
<p>Mayor Rogers stated that Horton Excavation, LLC, who had the low bid, had worked with the City of Oley to trim costs, but it was still high. He stated that it was the responsibility of the Council to come up with a plan. There were options. Should the project be put on hold until the bids expire and possibly received more bids with a future try? Should the City of Olney take over and hire a general contractor of their choice to take over? Possibly explore what that option would look like and how they could proceed? He stated that the Council needed to come up with what could be done and what would be needed to proceed. He then asked councilmembers if they had any input? Councilmember Stennett steed that he had not come up with a solution. Mayor Pro-Tem Parkrer stated that he felt that the sub-committee needed to be brought back together to come up with a plan of action. Mayor</p>	<p>DISCUSS AND CONSIDER WAT4ER TREATMENT PLANT PROJECT OPTIONS</p>

<p>Rogers stated that there would be no formal action taken at this time, but that the sub-committee would try to be assembled and meet next week. He stated that the earlier the better, but with the Holidays approaching it could possibly not be until early January. City Administrator Pagsuberon stated that she would attempt to assemble the sub-committee for a lunchtime meeting possibly for Tuesday of next week.</p>	
<p>City Administrator Pagsuberon stated that this was the annual renewal. Chief Birbeck would be listed as Emergency Management Coordinator and Ms. Pagsuberon would be listed as Assistant Emergency Coordinator. Mayor Rogers entertained a Motion to appoint Chief Birbeck as Emergency Management Coordinator with TDEM and City Administrator Pagsuberon as Assistant Emergency Management Coordinator with TDEM. Mayor Pro-Tem Parker made said Motion. Councilmember Simmons seconded. Council voted to approve the Motion.</p>	<p>DISCUSS AND CONSIDER APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR WITH TDEM</p>
<p>City Administrator Pagsuberon stated that Waste Connections was adding a daily rental fee of \$5.00 to the costs associated with the Roll-Offs. This is the large containers that are used when City of Olney residents are remodeling or disposing of a lot of items. The City of Olney made an agreement with Waste Connections that they could facilitate the rental of those items to the City of Olney residents and be able to pass the City of Olney rate (which is a savings) to the residents. An amendment to the existing Franchise Agreement needed to be signed for that to take effect. She stated that an Ordinance was also on the agenda that would allow for updating the Roll-Off costs and it would cover the additional costs to the City of Olney. Mayor Rogers entertained a Motion to authorize City Administrator Arpegea Pagsuberon to enter into an amendment to the Franchise Agreement for the collection, hauling and disposal of municipal solid waste and construction and demolition waste between the City of Olney and Waste Connections. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. Council voted to approve the Motion.</p>	<p>DISUCSS AND CONSIDER AUTHORIING CITY ADMINISTRATOR TO ENTER INTO AMENDMENT FRANCHISE AGREEMENT FOR THE COLLECTION, HAULING AND DISPOSAL OF MUNICIPAL SOLID WASTE AND CONSTRUCTION AND DEMOLITION WASTE BETWEEN THE CITY OF OLNEY AND WASTE CONNECTIONS</p>
<p>City Administrator Pagsuberon stated that a \$7.00 daily rental fee had been added since the First Reading. There was a discussion of possibly placing a time limit. Mayor Pro-Tem Parker asked if there was currently a fine for not having the roll-off moved within a specific time? There currently was none. Council decided that a sixty- day limit would be fair, with the opportunity to request an extension upon inspection that work was taking place. Ms. Pagsuberon stated that with the addition of the penalty, there would need to be another reading. It was also agreed upon that some kind of reflective tape or paint needed to mark the roll-offs for safety concerns. The agenda item was tabled until the next meeting.</p>	<p>DISCUSS AND CONSIDER ON SECOND READING OF ORDINANCE O11-23 UPDATING ROLL-OFF RATES</p>

Chief Birbeck stated that the State of Texas passed a law that would repeal any curfew for minors and that no City in the State of Texas can have such an Ordinance. He stated that due to this new law the City of Olney was required to repeal the existing Ordinance. Mayor Rogers entertained a Motion to approve Ordinance O12-23 Repealing Curfew for Minors. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. Council voted to approve the Motion.	DISCUSS AND CONSIDER ORDINANCE O12-23 REPEALING CURFEW FOR MINORS
This Agenda Item was tabled.	DISCUSS AND CONSIDER ARPA GRANT PURCHASES
City Administrator Pagsuberon stated that this was the annual agreement renewal. The costs are distributed between multiple cities in the County. The City of Olney is represented in the amount of \$4,000.00. Mayor Rogers entertained a Motion to authorize City Administrator Pagsuberon to enter into an agreement with Young County for Bond Supervision Contract. Councilmember Simmons made said Motion. Mayor Pro-Tem Parker seconded. Council voted to approve the Motion.	DISCUSS AND CONSIDER AUTHORIZING CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH YOUNG COUNTY FOR BOND SUPERVISION CONTRACT
Mayor Rogers stated that the next meeting would fall on Christmas Day. He stated that if a meeting was needed prior to the first scheduled meeting in January, a Special Called Meeting could be scheduled. Mayor Rogers entertained a Motion to cancel the December 25, 2023 Council Meeting. Mayor Pro-Tem Parker made said Motion. Councilmember Stennett seconded. Council voted to approve the Motion.	DISCUSS AND CONSIDER CANCELLING OR RESCHEDULING COUNCIL MEETING ON DECEMBER 25, 2023
Mayor Rogers stated that he had talked to City Attorney Bill Myers. Mr. Myers stated that Mayor Pro-Tem. Parker could resign effective December 31, 2023 and that the resignation could be accepted at the January 8, 2024 Council Meeting. This would allow for the appointment for replacement to be within the required 10 days. No Action was taken.	ACCEPT RESIGNATION OF ELECTED MUNICIIPAL OFFICER MAYOR PRO-TEM TOM PARKER PURSUANT TO SECTION 22.012 OF THE TEXAS LOCAL GOVERNMENT CODE
Officer Hudson stated that the abatement of properties previously approved would begin on the 31 <sup>st</sup> day.	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 7:04 P.M.  ATTEST:	ADJOURNMENT

<hr/> <p>Tammy Hourigan, City Secretary</p>	