

December 14, 2020

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF OLNEY, TEXAS

6:00 P.M.

The City Council of the City of Olney, Texas, met Monday, December 14, 2020, at 6:00 P.M. Those present were: Mayor Rue Roger, Mayor Pro-Tem Tom Parker, Councilmembers Phil Jeske, Tommy Kimbro, Chuck Stennett, and Terri Wipperman. Absent: None. Staff Present: City Administrator Neal Welch, City Secretary Tim Houston, Chief of Police Dan Birbeck, City Clerk Arpegea Pagsuberon, City Attorney William Myers was present via web presence. 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.

Mayor Rogers called the meeting to order at 6:01 P.M.

CALL TO ORDER

Mr. Welch gave the invocation.

INVOCATION

No citizens appeared before the Council to comment.

CITIZEN COMMENT
PERIOD

Mayor Rogers entertained a motion to adopt the minutes from the November 30, 2020 Regular Meeting as written. Councilmember Kimbro made said motion, and Mayor Pro-Tem Parker seconded. Council voted unanimously to approve the minutes.

CONSIDER APPROVAL
OF MINUTES FROM
PREVIOUS MEETING(S)

Councilmember Jeske was present starting at 6:05 P.M. from this point forward.

Mr. Welch explained the proposed contract for the Airport Operations Contract with Air Tractor. Air Tractor will be responsible for the date-to-day operations of the airport. Air Tractor will inspect the T-hangers, runways, taxiways and fences, inspect the fuel island and test the fuel for quality and inventory and submit a monthly report to the City. The contract is for a five-year term. The contract will be signed by Jim Hirsch, President of Air Tractor. Mayor Pro-Tem Parker suggested that a "Mutually Agree Clause" be added to the contract. Mayor Pro-Tem Parker made the motion to approve the Airport Operations Contract and Councilmember Stennett seconded the motion. Council voted unanimously to accept the contract, while Councilmember Jeske abstained from the vote.

CONSIDER CONTRACT
FOR AIRPORT
OPERATIONS WITH AIR
TRACTORS, INC.

Engineer Dean Hinton with Corlett-Probst and Boyd presented an update on the CDBG Project. The project will be funded through the Texas CDBG fund and will include replacement of sewer mains and sewer manholes on S. Ave. C from 800 feet south of Spring Creek Road to Spring Creek Road, along Spring Creek Road from S. Ave. C to S. Ave. G. A Public Hearing was held and bids for the project were opened December 8, 2020 and the apparent low bidder is Bowels Construction. Mr. Hinton proposed that Bowels Construction be awarded the contract and the City accept the Base Bid amount of \$144,344.00 along with Alternate Bid Item "A" for \$58,600.00 and Alternate Bid Item "B" for \$61,590, for a total of \$264,524.00. Total construction budget for this project is \$268,000.00. Mayor Pro-Tem Parker made the motion to approve and Councilmember Jeske seconded the motion. Council voted unanimously to accept the bids as presented.

CONSIDER BID
SUBMISSIONS FOR
CDBG PROJECT

Tod Garrett with ALLSTAR Fuel made a presentation to the Council for a five-year contract for the purchase of aviation fuel, 100 LL, through ALLSTAR Fuels and the acceptance of sponsorship for the aviation fuel from Phillips 66. Phillips 66 offers a lot of benefits to the City for placing the Phillips 66 logo on the fuel tank and allowing them to install a new light on the fuel island with the Phillips 66 logo on it. Mayor Pro-Tem Parker made the motion to approve the contract and Councilmember Kimbro seconded the motion. Council voted unanimously to approve the contract.

CONSIDER CONTRACT
WITH ALLSTAR FUEL &
PHILLIPS 66 FOR
AIRPORT FUEL SUPPLY

Mr. Houston made a presentation to the Council to approve the list of candidates to the Olney OI DC Board as presented by the Executive Director Wiley Hughey. Councilmember Jeske made the motion to approve the slate of officers as presented and Councilmember Wipperman seconded the motion. Council voted unanimously to approve the OI DC Board Officers.

CONSIDER
APPOINTMENTS TO THE
OLNEY IDC BOARD

Mr. Welch made a presentation regarding a request from a property owner to cave in a damaged storm shelter on a vacant lot. The vacant lot was purchased from the City through Purdue Brandon. The City leaves storm shelters intact when removing dilapidated houses so future property owners can utilize the shelter if needed. The shelter was damaged at the time of the demolition but was left for the future owners. It was pointed out by Council that the property was purchased "as-is" and the City should not be working on private property. It was also discussed that Public Works should secure storm shelters on lots where we remove dilapidated structures so the general public cannot access entry to the shelter and get locked in, or homeless individuals cannot utilize the shelter for temporary housing. No formal action was taken by the Council so the request is denied.

CONSIDER DILAPIDATED
STORM SHELTER
REMOVAL AT 613 & 615
N GRAND

Mr. Houston made a presentation to upgrade our email addresses for City employees and Council members. A new email system would provide "@cityofolney.gov" email address so an individual will be identified as being City employees or Council members. Council informed Mr. Houston to move forward with the email upgrade, no formal action was required.

CONSIDER CITY EMAIL
SYSTEM UPGRADE

Mr. Houston made a presentation to the Council regarding an active grant for items considered improvement for Homeland Security. Resolution R1-20 was amended with R16-20 including required language requested from the State. Councilmember Stennett made the motion to approve the amended resolution as presented and Councilmember Jeske seconded the motion. Council voted unanimously to approve the grant application.

CONSIDER AMENDED
RESOLUTION R16-20
CONCERNING
HOMELAND SECURITY
GRANT PROGRAM

Mr. Houston explained that with the passage of proposition A legalizing the sale of alcoholic beverages the City should adopt an ordinance. He stated that he wrote two versions of the ordinance allowing for extended hours or regular hours. Mr. Houston continued by explaining that the ordinance would adopt a setback of 300 feet from the school property line and 300 feet from the front door of churches following the property lines and crossing any intersections directly. Council inquired about several issues in the ordinance including hours, setbacks, and regulations. Dale Lovett was present from the Olney Hamilton Hospital Board and requested a setback of 1,000 feet from the hospital stating that the ordinance allowed exceptions and he requested that all of the hospital property have the 1,000-foot setback, not just the main hospital campus. The ordinance itself has the ability to grant businesses exceptions to the setbacks, not to allow entities to extend their setbacks under the law. Oscar Munoz called in during the Council discussion and requested the Council follow the letter of the law and not open itself up to litigation by deviation from the regulations as suggested by Mr. Lovett. Council discussed the fact that the School Board has not requested a 1,000 feet setback as required by law to extend the 300 feet setback. They also discussed the fact that there were currently businesses inside of the 1,000 feet setback that may plan to sell alcohol. Mayor Pro-Tem Parker made the motion to approve the Alcohol Ordinance as amended that meets the TABC regulations including the normal operation hours and not the extended hours, and the 300 feet setbacks as laid out in the TABC regulations. The comment was made that the City Council has to have a second reading of the ordinance for it to become effective and the School Board will have time to meet and request the 1,000 feet setback if desired. Councilmember Jeske seconded the motion. Council voted unanimously to approve the Alcohol Ordinance.

CONSIDER ORDINANCE
ON FIRST READING TO
ADOPT ALCOHOLIC
BEVERAGE
REGULATIONS

Mr. Welch made a presentation to increase the wage scale for two positions of the Wage Scale Policy for City personnel. Council asked numerous questions and requested additional information before changing the wage scale. The requests included adding qualifications to a position for an Equipment Operator to the Public Works pay scale, and adding a fourth level to the Clerk's position requirements for advancement beyond the basic position. Councilmember Jeske also instructed Neal to include an annual cost-of-living adjustment.

CONSIDER
ADJUSTMENT TO CITY
WAGE SCALE

Mr. Welch made a presentation to the Council regarding the updates to the Personnel Policy. Council discussed that vacation and sick leave will be converted to unified P.T.O. instead of Vacation Time and Sick Leave. An addition to the policy will be required that has stipulations about use and abuse of the new P.T.O. policy. Chief of Police Dan Birbeck stated that he would provide the Parkland Hospital P.T.O. regulation for inclusion in the new policy and enforcement of the use and/or abuse of the policy will be addressed quite clearly. Mr. Welch discussed this being an accrual per pay period. Discussion included the updated version of the policy that mirrors TML requirements. The proposal to change the operation hours for City Hall and Public Works was tabled for now, further discussion about modifying the hours of operation

CONSIDER ORDINANCE
TO ADOPT NEW
PERSONNEL POLICY
AND PROCEDURE
MANUAL

will be addressed at a later time. Mayor Pro-Tem Parker made the motion to approve the updated Personnel Policy as amended and Councilmember Wipperman seconded the motion. Council voted unanimously to approve the Personnel Policy Update.

Mr. Houston made a presentation to move the next scheduled Council Meeting from December 28th to December 21st so the final and second reading of the Alcohol Ordinance could be voted on and approved. Councilmember Jeske made the motion to approve moving the Council Meeting from December 28th to December 21st and Mayor Pro-Tem Parker seconded the motion. Council voted unanimously to approve changing the meeting date.

CONSIDER
RESCHEDULING
DECEMBER 28, 2020
REGULAR MEETING

Mr. Houston gave the monthly financial report. Chief Birbeck gave a report on the police department. Other department reports were attached for review.

MONTHLY
DEPARTMENTAL
REPORTS

Mr. Welch provided information to the Council regarding the Employee Christmas party. The individual departments would have their Christmas meal with their respective department. No guests, family members or Council members would be invited to the meal to alleviate any possible transmission of the COVID-19 virus. Council verbally approved the plan. Mayor Pro-Tem Parker inquired about the Water Treatment Plant Committee update. Mr. Welch explained that the Statement for Proposal was being reviewed by two engineering firms and would be completed and forwarded to the top four rated engineering firms from the proposals received from the previous Request for Proposal submitted for the improvement at the Water Treatment Plant. The proposals are scheduled to be submitted to the City by January 29th.

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 by consent at 8:29 P.M.

ADJOURNMENT

ATTEST:

Mayor

City Secretary

Date Approved