

SEPTEMBER 9, 2019

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, September 9, 2019, at 6:00 P.M. Those present were: Mayor Pro-Tem Rue Rogers, Councilmembers Tommy Kimbro, Harrison Wellman, Chuck Stennett, and Terri Wipperman; Absent: Mayor Phil Jeske. Staff Present: City Administrator Neal Welch, City Secretary Tim Houston, Chief of Police Conny Clay, Public Works Director K.C. Blessingame, City Attorney William Myers, and City Clerk Arpegea Pagsuberon. All agenda items were subject to action.

Mayor Pro-Tem Rogers called the meeting to order at 6:00 P.M. Councilmember Wipperman gave the invocation.

CALL TO ORDER &
INVOCATION

No citizens appeared before the Council to comment.

CITIZEN COMMENT
PERIOD WITH CITY
COUNCIL

Mayor Pro-Tem Rogers presented members of the Daughters of the American Revolution with a proclamation signed by Mayor Jeske on September 5 declaring September 16 – 20 as Constitution Week in the City of Olney.

PRESENTATION OF
PROCLAMATION
DECLARING 2019
CONSTITUTION WEEK

Wanda Stroud asked that City take a deeper look into maintaining the Civic Center and detailed issues with the restrooms. She also mentioned that the floors in both restrooms and the kitchen were in need of extra care in cleaning. Mayor Pro-Tem Rogers asked that the City personnel take a look at maintenance issues. Mrs. Stroud offered her help in the event it was needed.

DISCUSS CIVIC CENTER
MAINTENANCE

Mr. Houston stated that after reviewing the ordinances of surrounding communities he has found that Graham had ordinances similar to what Olney was trying to accomplish. The ordinance created a fee of \$50 for an Animal Breeding and Training Facility, and designated no indoor facility of this type could be within 200 feet of an area zoned specifically for residential use. Further, outdoor facilities of this type would have a setback of 500 feet. Inspection criteria were established for the facilities with kennels to be at square footage equal to sixty percent of the animal's estimate weight. Also, adequate protection from the elements and sanitary conditions had to be reasonable. A penalty for violation of the ordinance was established at \$500. Mayor Pro-Tem Rogers entertained a motion to approve Ordinance O10-19 on second reading. Councilmember Kimbro made said motion, and Councilmember Wipperman seconded. Council voted unanimously to approve Ordinance O10-19.

CONSIDER ORDINANCE
O10-19 ON SECOND
READING TO AMEND
ANIMAL CONTROL
ORDINANCES TO ALLOW
THE OPERATIONS OF AN
ANIMAL KENNEL /
ANIMAL BREEDING AND
TRAINING FACILITY IN
CERTAIN ZONED AREAS

Mr. Houston explained that the ordinance had expired previously, and that this ordinance would institute new curfew hours, including during school hours. Provisions were made for children enrolled in other districts, homeschool, private and charter school, and for Olney ISD. In addition, minors were defined as 17 and under, with certain exemptions, and school nights generally had a curfew of 10:31 PM until 6 AM the following day and weekend evenings established a curfew for 11:31 PM until 6 AM the following day. Mayor Pro-Tem Rogers entertained a motion to approve Ordinance O11-19 on first reading. Councilmember Wipperman made said motion and Councilmember Wellman seconded. Council voted unanimously to approve ordinance O11-19.

CONSIDER ORDINANCE
O11-19 ON FIRST
READING TO INSTITUTE
CURFEW HOURS FOR
MINORS

Mr. Houston explained that the ordinance would institute sewer fees for anyone using more than 20,000 gallons, whereas currently the City did not charge for anything higher. Also, it would increase the deposit rate to \$150 for residences and \$300 for commercial users. Further, if there was an abandoned debt the deposit rates double. Mr. Houston also explained various fees such as the tampering reconnect fee, which increased due to costs and higher rates of meter tampering experienced in the community. In addition, the ordinance would allow the City to submit accounts delinquent more than 120 days to a debt collection agency. Mayor Pro-Tem Rogers entertained a motion to approve Ordinance O12-19 on first reading. Councilmember Kimbro made said motion and Councilmember Wipperman seconded. Council voted unanimously to approve Ordinance O12-19 on first reading.

CONSIDER ON FIRST
READING ORDINANCE
O12-19 TO AMEND
CERTAIN UTILITY FEES

Mrs. Pagsuiberon explained to Council that OMNIBase was used for tagging drivers licenses for individuals not appearing before court or carrying through on their legal obligations through the court. The costs would be reduced from the normal \$30 per instance to \$10 per instance used. Mayor Pro-Tem Rogers entertained a motion to approve the Interlocal Cooperation Contract for the Failure to Appear Program. Councilmember Wipperman made said motion and Councilmember Stennett seconded. Council voted unanimously to approve the Interlocal Cooperation Contract.

CONSIDER INTERLOCAL COOPERATION CONTRACT FOR THE FAILURE TO APPEAR PROGRAM ('OMNIBase')

Mr. Houston explained that the RAMP Grant Agreement was due each year and provided a 50% match grant up to \$10,000 or more if it was available for activities such as spraying the airport for weeds and grass encroaching on the airstrips. Mayor Pro-Tem Rogers entertained a motion to approve the TxDOT RAMP Grant Agreement. Councilmember Wellman made said motion and Councilmember Kimbro seconded. Council voted unanimously to approve the TxDOT RAMP Grant Agreement.

CONSIDER TxDOT ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP) GRANT AGREEMENT

Mr. Houston explained that Chief Clay was attempting to apply for the Walmart Local Communities Grant and they required a legislative action by the Council to apply. The Grant would be from \$250 to \$5,000 if approved. Mayor Pro-Tem Rogers entertained a motion to approve the Resolution R10-19 to apply for the Walmart Local Communities Grant. Councilmember Wellman made said motion and Councilmember Wipperman seconded. Council voted unanimously to approve the TxDOT RAMP Grant Agreement.

CONSIDER RESOLUTION APPROVING APPLICATION FOR THE WALMART GRANT

Mr. Houston gave the financial report. Councilmember Wellman requested information on the operating account. Mr. Houston also pointed to the Police Report and Public Works Report. Councilmember Wipperman asked how many animals were picked up from the shelter and brought back to Olney. Mr. Houston replied that he would find out. Councilmember Wipperman asked code enforcement take a look at lots around the intersection of Avenue D and Gray Street.

MONTHLY DEPARTMENTAL REPORTS

Mr. Houston explained that there had been no changes to the budget.

BUDGET WORKSHOP

Mayor Pro-Tem Rogers opened the public hearing on the Fiscal Year 2019-2020 Municipal Appropriations Budget at 7:16 PM. Mr. Houston stated that this was the first of two hearings. The next hearing would be conducted on September 23, 2019 at 6:00 PM during a Regular Meeting of the City Council and that the final vote on the budget ordinance would occur on the same date. With no further comments Mayor Pro-Tem Rogers closed the public hearing on the Fiscal Year 2019-2020 Municipal Appropriations Budget at 7:19 PM.

PUBLIC HEARING: FY 2019-2020 MUNICIPAL APPROPRIATIONS BUDGET

Mayor Pro-Tem Rogers opened the public hearing on the Tax Rate Increase at 7:19 PM. Mr. Houston stated that this was the first of two hearings. The next hearing would be conducted on September 16, 2019 at 6:00 PM during a Special-Called Meeting of the City Council. The final vote would occur on September 23, 2019 at 6:00 PM during a Regular Meeting of the City Council. With no further comments Mayor Pro-Tem Rogers closed the public hearing on the Tax Rate Increase at 7:21 PM.

PUBLIC HEARING: TAX RATE INCREASE

Mr. Houston explained that the budget had a Tax Increase coversheet on it while it was still in the proposal stage. Mayor Pro-Tem Rogers entertained a motion to approve Ordinance O13-19 on first reading. Councilmember Wellman made said motion and Councilmember Stennett seconded. Council voted unanimously to approve Ordinance O13-19 on first reading.

CONSIDER ORDINANCE O13-19 ON FIRST READING TO ADOPT FY 2019-2020 MUNICIPAL APPROPRIATIONS BUDGET

Mayor Pro-Tem Rogers announced that Council, pursuant to Section 551.074(a) of the Texas Open Meetings Act, would enter executive session at 7:22 PM to discuss the duties of Water Superintendent Michael Jacoba.

EXECUTIVE SESSION: DISCUSS THE DUTIES OF WATER SUPERINTENDANT MICHAEL JACOBA

Council reconvened in regular session at 7:35 PM.

Mayor Pro-Tem Rogers stated that Council did not intend to set an ongoing precedent in the following action and that future instances would be handled on a case-by-case basis. Mayor Pro-Tem Rogers entertained a motion to continue pay to Michael Jacoba while on medical

ANY ACTION(S) AS A RESULT OF THE EXECUTIVE SESSION

leave. Councilmember Wipperman made said motion and Councilmember Stennett seconded. Council voted unanimously to approve the motion to continue paying Mr. Jacoba while on medical leave.

There being no further business to come before the Council, the Council adjourned by consent ADJOURNMENT at 7:36 P.M.

ATTEST:

Mayor

City Secretary

Date Approved