

AUGUST 26, 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, August 26, 2019, at 6:00 P.M.

Those present were: Mayor Phil Jeske, Mayor Pro-Tem Rue Rogers, Councilmembers Tommy Kimbro, Harrison Wellman, Chuck Stennett, and Councilmember Terri Wipperman; Absent: None. Staff Present: City Secretary Tim Houston, Chief of Police Conny Clay, Public Works Director K.C. Blassingame, City Attorney William Myers, City Clerk Arpegea Pagsuberon, Police Officer Dustin Hudson, and Animal Control Officer Krystal Barnhardt. All agenda items were subject to action.

Mayor Jeske called the meeting to order at 6:01 P.M. Mr. Myers gave the invocation.

CALL TO ORDER &  
INVOCATION

Mayor Jeske entertained a motion to approve the minutes from the August 12, 2019 Regular Meeting. Councilmember Wipperman made said motion and Mayor Pro-Tem Rogers seconded. Council voted unanimously to approve the minutes.

CONSIDER APPROVAL  
OF MINUTES FROM  
PREVIOUS MEETING(S)

James Ford appeared before the Council to request his property be zoned to agriculture or to be dis-annexed from the City. He stated this was the third time he had made this request. Mayor Jeske asked this be checked into to change his zoning.

CITIZEN COMMENT  
PERIOD WITH CITY  
COUNCIL

Debbie Shelly, Vice-President at Olney Interbank, was on hand to discuss the Sweep and Money Market accounts that Interbank offered to its business customers. The Sweep account was through another company called Promitory that took \$250,000 to sign up for. All of the accounts would be fully insured and backed by the FDIC. No questions were raised during the discussed and Mrs. Shelly was thanked for her time while Council considered what to do.

HEAR PRESENTATION  
FROM OLNEY  
INTERBANK REGARDING  
SWEEP AND MONEY  
MARKET ACCOUNTS

Code Enforcement Officer Dustin Hudson made four presentations with pictures and citations of code violations at (a.) 1104 W. Elm St, (b.) 710 W Hamilton St, (c.) 106 S Ave F, and (d.) 507 N Grand Ave. Officer Hudson recommended that an order to abate the code violations be considered and an order to repair, remove or demolish be issued for the structures at each of properties. Mayor Jeske asked that the City look into the status of the vehicles at 106 S Avenue F after a member of the public claimed to have a lien against them. Mr. Houston added that the City owned 507 N Grand and therefore did not need to hold a public hearing. Though the City technically owned 106 S Ave F, Perdue Brandon had recommended following standard procedures with a public hearing as if the City did not own the property since it could still be redeemed.

COUNCIL ACTING AS  
BUILDING COMMISSION  
– HEAR REPORT AND  
RECOMMENDATION  
FROM CODE  
ENFORCEMENT  
OFFICER CONCERNING  
CODE VIOLATIONS AT:  
a. 1104 W ELM ST,  
b. 710 W HAMILTON ST,  
c. 106 S AVE F, AND  
d. 507 N GRAND AVE

Mayor Jeske opened the public hearing at 6:41 PM. With no forthcoming comments Mayor Jeske closed the public hearing at 6:42 PM.

PUBLIC HEARING: CODE  
VIOLATIONS AT 1104 W  
ELM ST

Mayor Jeske opened the public hearing at 6:42 PM. With no forthcoming comments Mayor Jeske closed the public hearing at 6:42 PM.

PUBLIC HEARING: CODE  
VIOLATIONS AT 710 W  
HAMILTON ST

Mayor Jeske opened the public hearing at 6:42 PM. With no forthcoming comments Mayor Jeske closed the public hearing at 6:43 PM.

PUBLIC HEARING: CODE  
VIOLATIONS AT 106 S  
AVE F

Mayor Jeske entertained a motion to abate the code violations at 1104 W Elm St with an order to repair, remove, or demolish the structures within 30 days. Mayor Pro-Tem Rogers made said motion and Councilmember Kimbro seconded. Council voted unanimously to approve the motion.

COUNCIL ACTING AS  
BUILDING COMMISSION  
– CONSIDER ISSURANCE  
OF ORDER TO ABATE  
CODE VIOLATIONS AT:  
a. 1104 W ELM ST,  
b. 710 W HAMILTON ST,  
c. 106 S AVE F, AND

Mayor Jeske entertained a motion to abate the code violations at 710 W Hamilton St with an order to repair, remove, or demolish the structures within 30 days. Councilmember Stennett

made said motion and Councilmember Wipperman seconded. Council voted unanimously to approve the motion.

d. 507 N GRAND AVE

Mayor Jeske entertained a motion to abate the code violations at 106 S Ave F with an order to repair, remove, or demolish the structures within 30 days. Mayor Pro-Tem Rogers made said motion and Councilmember Stennett seconded. Council voted unanimously to approve the motion.

Mayor Jeske entertained a motion to abate the code violations at 507 N Grand Ave with an order to demolish the structures within 30 days since it was owned by the City. Councilmember Kimbro made said motion and Councilmember Wipperman seconded. Council voted unanimously to approve the motion.

Mr. Houston stated that the City received a bid for 710 N Avenue F from Enedina Cruz (of Olney) in the amount of \$1,000. Mayor Jeske entertained a motion to accept the bid for the property. Mayor Pro-Tem Rogers made said motion and Councilmember Wipperman seconded. Council voted unanimously to accept the bid.

CONSIDER TAX RESALE  
BID(S)

Mr. Houston explained they had a bid from Stacy Wade for 307 Wade St. The property was located half in the City and half in the County. The parcel of land was in the middle of land already owned by the Wade family so there was no access to it without going through their property. It was owned by a cousin of the Wade family who had failed to pay taxes despite the Wade family asking about the property on multiple occasions. Mrs. Wade made a bid in the amount of \$1,000 for the property. Mayor Jeske entertained a motion to accept the bid for the property. Mayor Pro-Tem Rogers made said motion and Councilmember Wellman seconded. Council voted unanimously to accept the bid.

Mayor Jeske entertained a motion to approve Ordinance O9-19 on second reading. Mayor Pro-Tem Rogers made said motion and Councilmember Kimbro seconded. Council voted unanimously to approve Ordinance O9-19.

CONSIDER ON SECOND  
READING ORDINANCE  
O9-19 RESTRICTING  
VEHICLE TYPE AND  
VEHICULAR ACTIVITY  
ON LAKE ROAD

Mr. Houston presented the ordinance to allow businesses to kennel dogs in non-industrial zones of the City. Sammy Livingston who wanted to open such a business was at the meeting to discuss the ordinance. Mr. Houston confirmed the location on the 400 block of E Elm St. was in a business zone, and while houses were nearby there were no residential zones relatively close. Mayor Jeske stated that he did not like the term kenneling since folks kenneled animals in town. Mr. Houston stated this would be a kenneling business as the term was defined in ordinance to separate it from individuals kenneling their animals at home. Mayor Jeske asked that the terminology be changed. Mr. Houston replied that he would change it to read Animal Breeding and Training Facility. Mayor Jeske also asked for setback for outdoor facilities of this type to be setback 500 feet from a residential zone, and indoor facilities of this type 200 feet. Council agreed with the changes and decided to amend the ordinance. Mr. Myers stated further changes may be necessary, but that Council could amend the ordinance before second reading. Mr. Houston stated he would make changes to align the ordinance with the amendments and minimum standards. Mayor Jeske entertained a motion to approve Ordinance O10-19 on first reading. Councilmember Wellman made said motion and Mayor Pro-Tem Rogers seconded. Council voted unanimously to approve Ordinance O10-19.

CONSIDER ON FIRST  
READING ORDINANCE  
O10-19 AMENDING  
ANIMAL CONTROL  
ORDINANCE TO ALLOW  
THE OPERATION OF AN  
ANIMAL KENNEL IN  
CERTAIN ZONED AREAS

Mr. Houston explained that the City had received a ballot from the TML Health Benefits Pool for the election of our regional representative. City Manager Michael Smith of the City of Jacksboro was the only candidate on the list, and while Council could choose to write someone else in, their odds of being successfully elected were low. Mayor Jeske entertained a motion to cast the City's vote for Michael Smith. Mayor Pro-Tem Rogers made said motion and Councilmember Kimbro seconded. Council voted unanimously to approve the motion.

ELECTION OF TML  
HEALTH POOL BOARD  
OF TRUSTEES  
REPRESENTATIVE

Mr. Houston stated that Chief Clay had requested tasers and computer replacements for the patrol units. These were a late add and would cost approximately \$7,100 combined. Mr. Houston also stated that after looking at the projected numbers through the end of July 2019

BUDGET WORKSHOP

the revenue figures had been lowered. Mayor Jeske asked that revenue figures not be edited in the future without Council consent because they could not compare the figures. Mr. Houston apologized and stated that he would make certain the figure did not change in the future without consent of the Council. With the edited figures the Council had approximately \$7,124 left to expend. Council assented to the tasers and computers after a discussion on the types of non-lethal weapons that the police department could deploy. Mr. Houston replied that he would add the remaining funds, however small, to the streets department. Council discussed that there needed to be a plan for the streets. Mayor Jeske asked Mr. Houston and City Administrator Neal Welch to look into planning for broader street repairs the following year.

There being no further business to come before the Council, the Council adjourned by consent ADJOURNMENT at 7:56 P.M.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Date Approved