

February 25, 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, February 25, 2019, at 6:00 P.M. Those present were: Mayor Pro-Tem Rue Rogers, Councilmembers Tommy Kimbro, Harrison Wellman, and Terri Wipperman; Absent: Mayor Phil Jeske and Councilmember Chuck Stennett. Staff Present: City Administrator Neal Welch, City Secretary Tim Houston, Chief of Police Conny Clay, Public Works Director K.C. Blassingame, Municipal Court Clerk Arpegea Pagsuberon, and City Attorney William Myers All agenda items were subject to action.

Mayor Pro-Tem Rogers called the meeting to order at 6:00 P.M. Mr. Myers gave the invocation. CALL TO ORDER & INVOCATION

Mayor Pro-Tem Rogers entertained a motion to approve the minutes from the February 11, 2019 Regular Meeting. Councilmember Wipperman made said motion and Councilmember Wellman seconded. Council voted unanimously to approve the minutes. CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING(S)

No citizens appeared before the Council to comment. CITIZEN COMMENT PERIOD WITH CITY COUNCIL

Council briefly considered the merits of terminating the interlocal agreement with regards to staffing at the police department and the necessity of a school resource officer. Chief Clay recommended termination as he was nearing full strength in the department, and needed only complete FTO training for one more officer, and have Dustin Hudson finish the academy. Mr. Houston stated that the letter would notify Young County that Olney wished to terminate the agreement and cease the obligations at the end of any shift that begins on March 31, 2019. Mayor Pro-Tem Rogers entertained a motion to terminate the Interlocal Agreement in accordance with the letter. Councilmember Kimbro made said motion and Councilmember Wipperman seconded. Council voted unanimously to terminate the Interlocal Agreement in keeping with what the letter stated. (3-0) CONSIDER TERMINATION OF INTERLOCAL AGREEMENT WITH YOUNG COUNTY FOR LAW ENFORCEMENT SERVICES

Mr. Welch stated that Resolution R4-19 would allow the city to apply for the Homeland Security Regular Projects grant. The city tentatively planned to ask for a generator that would be available regionally as requested if not in use by the City. The Mayor or City Administrator would be responsible for emergency requests for assistance and use of the generator. Mr. Houston stated that it would put officers in place that were responsible for different aspects of the grant. Mayor Pro-Tem Rogers entertained a motion to approve Resolution R4-19. Councilmember Wellman made said motion and Councilmember Kimbro seconded. Council voted unanimously to approve said motion. (3-0) CONSIDER RESOLUTION R4-19 APPOINTING AUTHORIZED OFFICIAL, FINANCIAL OFFICER, AND PROJECT DIRECTOR FOR STATE HOMELAND SECURITY – REGULAR PROJECTS GRANT

Mayor Pro-Tem Rogers inquired if each of the grants had the same basic purpose. Mr. Welch replied that they did and that the next grant would help establish a barrier at the police department. Mayor Pro-Tem Rogers entertained a motion to approve Resolution R5-19. Councilmember Wipperman made said motion and Councilmember Wellman seconded. Council voted unanimously to approve said motion. (3-0) CONSIDER RESOLUTION R5-19 APPOINTING AUTHORIZED OFFICIAL, FINANCIAL OFFICER, AND PROJECT DIRECTOR FOR STATE HOMELAND SECURITY – LETPA PROJECTS GRANT

Mr. Welch explained that were looking as possible applications for this grant, but we were going to apply for it. Mayor Pro-Tem Rogers entertained a motion to approve Resolution R6-19. Councilmember Kimbro made said motion and Councilmember Wipperman seconded. Council voted unanimously to approve the resolution. (3-0) CONSIDER RESOLUTION R6-19 APPOINTING AUTHORIZED OFFICIAL, FINANCIAL OFFICER, AND PROJECT DIRECTOR FOR STATE CRIMINAL JUSTICE DIVISION – CRIMINAL

JUSTICE PROGRAM
GRANT

Mr. Houston explained that it had been a best practice, on advice issued by the Texas Comptroller in 2004, to establish an independent LEOSE Funds account so that there was no question whether funds were properly spent. Mr. Houston also stated the city would need to update the fund disbursement information at the Comptroller's office. Further, the ordinance would allow the City Secretary to establish the account. Mayor Pro-Tem Rogers entertained a motion to approve Resolution R7-19. Councilmember Kimbro made said motion and Councilmember Wellman seconded. Council voted unanimously to approve the motion. (3-0)

CONSIDER RESOLUTION
R7-19 TO ESTABLISH
ACCOUNT AT OLNEY
INTERBANK FOR LEOSE
FUND ALLOCATIONS

Mr. Houston explained this was the second reading and all changes had been made. Councilmember Wellman inquired into specific changes he had requested and Mr. Houston confirmed those changes. Mayor Pro-Tem Rogers entertained a motion to approve Ordinance O4-19 on Second Reading. Councilmember Wellman made said motion and Councilmember Kimbro seconded. Council voted unanimously to approve the resolution. (3-0)

CONSIDER ACTION ON
ORDINANCE O4-19 TO
AMEND AND EXPAND
ANIMAL CONTROL
ORDINANCES ON
SECOND READING

Mr. Houston explained that only Tommy Kimbro, Rue Rogers, and Chuck Stennett had applied for the three open at-large Councilmember positions. As such, the city was eligible to terminate the election and declare the three applicants elected, but they would not be sworn in until the first meeting in May. Mayor Pro-Tem Rogers made a motion to approve Ordinance O5-19 Cancelling the May 4, 2019 Election and declaring the unopposed applicants elected. Councilmember Wipperman made said motion and Councilmember Kimbro seconded. Council voted unanimously to approve the motion. (3-0)

CONSIDER ACTION
ORDINANCE O5-19
CANCELLING THE MAY 4,
2019 ELECTION

Mr. Welch explained to Council that Waste Connections was seeking a 1.94% increase in garbage rates due to the increase in the cost of business according to the consumer price index. Mr. Houston explained that Council could not reject the increase because the contract allowed up to a seven percent increase each year, but still had to authorize the increase. Mayor Pro-Tem Rogers entertained a motion to approve the CPI Garbage Rate Increase. Councilmember Kimbro made said motion and Councilmember Wellman seconded. Council voted unanimously to approve the motion. (3-0)

CONSIDER CPI
GARBAGE RATE
INCREASE REQUEST
FROM WASTE
CONNECTIONS

Mr. Welch and Mr. Houston explained the increase was necessary to offset increase as requested by Waste Connections so that it would not detrimentally affect the city's budget. Councilmember Wellman inquired why dumpsters were increasing at a higher rate. Mr. Houston stated that in the past Council had preferred the staff to round the numbers to the next dollar, and that he had merged in an extra dollar for tracking shared dumpsters into the normal cost of a dumpster thereby causing the increased rates he was seeing. It was too difficult to bill separately. Councilmember Kimbro asked what was the increase. Mr. Houston replied \$1.00 plus tax on rollouts and \$2.00 plus tax on most dumpsters. Mayor Pro-Tem Rogers entertained a motion to approve Ordinance O6-19 Increasing Garbage Rates. Councilmember Kimbro made said motion and Councilmember Wellman seconded. Council voted unanimously to approve the Ordinance. (3-0)

CONSIDER ACTION ON
ORDINANCE O6-19
INCREASING GARBAGE
RATES

Mr. Houston explained that the city had received one bid from Tower Extrusions meeting the specifications the city had published in the Olney Enterprise. Council considered the offer. Councilmember Kimbro inquired how the Council could award the bid since the majority of the Council present were Tower employees. Mr. Myers stated that anyone could second a motion, but that all three Tower Employees could not vote. Mayor Pro-Tem Rogers had no vote according to Council since he was acting in the place of the Mayor and running the meeting. Councilmember Wipperman made the motion to approve and accept the bid by Tower Extrusions and order paperwork drawn up for the exchange of property. Councilmember Kimbro seconded the motion. Mayor Pro-Tem Rogers asked for votes in favor and Councilmember Wipperman voted affirmatively. Mayor Pro-Tem Rogers asked for votes against and no members voted against. Mayor Pro-Tem Rogers asked for abstentions and Councilmembers Kimbro and Wellman abstained. With a vote of 1-0, with 2 abstentions, the motion passed.

CONSIDER EXCHANGE
PROPOSALS SUBMITTED
FOR CITY PROPERTY

Mr. Houston stated that Stacey Rogers had bid \$1,010.00 for 301 Hwy 79 South. This was above the informal minimum set by Council. The lot was previously owned by Jewell Jenkins. Mayor Pro-Tem Rogers entertained a motion to accept the bid. Councilmember Kimbro made said motion and Councilmember Wellman seconded. Council voted unanimously to accept the bid. (3-0)

CONSIDER TAX RESALE
BID(S)

Mr. Welch explained the City had received several violations from the TCEQ for failing to maintain Stormwater Inspections and standards at the Airport. He did not know if the violations would carry a fine, or how much they would be. However, Mr. Welch explained to Council that the city was taking corrective actions to find the permitting information, but the TCEQ could not find it in their central files or document storage. Further, Air Tractor had volunteered the assistance of their environmental engineer in the process in the future. No estimates on cost were available. Council discussed the violations and matters surrounding them. No action was taken on the item.

DISCUSS STORMWATER
PERMITTING AT
AIRPORT

Mr. Welch and Mr. Houston explained to Council that a pool manager was needed for the summer and that they had a promising lead. However, the city still needed to advertise for a manager and lifeguards. The individuals filling the positions would need to be certified in first aid, CPR, and as a lifeguard. Mayor Pro-Tem Rogers said he would send contact information to an interested party, and to Mr. Welch and Mr. Houston. No action was taken.

DISCUSS SWIMMING
POOL MANAGEMENT
POSITION

Mr. Welch explained that Raymond Lunsford had approached the city about an agreement allowing him to explore for oil using seismic testing up to 2,000 feet below the surface. The Airport Advisory Committee had said it was ok. Council inquired as to the pricing mentioned in the agreement and wished further research to ensure the price was fair. Mayor Pro-Tem Rogers announced the item would be tabled until the next meeting which Council agreed with.

DISCUSS AGREEMENT
TO PERMIT SEISMIC
TESTING ON AIRPORT
PROPERTY

Chief Clay presented the annual Racial Profiling Report to the Council and answered questions regarding manpower and stops.

HEAR OLNEY PD RACIAL
PROFILING REPORT

There being no further business to come before the Council, the Council adjourned by consent at 6:56 P.M.

ADJOURNMENT

ATTEST:

Mayor

City Secretary

Date Approved