

The City Council of the City of Olney, Texas, met Monday, February 22, 2021, at 6:00 P.M. Those present were: Mayor Rue Rogers, Mayor Pro-Tem Tom Parker, Councilmembers Phil Jeske, Tommy Kimbro, Chuck Stennett, and Terri Wipperman. Absent: None. Staff Present: City Administrator Neal Welch, Chief of Police Dan Birbeck, Interim City Secretary Arpegea Pagsuberon, and 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 6:08 P.M.

CALL TO ORDER

Mayor Rogers 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 February 8, 2021 Regular Meeting as written. Councilmember Wipperman made said motion, and Councilmember Kimbro seconded. Council voted unanimously to approve the minutes.

CONSIDER APPROVAL OF  
MINUTES FROM  
PREVIOUS MEETING(S)

Mr. Cody Ramey made a bid for tax-resale lots on the following addresses:

- 106 South Avenue F – Council rejected the bid in the amount \$1,500.
- 301 West Elm
- 200 West Gray
- 107 East Bloodworth
- 109 East Bloodworth

CONSIDER TAX RESALE  
BID(S)

Council reviewed the locations above and inquired if there were any structures on the properties and maintenance fees associated. Council requested to review the value and cost associated with these properties and tabled the discussion until further information is provided.

Chief Birbeck presented the 2020 Olney Police Department Racial Profiling Report to Council. As there were no comments or questions, Council accepted the report as presented.

HEAR AND ACCEPT 2020  
OLNEY POLICE  
DEPARTMENT RACIAL  
PROFILING REPORT

Mr. Welch submitted a revised job description and adjusted wage for the Equipment Operator position. Council reviewed the qualifications required, including safety training, and verified that the wage scale is consistent with other functions in a similar category. Mayor Rogers entertained a motion to approve the wage scale as presented and the new job description of Equipment Operator, adding bi-annual safety training required. Mayor Pro-Tem Parker made said motion, and Councilmember Kimbro seconded. Council voted unanimously to accept the new position of Equipment Operator and wage scale.

CONSIDER ADJUSTMENT  
OF CITY WAGE SCALE

Mayor Rogers read a letter from Dr. Greg Roach, Olney ISD Superintendent, restating the School Board's decision on requesting the one-thousand (1,000) foot setback on alcohol sales from the school district property. The letter also stated the School Board would support the City Council's decision made at this meeting regarding Resolution R2-21. Council agreed the decision to approve Resolution R2-21 was made in good faith, with the community's and school children's safety a priority. With the legal advice of Mr. Myers, it was confirmed the City of Olney's population did not meet the legal requirement to enact the one-thousand (1,000) setback. Mayor Rogers entertained a motion to revoke Resolution R2-21, reducing the setback to three-hundred (300) feet set by the Texas Alcoholic Beverage Commission. Mayor Pro-Tem Parker made said motion, and Councilmember Jeske seconded. Council voted unanimously to revoke Resolution R2-21.

DISCUSS AND CONSIDER  
ACTION ON RESOLUTION  
R2-21

Mayor Pro-Tem Parker expressed concern for the financial strain the recent winter storm may have placed on Olney's citizens. Council discussed deferring or segmenting payments for those who experienced excessive water use or loss of income due to the storm. Mayor Rogers entertained a motion to approve a 90-day extension with a written payment agreement on the water services to those in need. Councilmember Wipperman made said motion, and Mayor Pro-Tem Parker seconded. Council voted unanimously to approve a 90-day extension with a written payment agreement.

DISCUSS AND CONSIDER  
ACTION ON DEFERRED /  
SEGMENTED BILLING

Mayor Rogers stated that Council would enter executive session at 6:56 P.M. to discuss and deliberate the Semi-Annual Performance Evaluation of Dan Birbeck as Chief of Police of the City of Olney - Pursuant to Section 551.074(a)(1) of the Texas Government Code. Guests were required to leave the room.

EXECUTIVE SESSION:  
SEMI-ANNUAL  
PERFORMANCE  
EVALUATION OF DAN  
BIRBECK AS CHIEF OF  
POLICE

Council reconvened in regular open session at 7:15 P.M. and all guests were permitted to return.

Mayor Rogers entertained a motion to approve a one-time bonus for the amount of \$1,250 and scheduling an appreciation community celebration for Chief Birbeck. Mayor Pro-Tem Parker made said motion, and Councilmember Jeske seconded. Council voted unanimously to approve the one-time bonus and community celebration.

ANY ACTION AS A  
RESULT OF THE  
EXECUTIVE SESSION

Mayor Pro-Tem Parker stated in light of the recent winter storm and power outages; he would like to research the possibility of allowing above-ground propane tanks in the City limits, which are currently prohibited by ordinance, to empower self-sufficiency and not limit one's ability to care for themselves. Councilmember Whipperman inquired on the new Animal Control Officer's status, and Chief Birbeck confirmed their first day would be March 1st. Chief Birbeck informed the Council during the recent winter storm that there was one exposure fatality. Mr. Welch shared with the Council that the City had recently received a portion of the TDEM CARES Act funds covering City Hall improvements costs.

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 7:24 P.M.

ADJOURNMENT

ATTEST:

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Interim City Secretary