

**CITY OF PURCELL  
REGULAR MEETING  
JANUARY 7 2019  
6:00 P.M.  
COMMUNITY ROOM OF THE  
POLICE SERVICE BUILDING  
1515 N GREEN**

**MINUTES**

**1. Call to order and declaration of a quorum present.**

Mayor Cox called the meeting to order and declared a quorum to be present at 6:00 p.m.

**2. Roll Call.**

Roll called was conducted by Treasurer Victor Lohn with the following results:

Councilman present: Danny Jacobs, Mike Pollok, Ted Cox

Councilman absent: Graham Fishburn and Theda Engert joined the meeting already in progress at 6:03 p.m.

Staff present Dale Bunn, Victor Lohn, Gale McCarrell, Teddy Boles, Kevin Williams, Michael Minor

Legal counsel: Ted Haxel

**3. Pledge of Allegiance.**

Mayor Cox led the Pledge of Allegiance.

Dale Bunn offered the invocation.

**4. Welcome.**

Mayor Cox welcomed guests.

**5. Discussion of Agenda items.**

Mayor Cox asked if there were other boards or authorities that do not have term limits. Mr. Haxel advised the Golf Course is set up with no term limits and maybe the Airport Board. Mayor Cox asked if there was a Hospital Board Member that the City did not feel acted in the best interest of the Hospital or City, could that person be remove? Mr. Haxel advised yes and that the Hospital also has rules regarding attendance etc. If they desire to appoint or reappoint they have to come to the City for approval. Mr. Haxel advised due to this, he does not have a problem with removing term limits.

Councilman Fishburn and Councilwoman Engert joined the meeting already in progress.

**6. Approve the Consent Agenda:**

**a. Approval of minutes for December 3, 2018 Meeting.**

**b. Approval payment of claims as presented in the Council Expense Report in the amount of \$607,833.50.**

**c. Approval of estimated payroll in the amount of \$240,000.00.**

**d. Approval of the Treasurer's Financial Report.**

Councilman Jacobs made a motion second by Councilman Pollok to approve the consent agenda as presented.

Yes: Jacobs, Pollok, Engert, Fishburn, Cox      No: None      Absent: None

Mayor Cox extended a public thanks to Councilman Pollok for his 9 years of service. His guidance and wisdom will be greatly missed by the entire Council and the City. He stated that Councilman Pollok has plans to resign effective after this meeting due to his plans to move from

Purcell. Mr. Bunn added that Mr. Pollok has been critically essential to the City, specifically in his areas of his expertise.

Mayor Cox congratulated Mr. Jay Tate for his recent election.

Councilman Pollok stated that since June 9, 2010 he has helped with running the City of Purcell. It has been an honor and a privilege as well as a headach and a learning experience.

He left with the following advice for the City and Council members:

- As a city we need to take responsibility for our own City.
- The more we make it look inviting the more our town will prosper.
- Purcell could be on the forefront of recycling rather than behind. Recycling is going to happen and we need to think of how we can begin training people. If the City does it maybe the citizens will follow.

He said he believed Purcell has a lot of potential and is ahead in a lot of areas, water being a major area. He stated he appreciated the opportunity to give nine years of service and it is time to move on and let someone else serve.

#### **7. Consideration and possible action on items removed from the Consent Agenda.**

There were no items removed from the Consent agenda.

#### **8. Presentation and discussion of the Treasurer's Financial Report.**

Victor Lohn presented the November 2018 Financial Report.

- Sales Tax actual versus projected for November 2018 is unfavorable. Year to Date actual November 2018 verses November 2017 is favorable.
- Use Tax actual for November 2018 verses projected is unfavorable and unfavorable Year to Date.
- Tobacco Tax is unfavorable for November 2018 for projected, actual and Year to Date numbers.
- Fuel Tax is favorable for November 2018, actual versus projected and Year to Date/
- General Fund Variances for revenue versus expenses for November 2018 is unfavorable.
- Public Works variances for revenue versus expenses is favorable and favorable Year to Date.
- Electric sales are up for the month of November 2018 and Year to Date.
- Water sales are down for November 2018 and Year to Date.
- Lights from the Heart donations up in 2018.

#### **9. Presentation and discussion of the City Manager's Report.**

Mr. Bunn reported on the following:

- Suddenlink is making \$800,000 upgrades in Purcell. They are upgrading their internet as well.
- The Flexworks property will become five stores and one restaurant on the north side. There are sewer issues due to main sewer line running under the building and the line is collapsing. The City is figuring out how to connect on 6th Street.
- The Library remodel will host a ribbon cutting on January 10th at 9:00 am.
- Lights from the Heart record revenue in 2018.
- City Christmas Party largest attendance and was held at the Grand Canadian Theater.
- Chamber Banquet scheduled January 24th at the Grand Canadian.
- Main StreetScape, design input "Leaving a Legacy that Matter" the meeting is scheduled this Thursday January 10th.

#### **10. Consideration and possible action to contract with EST, Inc. to provide engineering services to professionally investigate the feasibility of constructing a new I-35 interchange in Purcell at a cost not to exceed \$57,000.**

Mr. Bunn introduced Mr. Dill with EST.

Mayor Cox advised this company will provide a couple of different possibilities. He advised that

we feel we have one shot at the interchange with ODOT. Mr. Dill agreed it probably was a one shot deal. He said we have a good chance in convincing ODOT that this is a good thing. It is to Purcell's advantage in getting aboard early. Mr. Dill advised he felt it would be to our advantage to provide ODOT with the best option rather than options to pick from. He explained that the cost is just to analyze a location and does not include a design. He said that he didn't feel it would be fair to charge for a design before first convincing ODOT to build.

Councilman Jacobs made a motion second by Councilman Fishburn to approve the EST Contract to provide engineering service.

Yes: Jacobs, Fishburn, Engert, Pollok, Cox                      No: None                      Absent: None

**11. Consideration and possible action concerning a recommendation for approval by the Planning Commission concerning an exception to the Facade Ordinance Section 122-347 of the City Codes, as requested by Allen Eubanks with Purcell Ace Hardware.**

Mr. Teddy Boles reported that Mr. Eubanks had come to Code Enforcement with a request to add on to Ace Hardware for additional storage. The way our current facade ordinance reads he could not do so without totally facading the entire building. He presented a 40 foot storage across the entire back of the building. The Planning Commission approved the exception for him to add on to the back of the building not to exceed 40 feet, using like material.

Councilman Jacobs made a motion second by Councilman Pollok to approve the recommendation from the Planning Commission concerning approval of an exception to the Facade Ordinance as requested by Allen Eubanks.

Yes: Jacobs, Pollok, Fishburn, Engert, Cox                      No: None                      Absent: None

**12. Consideration and possible action concerning a recommendation from the Rural Fire Board to reappoint Alan Carroll for a second term to expire 06-30-2021.**

Councilman Jacobs made a motion second by Councilwoman Engert to approve the recommendation from the Rural Fire Board to reappoint Alan Carroll for a second term expiring 06-30-2021.

Yes: Jacobs, Engert, Pollok, Fishburn, Cox                      No: None                      Absent:

**13. Consideration and possible action concerning Budget Amendment GF-2019-7 increasing appropriations in the amount of \$10,000 for the Roundabout design for Main and Canadian Street.**

Councilman Jacobs made a motion second by Councilman Fishburn to approve Budget Amendment GF-2019-7 as presented.

Yes: Jacobs, Fishburn, Pollok, Engert, Cox                      No: None                      Absent: None

**14. Consideration and possible action concerning Budget Amendment GF-2019-8 increasing Reimbursement/Discount Revenue and Plans Review & Inspection Appropriations both in the amount of \$8,045.20 for inspections of the Football Field and the Jr. High project.**

Councilman Jacobs made a motion second by Councilman Fishburn to approve Budget Amendment GF-2019-8 as presented.

Yes: Jacobs, Fishburn, Pollok, Engert, Cox                      No: None                      Absent: None

**15. Consideration and possible action concerning Budget Amendment GF-2019-9 increasing Equipment Maintenance in the amount of \$16,559.30 for repair of a backhoe for the Cemetery.**

Councilman Fishburn made a motion second by Councilman Pollok to approve Budget Amendment GF-2019-8 as presented.

Yes: Fishburn Pollok, Engert, Jacobs, Cox                      No: None                      Absent: None

**16. Consideration and possible action concerning Budget Amendment Airport-2019-1 increasing Miscellaneous revenue and Capital Outlay - Expansion - Grant both in the amount of \$4,500 due to mitigated damages related to the installation of the Fuel Farm at the Airport and installing a 150 foot chain link fence and walk thru gate near the new hanger area per a recommendation from the Airport Board.**

Councilman Fishburn made a motion second by Councilwoman Engert to approve Budget Amendment Airport-2019-1 as presented.

Yes: Fishburn, Engert, Jacobs, Pollok, Cox                      No: None                      Absent: None

**17. Consideration and possible action concerning a recommendation from OMAG to deny Tort Claim No 205643-ME filed by Martha Dezamacona.**

Councilman Fishburn made a motion second by Councilman Jacobs to accept the recommendation from OMAG to deny Tort Claim No. 205643-ME.

Yes: Fishburn, Jacobs, Pollok, Engert, Cox                      No: None                      Absent: None

**18. Consideration and possible action to acknowledge the receipt of DEQ Permit No. WL000044180634 for the construction of a 7,979 linear feet of six inch PVC potable water line and all appurtenances to serve the 220th Street & Eastern Avenue, McClain County Oklahoma.**

Councilman Jacobs made a motion second by Councilman Fishburn to formally acknowledge the receipt of DEQ Permit No WL000044180634 for construction of a 7,979 linear feet water line to serve 220th Street & Eastern Avenue.

Yes: Jacobs, Fishburn, Engert, Pollok, Cox                      No: None                      Absent: None

**19. Consideration and possible action to Acknowledge of the receipt of Oklahoma Department of Environmental Quality (ODEQ) Permit No. SL000044180932 for the construction of 6545 linear feet of eight (8) inch PVC sanitary sewer line and all appurtenances to serve the Proposed Holiday Inn Express, McClain County, Oklahoma.**

Councilman Jacobs made a motion second by Councilman Fishburn to formally acknowledge the receipt of DEQ Permit No SL000044180932 for construction of a 6,545 linear feet sanitary sewer line to serve the proposed Holiday Inn.

Yes: Jacobs, Fishburn, Engert, Pollok, Cox                      No: None                      Absent: None

**20. Discussion and possible action to approve Resolution 19-C01 supporting 100% ODOT/Federal Highway Administration funded grant application through ACOG for a safety improvement to Main Street at Canadian Avenue.**

Mayor Cox advised the way he understands is that the City pays the cost of the engineering and design cost. Mr. Bunn affirmed. Mayor Cox said they are going to have to bring the ground up and they estimate the cost at approximately \$1.4M with our cost being \$169,000. The project would totally change the look and enhance the downtown area.

Councilman Fishburn made a motion second by Councilman Jacobs to approve Resolution 19-C01 supporting 100% ODOT/Federal Highway Administration funded grant application through ACOG for safety improvement to Main Street at Canadian Avenue.

Yes: Fishburn, Jacobs, Engert, Pollok, Cox                      No: None                      Absent: None

**21. Discussion and possible action to approve Resolution 19-C02 supporting a 100% ODOT/Federal Highway Administration funded grant application through ACOG for a safety improvement on Green Avenue at Hallmark Boulevard.**

Mayor Cox explained that this is similar to above item in which the City is required to pay for the engineering and design. It would allow for a stop light at Green Avenue and Hallmark. The new Junior High School is going to be built at that location and there will be a lot more student traffic in the area. The City portion is estimated at \$58,500 with the total estimated cost being somewhere near \$500,000.

Councilman Jacobs made a motion second by Councilwoman Engert to approve Resolution 19-C02 supporting a 100% ODOT/Federal Highway Administration funded grant application through ACOG for safety improvements on green Avenue at Hallmark Boulevard.

Yes: Jacobs, Engert, Fishburn, Pollok, Cox                      No: None                      Absent: None

**22. Discussion and possible action to approve Resolution 19-C03 to apply through ACOG for a grant for 80% of the cost, approximately \$538,200.00, and committing City of Purcell 20% share, approximately \$134,550.00, for rehabilitation of Green Avenue between Grant Street and 9th Avenue.**

Mayor Cox explained this is the only section of Green Avenue that is solely under City control. The rest of Green Avenue is either an on-ramp to I-35 or Highway 74. Councilman Fishburn stated that this discussion needs to include discussion of student pedestrian. Mr. Bunn advised we are working on a Safe Route to School Plan and Grant, but it does not come open until 2020.

Mayor Cox advised the Junior School is not scheduled to be completed until 2020. The project will need involvement from the School System along with the City.

Councilman Jacobs made a motion second by Councilman Fishburn to approve Resolution 19-C03 supporting a 80% of the cost, approximately \$538,200 and committing City of Purcell 20% share approximately \$134,550, for rehabilitation of Green Avenue between Grant Street and 9th Avenue.

Yes: Jacobs, Fishburn, Pollok, Engert, Cox            No: None        Absent: None

**23. Discussion and possible action concerning Joint Resolution 19-C05 and 19-P01 amending Resolution 10-P05 by striking portion of Section 3.1A regarding Hospital term limits.**

Mayor Cox explained currently we have two consecutive four year terms and we are proposing to amend it to be four year terms. Vice Mayor Jacobs stated that since we are actively involved in changing our health care hospital facility and we have teams in place that need to remain in place.

Councilman Jacob made a motion second by Councilman Pollok to approve Joint Resolution 19-C05 and 19-P01 amending Resolution 10-P05 by striking portion of Section 3.1A regarding Hospital term limits.

Yes: Jacobs, Pollok, Engert, Fishburn, Cox            No: None        Absent: None

*Mayor Cox declared the meeting to be in recess in order to go into the Purcell Public Works Meeting at 6:50 p.m.*

*Mayor Cox declared the meeting reopened in joint session with the Purcell Public Works Authority at 7:13 p.m.*

**24. EXECUTIVE SESSION: DISCUSSION, CONSIDERATION RE: AN EXECUTIVE SESSION TO BE HELD IN ACCORDANCE WITH 25 O. S. 307 § (B) (3)**

**a. Discussion and consideration concerning the purchase or acquisition of certain land or property in accordance with 25 O.S. 307 § (B) (3).**

Mayor/Chairman Cox made a motion second by Jacobs to enter into Executive Session with Council members present, the City Attorney Ted Haxel, City Manager Dale Bunn and Hospital Administrator Kem Scully entering at 7:13 p.m.

Yes: Cox, Jacobs, Pollok, Fishburn, Engert            No: None        Absent: None

Mayor/Chairman Cox made a motion second by Jacobs to return to regular joint session at 7:35 p.m.

Yes: Cox, Jacobs, Pollok, Fishburn, Engert            No: None        Absent: None

**25. EXECUTIVE SESSION: DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING ITEMS DISCUSSED IN EXECUTIVE SESSION IN ACCORDANCE WITH 25 O. S. 307 § (B) (3)**

**a. Discussion and consideration and possible action concerning the purchase or acquisition of certain land or property in accordance with 25 O.S. 307 § (B) (3).**

Mayor/Chairman Cox declared no action on Executive Session.

**26. City Council comments.**

Councilman/Trustee Pollok tenured his resignation effective at the end of the meeting. Again he stated his pleasure to have served the City of Purcell for the past nine years and wished them the best.

Each Councilman/Trustee expressed gratitude and good will to Mr. Pollok in his future.

**27. City Manager and staff comments.**

None.

**28. City Attorney comments.**

None.

**29. Adjourn.**

Mayor/Chairman Cox declared the joint meeting adjourned at 7:38 p.m.

*Passed and approved this 4th day of March 2019*

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**Ted Cox, Mayor**

**Attest:**

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**Dorothy Kennedy, City Clerk**