

**CITY OF PURCELL  
REGULAR MEETING  
FEBRUARY 04, 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 6:11 p.m.

**2. Roll Call.**

Roll call was conducted by City Clerk, Dorothy Kennedy with the following results:

Councilman present: Graham Fishburn, Theda Engert, Ted Cox

Councilmen absent: Danny Jacobs

Council Vacancy: Division 4

Staff present: Dale Bunn, Victor Lohn, Dorothy Kennedy, Kevin Williams, Josh Van Oort, Teddy Boles, Tommy Mize, Barry Askew, Kim Barnes, Rocky Claunch, Quinn Kroth, Tannel Bell, Gage Christian, Greg Cypert, Kent Meeker, Joel Staggs, Jason Benefield, Kraig Edelman, Tanner Bond

Legal counsel: Ted Haxel

**3. Pledge of Allegiance.**

Mayor Cox led the Pledge of Allegiance.

Mr. Bunn offered the invocation.

**4. Welcome.**

Mayor Cox welcomed guests.

**5. Consideration and possible action to swear in James (Jay) Tate, as a Councilman to fill the unexpired term of Mike Pollok.**

Councilman Fishburn made a motion second by Councilman Engert to appoint and swear in James (Jay) Tate as a Councilman to fill the unexpired term of Mike Pollok.

Yes: Fishburn, Engert, Cox

No: None

Absent: Danny Jacobs

Mayor Cox administered the oath of office to James (Jay) Tate. Councilman Tate joined the meeting.

**6. Presentation from Kimberly Meek, CM Duncan and OML Board Member, of a 25-year service award to Fire Fighter Corporal Barry Askew.**

Ms. Kimberly Meek, OML District Representative for Purcell, presented the award. She informed Mr. Askew that because of his service his name has been entered into a leather bound book of service located at the OML office in Oklahoma City. She thanked Corporal Askew for his years of service. Corporal Askew's wife pinned his award.

**7. Discussion of Agenda items.**

Mayor Cox informed the Council that due to unforeseen event and difficulties the Minutes are unavailable and will be available at the next meeting.

**8. Approve the Consent Agenda:**

**a. Approval of minutes for January 7, 2019 Meeting.**

**b. Approval payment of claims as presented in the Council Expense Report in the amount of \$635,783.59.**

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

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

Councilman Fishburn made a motion second by Councilwoman Engert to remove the item (a) January 7, 2019 minutes from the Consent Agenda.

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

Councilman Fishburn made a motion second by Councilman Tate to approve Consent Agenda items (b, c, and d).

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

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

No action.

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

Victor Lohn present the Financial report for the month of December 2018.

- Sales Tax for December 2018 actual versus December 2017 was favorable \$21,015.
- Use Tax projected amounts were favorable while actual December 2018 versus December 2017 is unfavorable \$4,562.
- Tobacco Tax actual December 2018 versus December 2017 was unfavorable.
- Fuel Tax December 2018 ended with favorable numbers.
- General Fund Revenue versus Expenses for December 2018 ended unfavorable \$9,825 and year to date unfavorable \$290,914.
- Public Works Revenue versus Expenses December 2018 was favorable \$28,667 and favorable year to date \$621,106. Electric sales are up and ended favorable year to date. Waters sales are down \$8,000 for December and year to date down \$31,605.

Mr. Lohn reported successfully completing the installation of a new credit card machine that interfaces with INCODE. The swiping is outside the payment window.

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

- Mr. Bunn's report was a power point presentation of the following:
- The Hospital Board Miller Nap for development of New Hospital
- Half and Associates applied for a grant for Main Street Round-About as part of StreetScape. They also applied for a Traffic Signal at Hallmark and the Jr. High School.
- Sullivan and Associated applied for a grant to ODOT to resurface from Grant to N. 9th Street.
- Guernsey filed a grant application for Phase 2 of the Trails grant that would build a trail around the City Lake.
- ASCOG has put together an Economic Development plan in which we are partners on a twenty year plan. It includes Safe Routes to Schools and sidewalks.
- Giving Time awards were presented at the Chamber Banquet. Award for Business went to Pruitt Investments, Charity award went to OKEYHA Mothers, Education went to Michael O'Neil and Government award went to Danny Jacobs.

**12. Consideration and possible action with respect to a Financial Advisor Service Agreement between the Authority and Municipal Finance Service, Inc.**

Mayor Cox advised that we have asked MFS to look into procuring possible financing for the Hospital. He advised MFS cannot speak on our behalf unless he is a dully appointed representative of the City. This will allow us to choose between a lease or municipal financing.

Mr. Ben Oglesby of MFS was present to explain the purpose of MFS's involvement. He stated that the Hospital has released an Request for Proposal, which would involve a development lease. He advised the purpose of this agreement was to allow MFS to work on the City's behalf in order to get the best financing option possible. The City will be under no obligation to chose any option the MFS may offer and fees are contingent upon the City actually choosing to go with his firm.

Councilman Fishburn made a motion second by Councilwoman Engert to approve the Financial Advisor Service Agreement between the Authority and Municipal Finance Service, Inc.

Yes: Fishburn, Engert, Tate, Cox

No: None

Absent: Jacobs

- 13. Consideration and possible action concerning Ordinance No. 19-01 AN ORDINANCE OF THE CITY OF PURCELL AMENDING AND REPEALING ORDINANCE NO. 14-10; PROHIBITING THE USE OF TOBACCO PRODUCTS INCLUDING VAPOR PRODUCTS ON CITY OWNED AND/OR LEASED PROPERTIES AND VEHICLES; DECLARING THAT THE CITY OF PURCELL OWNED/OPERATED/LEASED PROPERTY AND VEHICLES TO BE TOBACCO FREE; PROVIDING FOR DEFINITIONS, PROHIBITIONS, POSTING, PENALTY AND ENFORCEMENT; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

Joe Johnson of TSET was present to discuss the importance of Ordinance No. 19-01. Mr. Johnson advised the changes noted not only help the City but are important in obtaining grants through TSET.

Councilman Fishburn made a motion second by Councilman Tate to approve Ordinance No. 19-01 as read prohibiting the use of Tobacco products including vapor from city owned or leased properties and vehicles.

Yes: Fishburn, Tate, Engert, Cox

No: None

Absent: Jacobs

- 14. Consideration and possible action concerning declaring Ordinance No. 19-01 an emergency.**

Councilman Fishburn made a motion second by Councilwoman Engert to declare Ordinance No. 19-01 an emergency.

Yes: Fishburn, Engert, Tate, Cox

No: None

Absent: Jacobs

- 15. Consideration and possible action concerning Ordinance No. 19-02 AN ORDINANCE OF THE CITY OF PURCELL AMENDING ORDINANCE 18-08 BY AMENDING ALL SECTIONS RELATED TO LOCATION DISTANCE FROM A PLACE OF WORSHIP OR RELIGIOUS ASSEMBLY SO THAT THE DISTANCE IS COMPUTED IN FEET BY A DIRECT MEASUREMENT IN A STRAIGHT LINE FROM THE NEAREST DOOR OF THE CHURCH OR RELIGIOUS ASSEMBLY TO THE NEAREST DOOR OF THE MARIJUANA ESTABLISHMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND DECLARING AN EMERGENCY**

Councilman Fishburn made a motion second by Councilman Tate to approve Ordinance No. 19-02 as read.

Yes: Fishburn, Tate, Engert, Cox

No: None

Absent: Jacobs

- 16. Consideration and possible action concerning declaring Ordinance No. 19-02 an emergency.**

Councilman Fishburn made a motion second by Councilman Engert to declare Ordinance No. 19-02 an emergency.

Yes: Fishburn, Engert, Tate, Cox

No: None

Absent: Jacobs

- 17. Consideration and possible action concerning Budget Amendment Airport-2019-2 increasing appropriations in the amount of \$957.00 for expansion Grant to install 150 foot chain link fence and walk thru gate.**

Councilman Fishburn made a motion second by Councilman Tate to approve Budget Amendment Airport-2019-2 as read.

Yes: Fishburn, Tate, Engert, Cox

No: None

Absent: Jacobs

- 18. Consideration and possible action concerning Budget Amendment GF-2019-10 increasing Reimbursements/Discounts and Appropriations - Plan Reviews & Inspections both in the amount \$1,943.36 for plan review and inspections at the new Junior High School.**

Mayor Cox explained that the City is using someone for special inspections that have a little better expertise than we do.

Councilman Fishburn made a motion second by Councilwoman Engert to approve Budget Amendment GF-2019-10 as read.

Yes: Fishburn, Engert, Tate, Cox

No: None

Absent: Jacobs

**19. Consideration and possible action concerning Budget Amendment GF-2019-11 increasing Revenue - Reimbursement/Discounts and Vehicle Maintenance both in the amount of \$758.20 due to reimbursement from a third party insurance company for repair to the 2010 Ford Escape.**

Mr. Bunn explained that this was due to the receipt of money from an accident involving a City owned vehicle in which the City was not at fault.

Councilman Fishburn made a motion second by Councilman Tate to approve Budget Amendment GF-2019-11 as read.

Yes: Fishburn, Tate, Engert, Cox                      No: None                      Absent: Jacob

**20. Consideration and possible action concerning a recommendation from the Brent Bruehl (City of Purcell) Golf Course Board of Directors to appoint Joe Weber to replace Tom McCurdy III.**

Mr. Bunn advised the request for replacement was due to Tom McCurdy having moved.

Councilman Tate made a motion second by Councilwoman Engert to approve the recommendation from the Brent Bruehl Golf Course Board of Directors to appoint Joe Weber to replace Tom McCurdy III.

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

*Mayor Cox declared the City Council meeting in recess in order to enter into the Purcell Public Works Authority Meeting at 6:46 p.m.*

*Mayor Cox declared the meeting to be in joint session with the Public Works Authority at 7:04 p.m.*

**21. 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 Cox made a motion to enter into joint Executive Session at Councilman Fishburn 7:06 p.m. and entering executive sessions are the following persons: Council Members who are present, City Attorney, Ted Haxel, and City Manager, Dale Bunn and Teddy Boles.

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

Mayor Cox made a motion second by Councilwoman Engert to return to regular joint session at 7:50 p.m.

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

**22. 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 stated that there is no action on Executive Session.

**23. City Council comments.**

Councilwoman/Trustee Engert: Extended a welcome to Councilman Tate. She asked if the Purcell-Lexington Bridge is completed. Mr. Bunn advised negative.

Councilman/Trustee Fishburn: Reported that the Mountain Bike Trail is under construction completely by volunteers. He advised the Trails will be a nice addition to Purcell.

Councilman/Trustee Tate: Extended a thank you for the Council's trust. He then asked if there was a schedule of days that Main Street is being blocked off for bridge construction. Mr. Bunn reported that when it is blocked off the construction company generally tries to make two

loads. All of this also depends on train traffic, so we do not always know if they will make more than one load.

Mayor/Chairman Cox: Informed the Council that he was going to propose a increase to the base electric bill in March. This would be to cover cost for transmission lines and in recent research would only effect one regular customer and a few customers that had additional meters for out building such as shops and garages.

**24. City Manager and staff comments.**

None.

**25. City Attorney comments.**

Mr. Haxel had no comment.

**26. Adjourn.**

Mayor Cox declared the joint meeting to be adjourned at 8:06 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**