

**CITY OF PURCELL
REGULAR MEETING
APRIL 4, 2022
6:00 P.M.
IN THE COMMUNITY ROOM OF
THE PURCELL POLICE SERVICE BUILDING
1515 N. GREEN AVENUE
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 call was conducted by City Clerk, Andrea Millsap, with the following results:

Councilmen present: Danny Jacobs, Graham Fishburn, Theda Engert, Ted Cox.

Councilman absent: Jay Tate

Staff present: Justin Howell, Michael Minor, Clent Kennedy, Bobby Elmore, Jeremy Pittman, Jason McGrew, John Blue

Counsel: Greg Dixon

3. Pledge of Allegiance.

Mayor Cox led the Pledge of Allegiance.

Dale Bunn offered the invocation.

4. Welcome.

Mayor Cox welcomed guests, staff, and council members.

5. Discussion of Agenda Items.

Mayor Cox noted 3 requests to speak will be called on when the agenda item come up.

Mayor Cox called for any discussion of agenda items.

Noted Councilman Tate is absent because he's watching practice rounds of golf at the Masters.

6. Approve the Consent Agenda:

All items listed under the Consent Agenda are deemed to be non-controversial and routine in nature by the governing body. They will be approved by one motion of the governing body. The items on the Consent Agenda WILL NOT be discussed. Any member of the governing body desiring to discuss an item on the Consent Agenda may request it be removed from the Consent Agenda and placed in its proper order on the regular agenda for consideration.

a. Approval of minutes for March 7, 2022 Meeting.

b. Approval of payment of claims as presented in the Council Expense Report in the amount of \$630,455.52.

c. Approval of payment of Street & Alley Claims in the amount of \$0.00.

d. Approval of payment for Unemployment Insurance in the amount of \$0.00.

e. Approval of payment of Capital Improvement Claims in the amount of \$53,620.89.

f. Approval of payment of Rural Fire Claims in the amount of \$3,415.75.

g. Approval of payment of Cemetery Care in the amount of \$0.00.

h. Approval of payment for Airport Authority Claims in the amount of \$100.00.

i. Approval of estimated payroll in the amount of \$295,000.00.

j. Approval of the Treasurer's Financial Report.

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

Councilman Jacobs made a motion second by Councilwoman Engert to approve the consent agenda as written.

Yes: Jacobs, Engert, Fishburn, Cox

No: None

Absent: Tate

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

- Sales Tax thru February 2022 is up 9.85% over last year or \$436,775.00; up 21.81% over budget or \$872,587.00.
- Use Tax thru February 2022 is up 15.12% over last year or \$67,086.00; up 27.67% over budget or \$110,698.00.
- Tobacco Tax thru February 2022 is down 5.40% over last year or \$2,304.00; up 20.99% over budget or \$6,996.00.
- Electricity in February 2022 had a positive variance of \$17,715.00 vs last year; YTD the variance is positive \$153,869.00.
- Water in February 2022 had a positive variance of \$71,563.00 vs last year; YTD variance is positive \$127,993.00.
- General Fund in February 2022 the revenues were below expenses by \$33,080.00; YTD revenues were below expenses by \$887,198.00.
- Public Works in February 2022 the revenues were above expenses by \$243,390.00; YTD revenues are above expense by \$1,180,127.00.

9. Presentation and discussion of the City Manager Report.

Hospital

- Sanitary sewer and storm sewer are done with exception of under roadways.
- Water Main under the road was accepted in mid March for connection to the city's system.
- Water main addition along 9th Ave., is in final cleanup and repair work stage.
- Road final grading revision is bidding this week, bid opening in 21 days.

Medical Office Building

- Lot split completed.
- Sales agreement drafted and approved.
- Reciprocal easement agreement of the REA has been negotiated. The access roadway has been planned and material storage and worker park easement in the negotiation process.
- Pending certification of site by building and earth.
- Utilities are staged for last run into the site.

Interstate

- EST designing with ODOT and the City, utilities being finalized to current stage.
- Environmental studies continue.
- Right of way acquisitions will happen after studies completed.
- Construction tentatively set to start in 2025.

Main Street Scape

- Still waiting on response from SHPO.
- September or October, tentative date for bid with start date of January, 2023.

Chickasaw Wellness

- Utility work complete.
- Sherry Classic is complete.
- Hardcastle Blvd. asphalt paving still in progress

OEC Fiber

- Daily meetings no longer necessary.
- Home and business installations to start this month.

New Well at Wellfield

- Still waiting on parts for this well and a couple other wells that we have down.

Trails

- Abutments for bridge expected in April.
- Concrete crossings on spillway and trail that need to be built.

Electric Department

- Electric Department notified that they received the certificate of excellence, ranking national in the top 10 percent for the fewest outages.

Fire Department

- Brandi Idlett, HR, put together a free annual cancer screening program with Total Wellness. Firefighters have higher rates of cancer than other populations.

Wildfire

- Presented a video and explanation of efforts by fire department to stop the fire on March 17, 2022, along the river.

Chamber Banquet

- April 21, 2022 at 6:00 p.m. at Southwind Hills, featuring the Giving Time Honors.

10. Discussion and possible action to approve Planning Commission's recommendation for approval of PUD (Planned Unit Development) rezone of the W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Township 6 North, Range 2 West (South Brook).

Mayor Cox noted that he had a conflict of interest, has clients involved, so he removed himself. Brad Reid with LTS Engineering Services, LLC presented on behalf of the applicants.

- PUD approximately 87 acres. Originally 60 acres on south side.
- Met with city re: issue of access point being in the 100 year floodway, so 28 additional acres was purchased, old Westbrook Addition, which allowed an access point to the north, Grant, through Westbrook Addition.
- Traffic study was completed upon the recommendation of the Planning Commission. Four options were done.
- 10 acres of multi-family. This developer is not a multi-family developer. It will be sold off at some point if interest in it. If not, this will be the last phase of 60 additional single family units in the 10 acres.
- Noted PUD zoning R-2 single family for Tract 1. Minimum lot size varied 4800 sq ft., minimum lot width 40 feet and front yard setback would be changed to 20 feet. Allows deeper house. Tract 2 would be developed under R-4 multi family unless developed under single family and then the same lot size adjustments would apply.
- Traffic study ran 4 options: One access only through Westbrook with all single family; and then all single family with mix of multi-family. Ran same 2 options with secondary access point to the south side (can't be used as main access because of FEMA floodway). Currently Level A (less than 10 seconds); with additional traffic of South Brook would go to Level B (less than 15 seconds). Even at Level D it can still be classified as functional in a traffic standpoint.
- Property values discussed. Mr. Reids research on Westbrook reflected last house sold was 8/30/21, 1,100 sq. ft. sold for \$145,000 (\$132.00/sq. ft.); range of footage in Westbrook is 1,000 sq. ft. – 2,200 sq. ft. Intended size of Southbrook homes would be 1,200-2,000 sq. ft., 2,000 being 2 story house, and price per sq. ft. would be: 2,000 sq. ft. \$140.00 sq. ft. and smaller homes would be \$150.00-\$155.00/sq. ft. His summary is no reduction in value for adjacent homes based on new construction.
- Mr. Reid noted that he did not believe that the traffic or the home value is a valid concern due to the traffic study and research on comparables.

Requests to be Heard

Tim Crumbley, Tammi Johnson, and William "Bill" Deveraux each presented. Each noted their recognition of the need for housing in Purcell, however, their primary points of concern with the addition was the number of homes in the PUD with Westbrook Blvd. being the main entrance/exit causing a significant increase in traffic, safety issues with the

additional traffic. Additionally, the matter of zoning was brought to the attention of the council.

Councilman Fishburn suggested tabling this item to next meeting. Suggested Mr. Reid and a chosen representative from Westbrook get together and discuss options.

Councilman Jacobs made a motion second by Councilman Fishburn to table agenda Item No. 10 and put it on the May agenda.

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

11. Consideration and possible action to approve Ordinance No. 22-05 AN ORDINANCE OF THE CITY OF PURCELL, OKLAHOMA, AMENDING THE OFFICIAL ZONING DISTRICTS MAP OF SAID CITY, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE TRACT OF LAND DESCRIBED HEREIN; AUTHORIZING THE CHANGE OF SAID ZONING DISTRICT OF THE OFFICIAL ZONING DISTRICT MAP OF SAID CITY.

No action taken.

12. Consideration and possible action concerning the City of Purcell continuing as a 2022-2023 Diamond Level Member of the Heart of Oklahoma Chamber of Commerce in the amount of \$26,000.

Rebekah Lynam presented information on behalf of the Heart of Oklahoma Chamber of Commerce.

Councilman Fishburn made a motion second by Councilman Tate to approve Agenda Item No. 12 as written.

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

13. Discussion and possible action concerning recommendation of the Cemetery Board to allocate \$20,000.00 to the Cemetery Beautification Project.

Jason McGrew stated plan to add trees to the cemetery.

Councilman Jacobs made a motion second by Councilman Engert to approve Agenda Item No. 13 as written.

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

14. Discussion and possible action concerning the recommendation from Staff to renew Dillon & Associates firm for auditing services of the 2021-2022 fiscal year financial records, for an amount to not exceed \$34,500.00.

Councilman Jacobs made a motion second by Councilwoman Engert to approve Agenda Item No. 14 as written.

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

Mayor Cox declared the meeting to be in recess in order to go into the Purcell Public Works Authority Meeting at 7:21 p.m.

Mayor Cox declared the City Council Meeting and the Purcell Public Works Authority in joint session in order to enter joint Executive Session at 7:35 p.m.

15. 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 appraisal of real property in accordance with 25 O.S. 307 § (B) 3.
- b. Discussion and consideration of labor contract for fiscal year 2022-2023 between the City of Purcell and the FOP #194 in accordance with 25 O.S. § 307 (B) (2).
- c. Discussion and consideration of possible action concerning the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Manager Dale Bunn and City Treasurer Victor Lohn in accordance with O.S. 307 § (B) (1).

Mayor Cox made a motion second by Councilman Jacobs to enter into joint Executive Session at 7:35 p.m. with the following persons entering: Councilmen/Trustees who are present; councilman elect Allen Eubanks; City Attorney Greg Dixon; City Manager Dale Bunn and Treasurer Victor Lohn, as appropriate.

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

16. 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 appraisal of real property in accordance with 25 O.S. 307 § (B) 3.
- b. Discussion and consideration of labor contract for fiscal year 2022-20223 between the City of Purcell and the FOP #194 in accordance with 25 O.S. § 307 (B) (2).
- c. Discussion and consideration of possible action concerning the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Manager Dale Bunn and City Treasurer Victor Lohn in accordance with O.S. 307 § (B) (1).

Mayor Cox declared the Council has returned from Executive Session.

Mayor Cox made a motion second by Councilman Jacobs to return to regular Joint Session at 8:24 p.m.

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

16a. No action taken.

16b. No action taken.

16c. *Councilman Jacobs made a motion seconded by Councilman Fishburn to approve Dale Bunn the City Manager for the new physical year 2022-2023.

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

* Councilman Jacobs made a motion seconded by Councilman Engert to approve City Treasurer Victor Lohn for the 2022-2023 physical year.

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

17. City Council Comments.

Councilman Tate: Absent

Councilwoman Engert: Asked when the light on Grant & Green will be repaired. Response was they are working on getting quotes and materials ordered.

Thanked Mr. Jacobs for his dedication to City of Purcell and helping her along.

Councilman Fishburn: To Mr. Jacobs: It's been a pleasure and you're an inspiration and your dedicated service to this community is a personal inspiration and I appreciate it. Thank you for all you've done.

Councilman Jacobs: Spoke about the digital meeting. Have been asked by more than one councilmember, who wanted to know exactly what I thought when I didn't answer the last time, especially Jay wanted to know how I felt. I didn't answer the last time because I thought he wasn't working with us, he was working for himself. I just thought there were other motives in mind than

trying to help us out. So that's why I didn't answer then. Wanted to share how he feels. Throughout his career he doesn't see the digital meeting, at this point in time, a positive. Pastors have conveyed that that digital has damaged ability to have an in person audience and build relationships and has damaged the income. From standpoint of city council and school board, I'll speak from that point of view. You cannot build community until you encourage people to come in here, like we had tonight. To build community and build relationships and be able to communicate like you want to do to resolve problems...it can't be done digitally. You have to be in attendance, it's imperative, because you can't be part of the process unless you're in here watching the verbal and non-verbal communication that takes place. Non-verbal communication is 93% of the process. The Purcell Register covers everything. If you do go to digital it's imperative protocol be put in place to have control so that people aren't just appearing for screentime which is unproductive and times it was destructive. It did not allow community and fellowship development. Encouraged research prior to making decision. Does not believe it appropriate for today, may be at a later date.

Noted he was proud of the people he served with on the council, noting Michael Pollock and Tom McCurdy. Three council members were his former students. He is even more proud of them today for their service. Noted Ted Cox skills as Mayor were vital for the projects we've been dealing with. Also made note that people in council positions should come with no agenda because we're here to represent what is the good, for the common good of all, for those present and those to come. Noted he was blessed and honored to work with Dorothy Kennedy, Mrs. Millsap, Victor Lohn, Dale Bunn, and Greg Dixon and be a part of this council. Is not happy to be leaving, is not tired of it, but is glad to focus on spending time with family.

Is happy to have been part of the hospital project.

Mayor Cox: Asked about replacing light by Loves where one of the lamps was destroyed. Response was there was a delay in delivery but believes we have it now.

To Mr. Jacobs: I have as much respect for you as I did my own father. He is gone and you're the man I respect more than anybody living. You've taught me so much and I'm so thankful that you served on this council, and I had an opportunity to work with you for the last 6 years. I can't tell you how much I think of you. You mean the world to me.

18. City Manager and staff comments.

Mrs. Millsap to Danny Jacobs: You are dedicated, you investigate, go through the packet and ask questions when you get to the meeting.

Mr. Lohn to Danny Jacobs: I really enjoy working with you, it's been an honor.

Mr. Bunn to Danny Jacobs: Noted him as a statesman as far as presence, the way you deal with matters, character, looking out for the little guy. Mr. Bunn presented a parting gift, a compass for the leadership and direction that you've given us as staff.

19. City Attorney comments. To Mr. Jacobs: The fervor and the interest you do in what your oath called you to do, the research you do, the people you talk to, it's an example for the young guys like the Mayor and I. You can set aside all social, political, religious beliefs aside and you can't argue with you fulfilling your oath in the passionate way you did it. I appreciate that.

20. Adjourn.

Mayor Cox declared the meeting to be adjourned at 8:45 p.m.



Attest:

Andrea Millsap
Andrea Millsap, City Clerk

Approved this 2nd day of May 2022

[Signature]
Mayor