

**CITY OF PURCELL
REGULAR MEETING
JUNE 1, 2020
6:00 P.M.
IN THE COMMUNITY ROOM
OF THE POLICE SERVICE BUILDING
1515 N GREEN AVENUE**

**Special Notice
Applicable to the June 1, 2020 Purcell City Council Meeting**

All Council Members will be in attendance in person.

Because of the pandemic Coronavirus (“COVID-19”) personal distancing of at least six (6) feet will be adhered to. We also encourage wearing personal protective masks.

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, Dorothy Kennedy, with the following results:

Councilmen present: Danny Jacobs, Graham Fishburn, Theda Engert, Jay Tate, Ted Cox
Councilman absent: None
Staff present: Dale Bunn, Victor Lohn, Dorothy Kennedy, Bobby Elmore, John Blue, Tommy Mize
Counsel: Ted Haxel was present along with Chris Lind

3. Pledge of Allegiance.

Mayor Cox led the Pledge of Allegiance.

Mr. Bunn offered the invocation.

4. Welcome.

Mayor Cox extended a welcome to Council, staff and guests.

Mayor Cox informed those present that Purcell has had their third death due to Covid 19.

5. Discussion of agenda items.

Mayor Cox called for any discussion of agenda items.

6. Approve the Consent Agenda.

- a. **Approval of minutes for May 4, 2020, May 14, 2020 and May 21, 2020 Meetings.**
- b. **Approval of payment of claims as presented in the Council Expense Report in the amount of \$516,746.54.**
- c. **Approval of payment of Street & Alley Claims in the amount of \$48,964.52.**
- 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 \$325,098.34**
- f. **Approval of payment of Rural Fire Claims in the amount of \$2,815.00**
- g. **Approval of payment for Airport Authority in the amount of \$0.00**
- h. **Approval of estimated payroll in the amount of \$275,000.00.**
- i. **Approval of the Treasurer’s Financial Report.**

Councilman Jacobs made a motion second by Councilman Fishburn to approve the Consent Agenda as written.

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

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.

Mr. Lohn reported revenues were outpaced by expenses for the current fiscal year thru April. Tax revenue overall is flat. The City used reserves to cover expenses in April. The Monthly Loss for April 2020 is \$21,262.93. Year to Date Loss thru April 2020 is \$591,490.55.

Councilman Fishburn asked if we know the full impact of Covid 19 yet. Mr. Lohn advised this month Sales Tax was higher than it has ever been, but for the year over all flat within 2%-3%. April Sales Tax we will receive in June and that will tell us how Covid 19 impacted Purcell.

Mr. Bunn advised a large part of the loss is related to Electric Sales and is 80-90 percent mild weather related.

9. Presentation and discussion of the City Manager Report.

Mr. Bunn reported on the month's activities:

- Staff has been working on Budget.
- The Electric Department had three members to certify as Lineman and Journeyman.
- The Basketball Courts we are following what the insurance bond company says we must do. The Contractor made an attempt to level the McCurdy Park Court, but water is still pooling. We will be making a decision with the architect and the insurer. We have not paid the construction company for one of the Basketball Courts. We are deciding based on information from the insurer.
- Covid 19 virus we are still trying to have crews maintain distance as they work.
- The Lake Trails Phase 1, the asphalt and concrete are complete. The City still needs to install tin horns. The contractor has put down sod and seed. Bathrooms will not be finished in the phase.
- Sullivan Engineering is working on various phases of the Hospital Project. The storm sewer is waiting on concrete drawing, but they have begun cutting the channel beginning at the back and working forward. The Initial Grading will begin within the next 30 days. The sewer bid opens June 4th; Mr. Bunn request a special meeting be scheduled for June 5th. Mayor Cox inquired about a quorum for a special meeting. There appeared to be a quorum available, Mayor Cox called a special meeting. Water line for the hospital will go out for bid around July 1.
- The Water Well progress per the contractor it is still too wet to drill. They are going to try again in about a week.
- The Sewer Line rehab around Pierce and Harrison bids will be open on June 18 and Mr. Bunn requested a special Meeting on June 19. Mayor Cox inquired about a quorum and there appeared to be a quorum available. Mayor Cox called a special meeting for June 19.
- Concerning the Chickasaw Wellness Center, we are waiting on ONG to complete their relocation. The project should be ready when ONG has finished. The City has not received a final bill on the City's part.
- On the I-35 Interchange we signed an agreement in March with ODOT and had a virtual kick off meeting. Tonight, we have a proposal to sign the agreement with EST. A reminder that Purcell is responsible for environmental studies, public hearings, the right of way acquisitions and relocation of utility lines.
- Due to hard work of Mr. Oglesby the Hospital Financing received an "A-" Credit Rating which saved us \$2.8M in financing. June 17 or 18 the bonds will go out for sale, June 30 we are scheduled to close, and we will be able to reverse our capital expenditures approximately \$1.5M.

Skipped to Agenda Number 13

13. Discussion and possible action concerning a Street Department - Capital Improvement purchase from CL Boyd, at State Bid Cost, one John Deere 333G Compact Track Loader at a cost of \$73,000.00 and one John Deere Rotary Cutter at a cost of \$7,957.60.

Councilman Jacobs expressed concern of spending \$80,000 in the current budget year considering we are currently \$600,000 in the red and the City having already used \$700,000 reserves.

Mr. Mize was available to explain the need of the equipment. He informed the Council that there are times in which more than one project is going on at the same time. A second skid loader would allow him not to have to haul equipment back and forth between jobs thus being more efficient and would be able to get more done. Councilman Jacobs could this purchase wait until July 1 to put it in next year budget. Mr. Mize stated it would be fine to do that.

Councilman Jacobs made a motion second by Councilwoman Engert to approve the capital purchase of a John Deere Compact Track Loader and a Rotary Cutter and draw a purchase order July 1, 2020 or later.

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

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10. Discussion and possible action concerning Resolution No. 20-C10 A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF PURCELL, OKLAHOMA, ADOPTING THE FISCAL YEAR 2020-2021 ANNUAL BUDGET FOR THE CITY OF PURCELL, OKLAHOMA, IN ACCORDANCE WITH THE PROVISIONS OF THE MUNICIPAL BUDGET ACT.

Mayor Cox advised agenda item Number 13 just passed will need to be added to the 2020-2021 Budget as a Capital Expense.

Councilman Tate asked if it is correct that the Street Department would go to ten employees if one person were to quit or retire. Mr. Bunn advised we are going to transfer that person to Parks. Councilman Tate further asked if Water Department also has ten employees and we are adding 1.7 employees to Parks. Mr. Bunn affirmed. Councilman Tate stated with a four-year street plan and the given business of the Water Department wouldn't it be more useful to put the new employees there? Mr. Haxel advised the Council's job is the budget, but how many workers you put at any department is the City Manager's responsibility. Councilman Tate stated he is opposed to cutting employees for infatuation and adding them to Parks. Mr. Bunn advised that because the Parks Department has been given so many more assets to take care of is the reason for the decision.

Councilman Fishburn made a motion second by Councilman Jacobs to approve Resolution 20-C10 adopting the Fiscal Year 2020-2021 annual Budget as amended to include Item number 13, and that it be added to this budget.

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

11. Discussion and possible action concerning possible approval of a contract with EST, Inc. for engineering and consulting services to work with the City of Purcell and ODOT to construct an interchange of I-35 and SH 74 in Purcell at Grant Street.

Mr. Bunn passed out a revised Attachment B. Members from EST came to review the project. We are at a final stage in which you will be looking at entering a contract with EST.

Mr. T. J. Dill was present to review and explain the process that will take place for the Interchange.

Councilman Jacobs made a motion second by Councilman Tate to approve the Contract with EST as written.

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

12. Discussion and acknowledgement Permit No. SL000044200210 for the construction of 4,716 linear feet of Twelve (12) inch PVC and HDPE sanitary sewer line and all appurtenances to serve the Proposed Hospital Sanitary Sewer, McClain County, Oklahoma.

Mayor Cox asked if the sewer line will serve other customers as well as the Hospital. Mr. Bunn affirmed that it upgrades the whole line as well as connecting to the hospital.

Councilman Jacobs made a motion second by Councilman Tate to approve and acknowledge Permit No. SL000011000210 as written.

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

14. Discussion and possible action concerning Budget Amendment No. GF-2020-21 Increasing Revenue and Expense both in the amount of \$17,702.88 due to May 2020 Reimbursements from Insure Oklahoma.

Councilman Jacobs made a motion second by Councilman Fishburn to approve Budget Amendment No. GF-2020-21 as written.

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

15. Discussion and possible action concerning Budget Amendment No. GF-2020-22 increasing Misc. Revenue and Expense both in the amount of \$1,471,128.53 due to annual adjustment to balance the General Fund and PWA Claim on Cash per recommendation of the auditor.

Mr. Lohn stated that all revenue comes in on the PWA side. The bill that are paid on the General Fund side causes a big credit on the PWA Side and a debit on the General Fund side due to Pooled Cash. The amendment balances the books and is at the recommendation of the Auditor.

Councilman Jacobs made a motion second by Councilwoman Engert to approve Budget Amendment No. GF-2020-22 as written.

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

16. Discussion and possible action concerning a recommendation from Oklahoma Municipal Assurance Group (OMAG) to deny Tort Claim No. 207919-HW.

Ms. Kennedy explained this tort was filed by the insurer Great West Casualty when a tractor trailer came by and tore some lines down at the Star Plaza Station. The lines were not electric lines but belonged to the cable company. There were two torts filed on this occurrence the first by Star Plaza and this is the second by the truck's insurer. Both torts were recommended by our insurance provider to deny after their investigation found us not at fault.

Councilman Jacobs made a motion second by Councilwoman Engert to deny Tort Claim No 207919-HW.

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

Mayor Cox declared the meeting to be in recess in order to go into the Purcell Public Works Authority Meeting at 6:37 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 7:00 p.m.

17. EXECUTIVE SESSION: DISCUSSION, CONSIDERATION RE: AN EXECUTIVE SESSION TO BE HELD IN ACCORDANCE WITH 25 O. S. 307 § (B) (1).

- a. Discussion and consideration 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/Chairman Cox made a motion second by Councilman/Trustee Jacobs to enter into joint Executive Session at 7:01 p.m. with the following persons entering: Councilmen/Trustees who are present, City/Trust Attorney Ted Haxel, and Chris Lind, and upon request City/Trust Manager Dale Bunn and Treasurer Victor Lohn.

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

Mayor/Chairman Cox declared the Council has returned from Executive Session.

Mayor/Chairman Cox made a motion second by Councilman Jacobs to return to regular Joint Session at 8:04 p.m.

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

18. EXECUTIVE SESSION: DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING ITEMS DISCUSSED IN EXECUTIVE SESSION IN ACCORDANCE WITH 25 O. S. 307 § (B) (1) .

- a. Discussion and consideration and 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).**

Councilman Jacobs made a motion second by Councilwoman Engert to approve the reemployment of City Treasurer for the 2020-2021 fiscal year pursuant to the terms of the contract presented and authorize the Mayor to sign.

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

Councilman/Trustee Jacobs made a motion second by Councilwoman/Trustee Engert to employ City Manager Dale Bunn for the new 2020-2021 fiscal year pursuant to the terms of the contract presented and authorize the Mayor to sign.

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

19. City Council Comments.

Councilman/Trustee thanked the City for posting the Veteran's Service online. There were over 1,200 views. Councilman Fishburn thanked Councilman Tate for doing the service.

Councilwoman/Trustee Engert asked if there was a way of working with ODOT regarding extremely unsafe intersection of 180 and Hwy 74 going south. Councilwoman Engert advised it used to have a light but doesn't now due to an accident.

Mayor/Chairman Cox reminded all present about the election on June 30th.

20. City Manager and staff comments.

Mr. Bunn thanked the Council/Trustees for the contract.

21. City Attorney comments.

Mr. Haxel nor Mr. Lind made any comments.

22. Adjourn.

Mayor Cox declared the meeting to be adjourned at 8:29 p.m.

Approved this 6th day of July, 2020

Attest:

Ted Cox, Mayor

Dorothy Kennedy, City Clerk