

MINUTES

**CITY OF PURCELL
REGULAR MEETING
June 6, 2022
6:00 P.M.
IN THE COMMUNITY ROOM OF
THE PURCELL POLICE SERVICE BUILDING
1515 N. GREEN AVENUE**

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

Mayor Fishburn 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 Treasurer, Victor Lohn, with the following results:

Councilmen present: Graham Fishburn, Ted Cox, Theda Engert, Jay Tate, Allen Eubanks

Councilman absent: None.

Staff present: Justin Howell, Tommy Mize, Joshua VanOrt, Joshua Miller, Victor Lohn, Dale Bunn, Serena Melton, John Blue, Greg Cypert, Rocky Claunch, Trey Phillips, Kevin Rhoads, Mike Lewis, Bobby Elmore, Michael Minor.

Counsel: Greg Dixon

3. Pledge of Allegiance.

Mayor Fishburn led the Pledge of Allegiance.

Dale Bunn offered the invocation.

4. Welcome.

Mayor Fishburn welcomed guests, staff, and council members.

5. Discussion of Agenda Items.

Mayor Fishburn called for any discussion of agenda items.

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 April 19, 2022, budget meeting.
- b. Approval of minutes for April 25, 2022, budget meeting.
- c. Approval of minutes for May 2, 2022, regular meeting.
- d. Approval of minutes for May 12, 2022, budget meeting.
- e. Approval of minutes for May 26, 2022, special meeting.
- f. Approval of payment of claims as presented in the Council Expense Report in the amount of \$561,214.15.
- g. Approval of payment of Street & Alley Claims in the amount of \$0.00.
- h. Approval of payment for Unemployment Insurance in the amount of \$0.00.
- i. Approval of payment of Capital Improvement Claims in the amount of \$222,831.55.
- j. Approval of payment of Rural Fire Claims in the amount of \$0.00.
- k. Approval of payment of Cemetery Care in the amount of \$0.00.
- l. Approval of payment for Airport Authority Claims in the amount of \$0.00.
- m. Approval of estimated payroll in the amount of \$295,000.00.
- n. Approval of the Treasurer's Financial Report.
- o. Approval of Purcell Municipal Hospital Change Order No. 21 in the sum of \$8,578.00 for Repurpose Room 1086.
- p. Approval of Purcell Municipal Hospital Change Order No. 26 in the sum of \$3,188.00 for Fire Damper Location.
- q. Approval of Purcell Municipal Hospital Change Order No. 29 in the sum of \$3,823.00 for CT Ceiling Mount Injector.

- r. **Approval of Purcell Municipal Hospital Change Order No. 30 in the sum of \$1,831.00 for Sin & Mirror Revisions.**
- s. **Approval of Purcell Municipal Hospital Change Order No. 32 in the sum of \$12,581.20 for Asphalt Price Increase.**

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

Councilman Eubanks asked for information on hospital change orders. Mr. Bunn went through the change orders and explained each one.

Councilman Cox made a motion second by Councilman Eubanks to approve the consent agenda as written.

Yes: Cox, Eubanks, Engert, Tate, Fishburn

No: None Absent: None

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

- Sales Tax thru April 2022 is up 8.36% over last year or \$460,667.00; up 19.32% over budget or \$965,984.00.
- Use Tax thru April 2022 is up 13.09% over last year or \$70,334.00; up 21.56% over budget or \$107,808.00.
- Tobacco Tax thru April 2022 is down 6.34% over last year or \$3,299.00; up 16.93% over budget or \$7,051.00.
- Electricity in April 2022 had a negative variance of \$2,657.00 vs last year; YTD the variance is positive \$311,265.00.
- Water in April 2022 had a positive variance of \$692.00 vs last year; YTD variance is positive \$134,868.00.
- General Fund in April 2022 the revenues were below expenses by \$104,117.00; YTD revenues were below expenses by \$1,038,880.00.
- Public Works in April 2022 the revenues were above expenses by \$582,469.00; YTD revenues are above expense by \$1,604,655.00.

9. Presentation and discussion of the City Manager Report.

Hospital

- Sanitary sewer done, storm sewer done except under the roadway – ring road
- Water Main under the road was accepted by City and has been in service since mid March.
- CK Utilities-water main addition along 9th Ave., is in final cleanup and repair work stage. Still some leveling and ditch work to be done. Holding 5% retention on the project to make sure it's completed.
- Engineering of road final grading revised for failed items, received 2 bids will discuss on the agenda.

Medical Office Building

- Land sale completed and we've received funds.
- Access roadway, material storage and worker parking easement is being negotiated with the church.
- Utilities are staged for last runs.
- Road for MOB is part of the final grading contract as addendum.

I-35 Interchange

- EST designing with ODOT and the City. Sullivan's design of the utility work is on the agenda (move of water & sewer lines).
- Environmental studies continue. Right of way acquisitions will happen after studies completed.
- Construction tentatively set to start in 2025.

Main Street Scope

- ODOT has prepared Memorandum of Agreement with the City/ODOT/SHPO/Indian Tribes. Conflict with SHPO over bricks. ODOT working with City to apply for downtown placement on the National Register of Historic Places. Looking like they will pay for this.
- Should bid in September, award in October, contracts in November, and then a start after the holidays.

Chickasaw Wellness

- Utility work is complete.
- Sherry Classic is complete.
- Storm water revisions on south end done. They'll have to go over with a second layer of asphalt.
(some discussion had about signage in that area)

Electric Department

- Outage due to transformer at substation. OMPA scheduled to review to find fault. Trey added testing being done and parts ordered.

New Well at Wellfield

- Still waiting on parts from MicroCom.

Brush Disposal

- ODEQ requirements making changes regarding brush disposal. Reviewing at July meeting.

Purcell Police Department

- Play Street at Library this week.

Trails

- Bridge over the spillway has been set.
- Walk the Trails was Saturday after bridge placed.
- Paving of the trail is the next project.

10. Discussion and possible action to approve Planning Commission's recommendation for approval of PUD (Planned Unit Development) rezone of the W½ NE¼, NE¼ SW¼, and W½ NW¼ SE¼, Sec. 2, Township 6 North, Range 2 West (South Brook).

Mayor Fishburn explained this item is the clear up language from last months' meeting. Councilman Cox left the room. Discussion was had concerning specifics.

Councilwoman Engert made a motion second by Councilman Tate to approve Agenda Item No 10 as written.

Yes: Engert, Tate, Fishburn

No: Eubanks Absent: None

Councilman Cox did not vote due to conflict of interest.

Request to Be Heard: Mayor Fishburn recognized Diana King to present on her request.

Ms. King presented concerns of flooding on North 9th Street. Noted city workers dug up to see if tin horns were present, all but one was there, they then filled them back up. Tommy Mize responded that they did fill them back up because all will be replaced at the same time. Mr. Bunn gave explanation of water flow and Sullivan's planning. Plans in place to repair.

11. Discussion and possible action concerning a recommendation from Sullivan & Associates to award contract for the Purcell Hospital Exterior Roadway Regrade Base Bid and Add Alternate Bid No. 1 (Construct Temporary Road to the MOB Site) to Central Plains Construction Group, LLC in the sum of \$324,261.95.

Mr. Sullivan noted that is his recommendation. Contacted previous project references and they were satisfied with the work they've done in the past. Start Date July 1, 2022.

Councilman Cox made a motion second by Councilman Tate to approve Agenda Item No. 11.

Yes: Cox, Tate, Engert, Eubanks, Fishburn

No: None Absent: None

12. Discussion and possible action to approve Glenn Sullivan & Associates for engineering the relocation of water and sewer utilities relocation within the work zone of Interstate 35 and OK-74 interchange at a cost to not exceed \$87,000.00.

Plans reviewed by council & Sullivan.

Councilman Cox made a motion second by Councilwoman Engert to approve Agenda Item No. 12 as written.

Yes: Cox, Engert, Tate, Eubanks, Fishburn

No: None Absent: None

13. Discussion and possible action to approve Glenn Sullivan & Associates for the resident inspection of water and sewer utilities relocation within the work zone of Interstate 35 and OK-74 interchange at a cost to not exceed \$27,000.00.

Glenn Sullivan explained the other agenda item was for the design and this is for the inspection portion of the construction.

Councilman Cox made a motion second by Councilman Eubanks to approve Agenda Item No. 13 as written.

Yes: Cox, Eubanks, Engert, Tate, Fishburn

No: None Absent: None

14. Discussion and possible action to approve the purchase of a new Wheel Loader for the Street Department from CLBOYD-John Deere in the sum of \$174,250.00.

- a. CLBOYD-John Deere \$174,250.00
- b. OCT Equipment-Case \$200,630.29
- c. Warren-CAT \$203,079.00

Councilman Eubanks made a motion second by Councilman Cox to approve Agenda Item No. 14 as written.

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

15. Discussion and possible action concerning declaration of the following property as surplus and approving the sale of these items:

- a. 2016 Ford Police Interceptor, VIN: 1FAHP2MT7GG109187 Ending Mileage is 85,695.
- b. 2016 Ford Police Interceptor; VIN# 1FAHP2MT9GG109188; Milage is 76,510

Chief Bobby Elmore presented information on the need for surplus.

Councilman Cox made a motion second by Councilman Tate to approve Agenda Item No. 15 as written.

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

16. Discussion and possible action concerning a recommendation from the Purcell Rural Fire Board to replace the cab and chassis on Brush Truck 22 in the approximate sum of \$59,000.00.

Rocky Claunch presented information; \$38,739 for cabin chassis and remainder is to outfit it with bed, sirens, etc.

Councilwoman Engert made a motion second by Councilman Tate to approve Agenda Item No. 16 as written.

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

17. Discussion and possible action concerning Budget Amendment GF-2022-7 Increasing Public Works Misc. Expense and General Fund Misc. Revenue both in the amount of \$1,016,779.34 to balance Pooled Cash between the General Fund and the Public Works Authority.

Treasurer Lohn explained that per auditor's instructions this is done once a year, everything is paid out of the general fund and all the revenue comes in through the PWA.

Councilman Cox made a motion second by Councilman Eubanks to approve Agenda Item No. 17 as written.

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

18. Discussion and possible action concerning a recommendation from Treasurer Victor Lohn to use the OMAG Escrow Credit in the amount of \$23,026.30 to reduce the 2022-2023 Workers Compensation renewal premium for the City of Purcell and authorizing Treasurer Victor Lohn to sign the 2022-2023 Escrow Use Form for City of Purcell as authorized representative.

Get this once a year, last year around \$20,000.00 and we use this to offset premium costs.

Councilman Eubanks made a motion second by Councilman Tate to approve Agenda Item No. 18 as written.

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

19. Discussion and possible action concerning Employee 2022-2023 Health Insurance Renewal Proposal from INSURICA.

Treasurer Lohn noted zero percent increase.

Councilman Eubanks made a motion second by Councilman Tate to approve Agenda Item no. 19 as written.

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

20. Discussion and possible action approve condemnation and demolition of old airport office building.

Kevin Rhoads noted the building needs to be condemned so it can be torn down and removed. Councilman Eubanks made a motion second by Councilwoman Engert to approve Agenda Item No. 20 as written.

Yes: Eubanks, Engert, Cox, Tate, Fishburn

No: None Absent: None

21. Discussion and possible action to approve a contract between the Purcell Airport Authority and Jordan Powell for Mr. Powell removing the old airport office building in exchange for a 2-year waiver of rents on a hanger being constructed at that site.

Councilman Cox left the room. Mr. Rhoads noted a 50x50 hangar @ 50Cents per foot so \$1,250.00 year so a 2 year would be \$2,500.00.

Councilman Tate noted a concern about trading out services and thinks we should pay him for his services and he pay for the rent. More discussion was had about procedures with hangars.

Councilwoman Engert made a motion second by Councilman Eubanks to approve Agenda Item No. 21 as written.

Yes: Engert, Eubanks, Cox, Fishburn

No: Tate Absent: None

22. Discussion and possible action to approve or deny livestream of city council meetings.

Discussion was had about possibility of Facebook Live and YouTube being the format for broadcasting the meetings. Facebook is no cost, would be small cost for equipment for YouTube. Discussion had about citizen access. Councilman Cox suggested a 6 month trial period so if it's not being utilized we have the option to stop, that it needs to be specified which meetings will be broadcast i.e. regular meetings only, all meetings, etc.

Councilman Eubanks made a motion seconded by Councilman Tate to live broadcast regular council meetings for a 6 month trial period (July 1, 2022-December 31, 2022) on whatever platform best suits the needs of the city, council to review after the 6 month trial.

Yes: Eubanks, Tate, Fishburn

No: Cox, Engert Absent: None

Mayor Fishburn declared the meeting to be in recess in order to go into the Purcell Public Works Authority Meeting at 7:06 p.m.

Mayor Fishburn declared the City Council Meeting and the Purcell Public Works Authority in joint session in order to enter joint Executive Session at 7:45p.m.

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

- a. Discussion and consideration of labor contract (Collective Bargaining Agreement) for fiscal year 2022-2023 between the City of Purcell and the FOP #194 in accordance with 25 O.S. § 307 (B) (2).
- b. Discussion and consideration of labor contract for fiscal year 2021-2022 between the City of Purcell and the IAFF Local 3596 in accordance with 25 O.S. § 307 (B) (2).
- c. Discussion and consideration concerning the purchase or appraisal of real property in accordance with 25 O.S. 307 § (B) (3).

Motion made by Councilman Cox and seconded by Councilman Tate to amend Agenda Item No. 23b to say fiscal years 2021-2023.

Yes: Cox, Tate, Engert, Eubanks, Fishburn

No: None Absent: None

Councilman Cox made a motion second by Councilman to enter into joint Executive Session at 7:52 p.m. with the following persons entering: Councilmen who are present; City Attorney, Greg Dixon; City Manager, Dale Bunn; and City Treasurer, Victor Lohn.

Yes: Cox, Engert, Tate, Eubanks, Fishburn

No: None Absent: None

24. 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 of labor contract (Collective Bargaining Agreement) for fiscal year 2022-2023 between the City of Purcell and the FOP #194 in accordance with 25 O.S. § 307 (B) (2).
- b. Discussion and consideration of labor contract for fiscal year 2021-2022 between the City of Purcell and the IAFF Local 3596 in accordance with 25 O.S. § 307 (B) (2).
- c. Discussion and consideration concerning the purchase or appraisal of real property in accordance with 25 O.S. 307 § (B) (3).

*Chairman Fishburn declared the Council
has returned from Executive Session at 8:19 p.m*

Councilman Cox made a motion second by Councilman Tate to return to regular Joint Session at 8:19 p.m.

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

Item a.

Councilman Cox made a motion seconded by Councilman Tate to authorize the mayor to sign a Memorandum of Understanding between the City of Purcell and the FOP #194 to continue with the current contract as negotiations continue

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

Item b.

Councilman Cox made a motion seconded by Councilman Tate to approve the amendment to the contract for the fiscal years 2021-2023 between the City of Purcell and the IAFF Local 3596 and authorize the mayor to sign.

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

Item c.

No action taken.

25. City Council Comments.

Vice-Mayor Cox:

None.

Councilwoman Engert:

None.

Councilman Tate:

Thanked the city for help on the Memorial Day ceremony.

There were 1,317 veterans this year, up 39 from last year.

The resource officer that's being discussed, he would like to see the school involved in that as well.

Councilman Eubanks:

None.

Mayor Fishburn

Thanked everyone for the hard work since last meeting.

26. City Manager and staff comments.

Mr. Bunn responded to Mr. Tate's comment on the resource officer: This is about having the city staff meet with school staff and police chief to talk about a resource officer.

We need a budget meeting for the hospital. Date for special meeting (PMH budget) was set for June 9, 2022, at 5:30 p.m. at City Hall.

27. City Attorney comments.

27. City Attorney comments.

None.

28. Adjourn.

Mayor Fishburn declared the meeting to be adjourned at 8:55 p.m.




Approved this 5th day of July, 2022



Graham Fishburn, Mayor

Attest:



Andrea Millsap, City Clerk