

**CITY OF PURCELL
REGULAR MEETING
JULY 1, 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 call was conducted by City Clerk, Dorothy Kennedy, with the following results:

Councilmen present: Danny Jacobs, Theda Engert, Jay Tate, Ted Cox

Councilmen absent: Graham Fishburn was absent at roll call but joined the meeting at 6:29

Staff: Dale Bunn, Dorothy Kennedy, Teddy Boles, Kevin Williams, Cody Penner, Greg Cypert, Rocky Claunch

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. Discussion of Agenda items.

Mayor Cox called for any discussion of agenda. There was no discussion.

6. Approve the Consent Agenda:

- a. Approval of minutes for June 3, 2019, June 13, 2019 Public Hearing, June 13, 2019 and June 24, 2019 Meetings.**
- b. Approval payment of claims as presented in the Council Expense Report in the amount of \$617,534.39.**
- c. Approval payment of Street & Alley Claims \$34.99.**
- d. Approval payment of Capital Improvement Claims \$21,517.07.**
- e. Approval payment of Rural Fire Claims \$53,600.00.**
- f. Approval of estimated payroll in the amount of \$240,000.00.**
- g. Approval of the Treasurer's Financial Report.**
- h. Approval of the 2019-2020 City McClain County Interlocal Agreement.**
- i. Approval of the 2019-2020 McClain City Interlocal Agreement.**
- j. Approval of the 2019-2020 McClain County Jail Interlocal.**
- k. Approval of the 2019-2020 Interlocal Agreement between Purcell Schools.**

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

Yes: Jacobs, Engert, Tate, Cox

No: None

Absent: Fishburn

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

None.

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

Mr. Bunn gave the following Financial Report for the month of May 2019.

- Sales Tax for the month of May versus a year ago is down, however it is up Year-to-Date.
- Use Tax is up for both the May 2019 and Year-to-Date.
- Tobacco Tax and Excise Tax are both down.
- Electric sales are down due to mild weather but overall Year-to-Date is up.
- Water sales are significantly down due to excessive rain over recent months.
- Public Works revenue/expense variance is negative but Year-to-Date variance is up.
- General Fund variance is negative.

9. Presentation and discussion of the City Manager Report.

Mr. Bunn reported on the following:

- The Purcell/Lexington Bridge is scheduled to be completed sometime in July but the exact date has not been announced.
- At the Multipurpose Center the sidewalks have been poured between Basketball Courts and all of the cement has been poured.
- Last month we had three projects that received no bids. The MPC Roof and Water Damage Repair and Purcell Trails Phase 1, are out for rebid. Both open in July. The HVAC was let out for rebid at this time.
- The Department of Tourism has awarded the City a \$240,000 grant for the Lake Trails Phase 2 Project, contingent upon Phase 1, being completed.

10. Discussion and possible action concerning Ordinance No. 19-06 AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES RENDERED BY THE CITY OF PURCELL FIRE DEPARTMENT; PROVIDING FOR MITIGATION RATES AND INCREASES THERETO; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR REPEALER.

Fire Chief Greg Cypert advised this ordinance is not meant to be a revenue generating venue, but rather, an attempt to recover cost. Many times interstate emergencies and non-emergencies tie up hours of Fire Department personnel, time and equipment. The Fire Department has contacted a billing and collection company willing to handle both billing and collection on our behalf. The ordinance allows us to be able to work with them in cost recovery. We are required to provide them with a run report and they take it from there. He advised citizens of Purcell are not meant to be effected by the ordinance, it is mainly geared for interstate runs.

Councilman Jacobs made a motion second by Councilman Engert to approve Ordinance 19-06 as written.

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

Mr. Haxel advised this ordinance does not have an emergency clause and will not become effective until 30 days after publication.

11. Discussion and possible action concerning a request from the Senior Citizens Board for the Mayor to reappoint Charlie Sherman for a two year term.

Mayor Cox according to the Senior Citizens Constitution, declared that he re-appoints Charlie Sherman for a two year term.

12. Discussion and possible action concerning a recommendation from the Senior Citizens Board for the Council to reappoint Karla Brakefield and Valerye Haley for two year terms.

Councilman Jacobs made a motion second by Councilman Tate to approve the recommendation from the Senior Board to reappoint Karla Brakefield and Valerye Haley for two year terms.

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

13. Discussion and possible action to declare 304 W Delaware Street a dilapidated structure.

Teddy Boles informed the Council that this item was table in a previous meeting, and since, is under new ownership. The new owner is fixing the property up for resale or rental. Mr. Boles

made the recommendation to table this matter to the September meeting. The request was to allow Code Enforcement to work with property owners, yet keeps it in the active status.

Councilman Tate made a motion second by Councilman Engert to table 304 W Delaware Street to the September 3, 2019 meeting.

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

14. Discussion and possible action to declare 916 N 9th a dilapidated structure.

Mr. Boles advised that the property owner's son is helping her to bring the property in compliance. It has had a garage door installed and a new roof and the property is secured. They have complied with everything Code has asked them to do.

No action taken.

15. Discussion and possible action to declare 120 N 6th a dilapidated structure.

Mr. Boles advised this property has just come out of probate and there are two potential buyers. The mowing is being kept up on the property. Chief Williams stated the house was not secure last week. Mr. Boles said he would contact the owner to advise him secure the property. He made the recommendation to table for 60 days to the September meeting.

Councilman Jacobs made a motion second by Councilman Engert to table the item to the August 5, 2019 meeting.

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

16. Discussion and possible action to amend the May 6 2019 Minutes to reflect action taken by the City Council to declare 303 W Delaware Street a dilapidated structure.

Councilwoman Engert made a motion second by Councilman Jacobs to approve the correction in the minutes to reflect action taken by the City Council to declare 303 W Delaware Street a dilapidated structure.

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

17. Discussion and update on 303 W Delaware Street.

Mr. Boles provided an update that the city removed the structure at a cost of \$2,800. He advised the City would have to mow it but since it was done so reasonable there is a possibility of recover cost at a tax sale.

Approximately 6:29 Councilman Fishburn joined the meeting.

18. Discussion and possible action to approve/deny Budget Amendment GF-2019-21 increasing Sales Tax and Transfer Out - Capital Imp Fund both in the amount of \$129,233.86 for the 2018-2019 fiscal year.

Mayor Cox advised that Mr. Lohn had provided a break down that has to do with Sales Tax keeping everything ready for our audit.

Councilman Jacobs made a motion second by Councilwoman Engert to approve Budget Amendment GF-2019-21 as written.

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

Mayor Cox declared the meeting to be in recess at 6:29 p.m. in order to go into the Purcell Public Works Authority meeting.

Mayor Cox declared the City Council Meeting to be in joint meeting with the Purcell Public Works Authority at 6:31 p.m.

19. 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 Councilman/Trustee Jacobs to enter into Executive Session, with the following persons entering: Council Members/Trustees who are present, the City/Trust Manager, Dale Bunn and City/Trust Counsel, Ted Haxel at 6:32 p.m.

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

Mayor/Chairman Cox made a motion second by Councilwoman/Trustee Engert to return to regular joint session at 6:57 p.m.

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

20. 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 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 for Executive Session item.

21. City Council comments.

Councilman/Trustee Tate addressed Mr. Bunn regarding the Citizens Claim Tracker not working properly on the City Website. Mr. Bunn acknowledge the problem and advised he has contacted the Web-administer. He also asked to see all test results on the swimming beach. Mr. Bunn replied that the Ecoli count was 172 and DEQ recommends no more than 100, although there is no legal limit. Mr. Bunn advised we are beginning to conduct tests on a weekly bases. Prior to this it was being done every couple of weeks because we never had a fail and it saved the City money.

Councilwoman/Trustee Engert asked if there will be benches at the Basketball Courts for spectators.

Councilman/Trustee Fishburn commented that no one is happy about high bacteria count. Upon driving by he advised there are so many geese that they are becoming a nuisance and may be the source of Ecoli.

Councilman/Trustee Jacobs stated on the south end of the Basketball Courts at McCurdy, the concrete is broken off and caved in. On the east side it is chipped out and then further east is the spot that was previously reported. Councilman Jacobs reported he has concerns that what was previously reported will cave in as well. On the northwest corner side they cut the concrete and it is still open. Water is infiltrating and getting under the concrete. Mr. Bunn reported the City will do a walk through and will not be accepted if not acceptable done. Councilman Jacobs reported the nets are not installed correctly and one doesn't have a net at all.

Mayor/Chairman Cox asked the question if hiring a contractor to put up and taking down Christmas lights had ever been checked out. The reason for the request is our Street Department is so tied up and are not able to do other projects. Mayor Cox also stated that it had been brought to his attention that properties such as the River View Lot, that the City has to maintain since no one owns it and the City has to maintain. He asked if there a way of declaring it as surplus and possible selling it. One other concern that was brought to his attention is the GreenScape project since it is overrun with weeds and dead plants. Councilman/Trustee Tate asked about volunteers to adopt areas. Mr. Bunn advised it was a safety concern.

22. City Manager and staff comments.

Chief Williams advised he believed the Purcell Lake is a national bird sanctuary.

23. City Attorney comments.

None.

24. Adjourn.

Mayor Cox declared the meeting to be adjourned at 7:19 p.m.

Passed and approved this 5th day of August 2019

Ted Cox, Mayor

Attest:

Dorothy Kennedy, City Clerk