

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

**Special Notice
Applicable to the July 6, 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, Theda Engert, Jay Tate, Ted Cox

Councilman absent: Graham Fishburn was absent at roll call he joined the meeting at the end of the roll call at 6:00 p.m.

Staff present: Dale Bunn, Victor Lohn, Dorothy Kennedy, Bobby Elmore, James Bolling, John Blue, Mike Lewis, Kevin Austin, John Albertson, Greg Cypert, Rocky Claunch, Clent Kennedy, Tommy Mize, Scott Stephens, Josh Van Ort, Brooke Gains, Jason Baca, Michael Minor

Counsel: Ted Haxel, Chris Lind, Greg Dixon

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 items.

Councilman Fishburn asked about the Mutual Aid Agreements. He asked if they are concerning roads for mutual agency benefit or are they project specific. Mr. Bunn affirmed as mutual benefit, but added some roads are in both County and City jurisdiction from the center of the road. In cases like that the cost is shared.

6. Mayor Cox administer the Oath of Office to Graham Fishburn.

Mayor Cox administered the Oath of Office to Councilman Graham Fishburn.

7. Consideration and possible to elect a Mayor, due to the April 7, 2020 Primary (Runoff) Election being pushed back to June 30, 2020 by the Oklahoma State Election Board.)

Councilman Jacobs made a motion second by Councilman Fishburn to nominate Ted Cox as Mayor for the 2020-2021 year.

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

Mayor Cox thanked the Council. He stated that he takes the responsibilities of being Mayor very seriously, and appreciates the vote confidence from the Council.

8. Consideration and possible action to elect a Vice Mayor, due to the April 7, 2020 Primary (Runoff) Election being pushed back to June 30, 2020 by the Oklahoma State Election Board.)

Councilman Fishburn made a motion second by Councilwoman Engert to nominate Danny Jacob for another term as Vice Mayor for 2020-2021.

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

9. Approve the Consent Agenda.

- a. **Approval of minutes for June 1, 2020 Public Hearing (City), June 1, 2020 Public Hearing (PMH), June 1, 2020, June 5, 2020 and June 19, 2020 Meetings.**
- b. **Approval of payment of claims as presented in the Council Expense Report in the amount of \$593,391.20.**
- c. **Approval of payment of Street & Alley Claims in the amount of \$8,539.74.**
- 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 \$233,543.46**
- f. **Approval of payment of Rural Fire Claims in the amount of \$13,481.00.**
- g. **Approval of payment for Airport Authority in the amount of \$8,060.00**
- h. **Approval of estimated payroll in the amount of \$275,000.00.**
- i. **Approval of the Treasurer's Financial Report.**
- j. **Approval of 2020-2021 Interlocal Agreement between the City of Purcell and McClain County pertaining to grading, draining and hard surfacing of certain streets in McClain County.**
- k. **Approval of 2020-2021 Interlocal Agreement between McClain County and the City of Purcell pertaining to grading, draining, and hard surfacing of certain streets within the City of Purcell.**
- l. **Approval of the 2020-2021 Amended Interlocal Agreement for Jail Services.**
- m. **Approval of the 2020-2021 Interlocal Agreement between the City of Purcell and the Purcell Public School Systems.**
- n. **Approval of the 2020-2021 Contract to Lease Space in the Purcell Human Resources Center to the Purcell Public Library at a monthly cost of \$1,621.**
- o. **Approval of the 2020-2021 Agreement with the Crossroads Youth and Family Juvenile Services.**

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

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

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

No items were removed.

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

Treasurer Lohn reported Revenue outpaced Expenses for the current fiscal year through May. Tax revenue is flat. City revenue for May was higher than expenses. The monthly profit for May was \$19,301.97 and year to date loss \$572,188.58.

Mr. Bunn reported electric rate was up for May compared to a year ago.

12. Presentation and discussion of the City Manager Report.

Mr. Bunn reported on the following:

- The basketball courts contractor made an attempt to level the courts but it failed. We have had to go to the surety bond process. The architect has sent notice to the bonding company that we want to make a claim. We have been told that the court needs to be torn out and put back in.
- The City's response to the spike of the Covid Virus; the departments are renewing precautions and attempting to keep staff more separated. We canceled the planned employee luncheon.
- Purcell Lake Trails Bathroom was delivered.
- The parking lot work at the pavilion will be done by the Street Department. We are retaining 5% until the project is complete and cleaned up.

- Sullivan Engineering has been sending updates and reports.
- Hospital projects: We are working on the Storm Sewer punch list. The rough grading will begin as soon as the storm sewer finishes. The sewer bid was awarded and the Water line decision will be tonight.
- I-35 interchange integration is ongoing with EST.
- The water well contractor has poured the initial casing and will drill through and begin the actual well tomorrow.
- The Pierce/Harrison Sewer will begin soon and is waiting on a pre-construction meeting with contractor and property owners.
- The Chickasaw Wellness Center is waiting on ONG to do their locating. We just found out that the Bureau of Indian Affairs has to have reports from us. We are working our way through the process.
- The Hospital Financing has been finalized and we can begin making claims for reimbursements.
- Mr. Bunn reported on the staffing of the Police Department and provided statics concerning officer activity as compared to Pauls Valley and New Castle. He advised 21 officers on staff.

13. Presentation of Accreditation and Certification from the Oklahoma Law Enforcement Accreditation Program to the Purcell Police Department.

Chief Elmore introduced officer Brooke Gaines. Councilman Jacobs wanted to recognize Officer Gaines's action toward two seniors passing through Purcell. They were on their way back from doctors appoints and were in line at McDonalds behind Officer Gaines. Officer Gaines paid for their meal. He wanted to commend Officer Gaines for service above self.

Captain Bolling introduced Officer Hicks as the newest addition to the Police Force. Officer Hicks is an experienced officer and will be an asset to our department.

Chief Elmore advised he started the Accreditation Program when he was still captain. He advised in order for the program to succeed the whole department needs to be on board.

Kevin McCullough with OMAG presented the Accreditation and Certification to the Purcell Police Department. He reported Purcell is one of 21 other Law Enforcement Agencies who are accredited. This award comes after examining best practices at State and National levels. Purcell exceeded standards required by the state for certification. The accreditation goes to the entire department as the best of the best.

Councilman Fishburn stated he applaud their efforts. He stated having an outside agency to come in and evaluate our practices is reassurance that we are doing the right things.

14. Discussion and possible action to amend contract between Waldrop Construction, Inc and Purcell Public Works Authority dba Purcell Municipal Hospital to include the City of Purcell and add the City Manager as the Owner's Designated Representative.

Councilman Jacobs made a motion second by Councilman Fishburn to approve amending the contract between Waldrop Construction Inc as written.

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

15. Discussion and possible action to authorize the City Manager/General Manager to sign the professional services agreement with Building & Earth Engineers to provide required third party testing of earthwork, shallow footing, reinforced concrete, structural masonry, structural steel and asphalt/concrete pavement for the new Purcell Municipal Hospital at a cost of \$50,000.

Councilman Jacobs made a motion second by Councilman Fishburn to authorize the City Manager to sign the professional service agreement with Building & Earth Engineers as written.

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

16. Discussion and possible action to enter into an agreement with the Oklahoma Department of Commerce for funding an economic development project that offers broadband internet to customers in the Purcell area.

Mr. Bunn introduced John Chiappe. Mayor Cox wanted to make it clear that this is not something that will bring the internet to your house or business. This is bringing high speed internet to Purcell. This is a State Program that allows businesses to divert their Oklahoma State Employee

Withholdings to go to the State General Fund. This will be the funding source to allow payment for the system.

Councilman Fishburn made a motion second by Councilman Tate to approve entering into the agreement with the Department of Commerce for funding of an economic development project that offers high speed internet to the Purcell area.

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

17. Discussion and acknowledgement of Permit No WL000044200315 for the Proposed Hospital Waterline Extension.

Councilman Jacobs made a motion second by Councilman Fishburn to acknowledge the receipt of Permit No. WL00004200315 for the Proposed Hospital Water Line Extension.

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

18. Discussion and possible action to award contract for the Water Line Extension Project for the Proposed New Hospital from bids received.

Mayor Cox informed Council Members that we have received a recommendation from Sullivan's to award bid to CK Utility Construction LLC in the amount of \$807,929. They have worked with the company in the past and have had no problems.

Councilman Jacobs made a motion second by Councilman Fishburn to award bid to CK Utility Construction LLC for \$807,929 for the Hospital Water Line Extension.

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

Mr. Bunn reported that at this point we are a approximately \$200,000 under budget on the Hospital Projects.

19. Discussion and possible action concerning a recommendation from the Rural Fire Board to appoint Kevin Andrews as a Trustee for a term expiring 06-30-2023.

Fire Chief Cypert advised Jackie Wadley's term has expired and Kevin Andrews has been a past member. He is willing to serve and the Rural Board recommends the appointment.

Councilman Jacobs made a motion second by Councilwoman Engert to approve the appointment Kevin Andrews as Rural Fire Board of Trustees.

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

20. Discussion and possible action regarding a report on the Rotary Playground by John Blue.

Mr. John Blue gave an oral report with a slide presentation, as to age and damaged condition of the playground. There are sharp and jagged edged metal components and the plastic is in disrepair as well. It has tears, missing pieces, and missing nuts and bolts. Mr. Blue provided a report from OMAG which recommends removal due to the risks and replace as soon as possible. Mr. Blue reported he had spoken to Treasurer Lohn and an account has been set up to receive fund raising to be earmarked for that project. He advised the account would allow us to do the project in next fiscal year. He reported the Parks Department still plans to file for a grant.

21. Discussion and possible action to authorize the City Manager to sign an agreement with Benny's Paddle Sport, LLC to rent kayaks and paddle boards on Purcell City Lake.

General discussion was held concerning insurance and customer waivers that would be required. Mr. Gwinn advised standard life jackets are required.

Councilman Tate asked if our fire department is trained and certified in water rescue? Fire Chief Cypert advised he has four fighters who are currently certified. Councilman Tate inquired if there were at least one per shift. Chief Cypert reported there is not.

Councilman Fishburn made a motion second by Councilwoman Engert to authorize the City Manager to sign the agreement with Benny's Paddle Sport, LLC as written.

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

22. Discussion and possible action to approve the transfer of \$3,709 in excess FY 2017 airport funds to the Thomas Municipal Airport, City of Thomas, Oklahoma, authorizing the Mayor and City Attorney to sign the FAA Approval of Agreement.

Mayor Cox advised we have FAA money left over that was not spent on our last project. We can choose to lose it or send it to another airport that needs it. We have an opportunity to help another municipality and have been the recipient of such transfers ourselves.

Councilman Jacobs made a motion second by Councilwoman Engert to approve and authorize the Mayor and City Attorney to sign the FAA Approval of Agreement.

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

23. Discussion and possible action concerning Resolution 20-C11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PURCELL ("PURCELL) FOR THE PURPOSE OF INCREASING THE SPEED LIMIT ON SOUTH 9TH STREET BETWEEN THE SOUTH BOUNDARY OF STATE HIGHWAY 74 AND THE NORTH BOUNDARY OF THE PURCELL MOBILE HOME PART AS HEREINAFTER SPECIFICALLY SET FORTH.

Mr. Lawson advised there are 85 households in the mobile home park that support the speed limit increase. He advised he had about 90% agreement from land owners from the Holiday Inn south to the dead end. Mr. Haxel stated speed limits can only be changed in 10 miles per hour increments. The current speed limit on that road is 25 miles per hour.

Councilman Jacobs made a motion second by Councilman Tate to approve 25 to 35 and 35 to 40 on that stretch of road and vice versa upon exiting out.

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

24. Discussion and possible action concerning Budget Amendment GF-2020-23 increasing Revenue and Appropriations due to June reimbursements from Insure Oklahoma both in the amount of \$17,640.90.

Councilman Jacobs made a motion second by Councilman Tate to approve Budget Amendment GF-2020-23 as written.

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

25. Discussion and possible action concerning Budget Amendment No. GF-2020-24 decreasing Appropriations for Animal Control Telephone/Data and Travel & Training \$8,000 and increasing Appropriations Animal Adoption Expense in the amount of \$8,000.

Mr. Lohn advised the budget adjustment is a result of entering the number on the wrong line for the 2020-2021.

Councilman Jacobs made a motion second by Councilman Tate to approve Budget Amendment No. GF-2020-24 as written.

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

26. Discussion and possible action concerning Budget Amendment Cap Imp-2020-3 Increasing Miscellaneous Revenue and increasing Capital Outlay both in the amount of \$189,507.54.

Mr. Lohn advised this is money received from the 2019 Bond, Hospital Expenses spent out of Capital Outlay and is being paid back.

Councilman Jacobs made a motion second by Councilwoman Engert to approve Budget Amendment Cap Imp-2020-3 as written.

Yes: Jacobs, Engert, Fishburn, Tate, 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 7:09 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 7:50 p.m.

27. EXECUTIVE SESSION: DISCUSSION, CONSIDERATION RE: AN EXECUTIVE SESSION TO BE HELD IN ACCORDANCE WITH 25 O. S. 307 § (B) (2).

- a. Discussion and consideration of labor contract for fiscal year 2020-2021 between the City of Purcell and the IAFF Local 3596 in accordance with 25 O.S. § 307 (B) (2).
- b. Discussion and consideration of labor contract for fiscal year 2020-2021 between the City of Purcell and the FOP #194 in accordance with 25 O.S. § 307 (B) (2).

Mayor/Chairman Cox made a motion second by Councilman/Trustee Jacobs to enter into joint Executive Session at 7:51 p.m. with the following persons entering: Councilmen/Trustees who are present, City/Trust Attorney Ted Haxel, Chris Lind and Greg Dixon, City/Trust Manager Dale Bunn.

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

Councilman Fishburn left prior to the meeting being called back into regular session.

Mayor/Chairman Cox made a motion second by Councilman/Trustee Jacobs to return to regular Joint Session at 8:12 p.m.

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

28. EXECUTIVE SESSION: DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING ITEMS DISCUSSED IN EXECUTIVE SESSION IN ACCORDANCE WITH 25 O. S. 307 § (B) (2).

- a. Discussion and consideration and possible action concerning labor contract for fiscal year 2020-2021 between the City of Purcell and the IAFF Local 3596 in accordance with 25 O.S. § 307 (B) (2).

Mayor/Chairman Cox made a motion second by Councilman/Trustee Jacobs to approve the Labor Contract with Local IAFF 3596 with the two (2) MOU attached.

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

- b. Discussion and consideration and possible action concerning labor contract for fiscal year 2020-2021 between the City of Purcell and the FOP #194 in accordance with 25 O.S. § 307 (B) (2).

Mayor/Chairman Cox asked if there is a MOU attached. Mr. Haxel advised negative, but there is a clarification. Mr. Bunn advised the clarification is item 14.1 addresses a raise of 2.7% of July 1 of 2019 is not a effective in the 2020-2021 Budget Year.

Mayor/Chairman Cox made a motion second by Councilwoman/Trustee Engert to approve Labor contract with the FOP #194 with point of clarification concerning the raise mentioned in 2019 is not applicable for the 2020-2021 year as well.

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

29. City Council Comments.

Councilman/Trustee Tate stated that he fully supports the Police department and applauds their professional award which was well earned. He also asked about a possible walking trail around McCurdy Park. Mr. Bunn stated that he would like to see that happen.

Councilman/Trustee Jacobs asked if a purchase order has been issued for the tractor the Street Department had requested. He informed the Trustees that given dwindling interest in Golf Course is struggling and may come to the City for a mower. There is not street light at the end of Scott Street. It is very dark residents have asked for a light.

Mayor/Chairman Cox asked if we have considered extending the R.V. Park. He also extended a public thanks to Mr. Boyle for his interest and commitment to the community by running for City Council.

Mayor/Chairman Cox had a citizen request him to bring up the sidewalks along Green Avenue. Advised some of the land owners are not keeping up the sidewalk areas in which both the City and State has invested funding. Mayor Cox also stated that if you become aware of anyone upset about any structure around the Caboose, please let us know.

30. City Manager and staff comments.

There were no Managers or staff comments.

31. City Attorney comments.

There were no comments from Attorneys.

32. Adjourn.

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

Approved this 3rd day of August, 2020

Attest:

Ted Cox, Mayor

Dorothy Kennedy, City Clerk