

**CITY OF PURCELL  
REGULAR MEETING  
APRIL 6, 2015**

**MINUTES**

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

Mayor Chilvers called the meeting to order and declared a quorum present at 7:02 p.m.

**Roll Call.**

Roll call was conducted by City Clerk Dorothy Kennedy with the following results:

Councilmen present: Ted Cox was present at roll call but excused himself at 10:38 pm,  
Graham Fishburn, Tom McCurdy, John Chilvers

Councilman absent: Mike Pollok

Staff present: Dale Bunn, Dorothy Kennedy, Shauna Long, Chris Griffith, Kevin  
Austin, Jerry

Landers, James New

Legal counsel: Ted Haxel

**Pledge of Allegiance.**

Mayor Chilvers led in the Pledge of Allegiance.

The invocation was offered by Dale Bunn.

**Welcome.**

Mayor Chilvers welcomed guests.

**Approval of the Consent Agenda:**

- a. **Approval of minutes of March 2, 2015 meeting.**
- b. **Approve payment of claims in the amount of \$139,912.63.**
- c. **Approval of direct payables in the amount of \$39,141.44.**
- d. **Approve estimated payroll in the amount of \$130,000.00.**
- e. **Approve Treasurer's Financial Report for February 2015.**
- f. **Approve Budget Adjustments for the following Departments: Cemetery, Code Enforcement, Communications, Park Maintenance, Parks & Recs, Municipal Court, Police Department, Street Department.**

Councilman McCurdy made a motion second by Councilman Fishburn to remove two items from the Consent Agenda, item "f" Budget Adjustment for the Parks & Recreations in the amount of \$50K for construction cost for the splash pad and Parks & Recreations Ameritis Transfer, from the Consent Agenda and approve all other items on the Consent Agenda.

Yes: McCurdy, Fishburn, Cox, Chilvers                      No: None                      Absent: Pollok

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

Mr. Bunn advised the Parks & Recreations for \$50K is an adjustment because there will be additional expenses associated with the splash pad. We need to move funds that were originally budgeted for mowing and will not be spent for that purpose. The plan is to use it for gravel work, bathroom repair, and fence construction. Councilman McCurdy asked if \$50K will be adequate to cover. Mr. Bunn advised he was not certain. He advised he could provide updates as the project goes further. Councilman McCurdy stated, for clarification concerning the splash pad, that \$150K was previously approved for a splash pad only, and now \$50K for construction of gravel work, bathroom and fence construction in addition to the splash pad.

Councilman McCurdy made a motion second by Councilman Fishburn to approve payment the two items removed from the consent agenda Parks & Recreations in the amount of \$50K for construction cost for the splash pad and Parks & Recreations Ameritis Transfer.

Yes: McCurdy, Fishburn, Cox, Chilvers                      No: None                      Absent: Pollok

**Appearance or petitions from the audience concerning items not on the agenda.**

- a. **Mary Flueckiger to address Cemetery Resolution Number 14-C01.**

Mrs. Flueckiger asked the Council if there was a of changing the Cemetery Resolution to allow planting flowers on cemetery lots. Mr. Bunn reported that she originally wanted to plant spring flowers near the headstone. Some of the cases he stated, need to be addressed on an individual

basis. He advised that the intention of the resolution was to make sure the grounds were able to maintained, and it was not intended to upset anyone.

Councilman Cox advised that he was very sympathetic with Mrs. Flueckiger. He advised that his concern is setting presentence. Mrs. Flueckiger advised this resolution is very impersonal and restrictive. Mr. Bunn asked for Council guidance as to their desires concerning the possibility of making changes.

Dede Page, Chairman of the Cemetery Board advice the reason for the resolution was due to numerous articles that were on graves; items such as shepherds hooks, statues, toys and other articles that were interfering maintenance. The resolution went before the Cemetery Board and then went to the City Council with the recommendation of the Cemetery Board to approve. Councilman Fishburn advised he would like to see Mrs. Flueckiger have the opportunity to meet with the Cemetery Board and allow her to be heard.

City Clerk Dorothy Kennedy was instructed to place Mrs. Flueckiger on the Cemetery Board Meeting on April 15 at 2:00 p.m. Larry Bacon from the audience made the request to be placed on the agenda as well.

**Presentation and discussion of the City Manager's Report.**

- Mr. Bunn reported that the Ball Fields are going well and are expecting to host their first game April 22.
- The walking and biking trails are ongoing and a meeting is planned between Guernsey and ODOT staff.
- The splash pad dirt work has begun. He advised DEQ is requiring the drainage be piped into the sewer system. The old swimming pool was grandfathered in without going into the sewer, but we will have to connect the splash pad to the sewer system.
- The bid for the raw water intake project which was supposed to be open on April 13<sup>th</sup>, but we will discuss that along with the dam and test pump later on the agenda.
- Mr. Bunn introduced Clean Up Purcell (CUP), and asked James New to report on the progress. Mr. New advised there is a need for persons who are court ordered to serve community service to have a place to serve. Mr. New reported community service can be available seven days a week. Reflective vests, gloves and trash bags are provided to workers. He advised they will be working to clean up the parks as well. The program and forms have been approved by the City Manager and City Attorney.
- Mr. Bunn reported that public meetings are being held by ODOT for the new Purcell/Lexington Bridge. He advised it will have four lanes, a six foot sidewalk, and would be on the south side of the current bridge. Kenny Sullivan reported the plans are still preliminary and if the City would like to see changes there is still opportunity.

*Mayor Chilvers declared the meeting to be recessed at 7:47 p.m.  
to go into the Public Works Authority Meeting.*

*Mayor Chilvers reconvened the meeting at 7:58 p.m.*

**Consideration and possible action to proclaim the week of April 12 -18, 2015 as the week of the young child.**

Mayor Chilvers read the proposed proclamation aloud.

Councilman Fishburn made a motion second by Councilman McCurdy to approve the proclamation, proclamation April 12-13, 2015 as the week of the young child.

Yes: Fishburn, McCurdy, Cox, Chilvers                      No: None            Absent: Pollok

**Consideration and possible action to approve Proclamation, proclaiming the month of April 2015 as Child Abuse Prevention week.**

Mayor Chilvers read the proclamation aloud.

Councilman Fishburn made a motion second by Councilman McCurdy to approve the proclamation, proclaiming April 2015 as Child Abuse Prevention Week.

Yes: Fishburn, McCurdy, Cox, Chilvers                      No: None            Absent: Pollok

**Consideration and possible action to proclaim the month of April 2015 Fair Housing Month.**

Mayor Chilvers read the proclamation aloud.

Councilman Fishburn made a motion second by Councilman Cox to approve the proclamation proclaiming the month of April 2015 Fair Housing Month.

Yes: Fishburn, Cox, McCurdy, Chilvers                      No: None            Absent: Pollok

**Consideration and possible action concerning a request from Delta Community Action Foundation, Inc for support of the Delta Public Transit from \$20,000.00 last year to \$22,000.00 for the fiscal year 2015-2016.**

There was no representation from Delta Public Transit. Councilman McCurdy asked if the funding is used for fuel and if so he didn't understand the requested increase since fuel cost is down. Shauna Long advised at least some of the funding is used for fuel. She said they usually request an increase some years we grant that last year we did not. We had the bridge down and other issues prevented us from increasing.

Councilman McCurdy made a motion second by Councilman Fishburn to table the matter.

Yes: McCurdy, Fishburn, Cox, Chilvers                      No: None            Absent: Pollok

**Consideration and possible action concerning the possibility of the City of Purcell's participation in the 2015 Independence Day Weekend Fire Works Display.**

Mr. Bunn reported that the Firefighters and the Chamber are no longer interested in coordinating the fireworks show. He asked Chris Griffith to report on findings concerning the cost of a possible fireworks display for 2015. The cost reported was \$7,500 for a fifteen minute display. There is still opportunity to book a show if we move quickly.

Justina Reaves advised the Chamber is willing to promote and partner with the City but they just can't totally sponsor it.

Councilman Fishburn made a motion second by Councilman McCurdy to allocate \$7,500 toward fireworks contract with the intention that the Chamber will contribute.

Yes: Fishburn, McCurdy, Cox, Chilvers                      No: None            Absent: Pollok

**Consideration and possible action concerning a presentation from Kimley - Horn concerning a feasibility study of a new Water Park.**

Austin Powers and George Deines presented highlights of the feasibility study of a new Water Park. The presentation was the collimation of what has been working on since the end of last year Mr. Powers stated. The study began by meeting with the aquatic board and in public meetings in order to form a needs assessment. For the proposed water park attendance revenue estimates for a season are \$221K to \$244K, however this type facility will need more maintenance and utilities and additional staffing. They also recommend setting a certain amount to be set aside for expenses for the facility when time causes expenses to be made.

Mayor Chilvers stated these projects are quality of life projects. Mr. Bunn advised we have a meeting scheduled for April 20<sup>th</sup>. He suggested that we include this and other capital projects for discussion at that meeting. He advised the capital projects need to be in place before the budget.

Dede Page spoke as a member of the aquatic committee advised that when new residences look to move to a town they look at affordable housing, the schools and what activities do you have in the community for families. She asked that the Council grant the option to go to the vote of the people concerning the matter.

The matter was tabled to the April 20<sup>th</sup> special meeting.

**Consideration and possible action concerning a presentation from Municipal Finance Services (MFS) concerning possible financing of a new Water Park.**

Rick Smith, Allen Brooks and Ben Oglesby were present to speak and answer questions concerning financings. Mr. Smith advised there is no question that there will need additional revenue and his firm will be available for the April 20<sup>th</sup> meeting.

No action was taken at this time.

**Consideration and possible action to declare the following items surplus property:**

**a. 23, 6 foot Wood Tables**

**b. 2, 6 foot Plastic Tables**

Chris Griffith advised the condition of the tables is poor. The wooden tables have been welded numerous times and the plastic tables have broken legs.

Councilman McCurdy made a motion second by Councilman Fishburn to declare the items listed as surplus property.

Yes: McCurdy, Fishburn, Cox, Chilvers                      No: None                      Absent: Pollok

**Consideration and possible action concerning 2015-2016 Membership and service agreement with the City of Purcell and the Heart of Oklahoma Chamber of Commerce in the amount of \$22,000.00.**

Ms. Justina Reaves gave a brief reported on Chamber activity.

Councilman Cox made a motion second by Councilman McCurdy to execute 2015-2016 Membership in the amount of \$22K.

Yes: Cox, McCurdy, Fishburn, Chilvers                      No: None                      Absent: Pollok

**Consideration and possible action concerning a report of progress on 410 N. Canadian which was declared a dilapidated structure on October 6, 2014.**

Mr. Teddy Boles advised there is no representation for 410 N Canadian and there has been little progress. The Code office has been unable to contact the two daughters. He advised if the City makes a decision to tear the structure down he estimates the cost to be \$8K.

Mr. Boles was instructed to make attempt to contact Mr. Qualls.

**Consideration and possible action on a report of progress on 629 S. 3rd which was declared a dilapidated structure on October 6, 2014.**

Mr. Boles introduced Mr. Hamm. Mr. Hamm advised he need additional time to get the legal matters taken care of, before he could tear it down or sell the property.

Councilman Cox made a motion second by Councilman McCurdy to table the matter to the August meeting.

Yes: Cox, McCurdy, Fishburn, Chilvers                      No: None                      Absent: Pollok

**Consideration and possible action the dilapidated Structure Report.**

Mr. Boles reported concerning 100 E Adams advising that Mr. Jones came by the Code office this morning because he was not going to be able to come to this meeting. He reported on the following:

- The burned out church on South Santa Fe has been completely torn down and cleaned up at no cost to the city.

- 303 S Santa Fe was removed at a cost of \$3,250 with liens placed on the property.
- 318 and 320 Huron was cleaned up at a cost of \$4,800, liens also placed on the property.

**Consideration and possible action to approve a Community Service Program policy for the purpose of defining standards associated with the use of individuals assigned to community service work.**

James New is overseeing the program. He advised the policy includes liability releases and has been approved by the City Manager and City Attorney. The program allows persons to do community service seven days per week.

Councilman Cox made a motion second by Councilman Fishburn to approve the Community Service Program policy for the purpose of defining standards associated with the use of individuals assigned to community service work.

Yes: Cox, Fishburn, McCurdy, Chilvers                      No: None              Absent: Pollok

Councilman McCurdy advised there is a Golf Tournament that begins the first week of May. He advised he would like to see the concentration there for cleanup, mowing etc.

**Discussion and/or action on accepting an easement from Larry Sean Newville on behalf of Yevonne Newville related to the construction of the new holding facility related to the Purcell Well Field acknowledging Purcell's intent to continue to be bound by the terms and conditions of that agreement between Purcell and Larry and Yevonne Newville dated October 18, 1985.**

Teddy Boles advised this is an agreement for the serge tower. The process began with Yevonne however midway in the process she passed away. Her son Sean Newville had some legal matters to be taken care of. His concern was that the original agreement which included three existing taps be honored. He asked for no new taps. Mr. Sullivan advised this is in relocating the water tower. Mr. Sullivan made the recommendation to sign the agreement.

Councilman Fishburn made a motion second by Councilman McCurdy to accept the easement from Larry Sean Newville on behalf of Yevonne Newville related to the construction of the new holding facility related to the Purcell Well Field acknowledging Purcell's intent to continue to be bound by the terms and conditions of that agreement between Purcell and Larry and Yevonne Newville dated October 18, 1985.

Yes: Fishburn, McCurdy Cox, Chilvers                      No: None              Absent: Pollok

**Consideration and possible action to approve budget amendment GF-2015-9 increasing Grant Monies Received - SLA Grant in the amount of \$2,500.00 and increase Grant Expense -SLA Grant in the amount of \$2,500.00.**

Ms. Long explained this is a grant received by the Emergency Management Department.

Councilman Cox made a motion second by Councilman Fishburn to approve budget amendment GF-2015-9 increasing Grant Monies Received – SLA Grant in the amount of \$2500 and increase Grant Expense –SLA Grant in the amount of \$2,500.

Yes: Cox, Fishburn, McCurdy, Chilvers                      No: None              Absent: Pollok

**Consideration and possible action to advertise for bids on a temporary pumping and piping facility for the Walnut Creek water transfer project.**

Mr. Kenny Sullivan reported that the city staff did a lot of leg work for pumping cost. We then found that we might go over the amount that would require competitive bidding. Since then Councilman Pollok had gotten us in contact with an oil filed pumping from Woodward, he may be able to put a price together. Mr. Sullivan reported that in the next thirty days we may be ready to go out for bid. The man has offered to come and look at it and give some suggestions as to location etc. Mr. Bunn advised this is just for test pumping to see if we can get an adequate volume.

Councilman McCurdy advised he is disappointed to have to wait an additional ninety days for this project.

**Discussion of an update from Sullivan and Associates concerning the Purcell Dam and Lake Project.**

In January Wee Construction tore out the building. We reported last month that we wanted to change out the intake valves, change pipe around the dam. The problem is that no contractor will change it out without building a cofferdam around it. The price of a cofferdam is substantial. Mr. Sullivan made the recommendation to cancel the advertisement and extend the line and extend a twelve inch drain line. We have to have an emergency plan. Right now he recommends disregarding the advertisement for now. Dr. Miller doesn't have all of the test results. We are concerned about the old stream channel.

Mr. Sullivan recommended for now to disregard the intake structure and extend the twelve inch line out, which will bring the cost way down.

Councilman McCurdy advised he would like to see a time line and a cost estimate. Mr. Sullivan advised he believes we can get the 12 inch connected in the next sixty days. This is if we do not have to go out for bids. Councilman McCurdy asked if the Golf Course would have to use City Water to water the golf course. If water is not available to the golf greens during extreme heat we could be in jeopardy of losing the greens. Mr. Sullivan advised they would have to have temporary access to the water, however it would be mandatory to have a back flow preventer.

Councilman Cox asked to let the record show that he excused himself from the meeting at 10:38 p.m.

Mr. Bunn asked that the matter be placed on the April 13th or 20th agenda.

**Consideration and possible action to approve Resolution 15-C04 A RESOLUTION AUTHORIZING THE CITY OF PURCELL TO JOIN THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS, AND ADOPT, APPROVE, AND RATIFY THE AGREEMENT CREATING THE ASSOCIATION, AND FURTHER AUTHORIZING THE PAYMENT OF DUES ASSOCIATED WITH BEING A MEMBER OF THE ASSOCIATION.**

Ms. Kennedy reported there was a resolution passed last month to join the ACOG OCARTS Association. In addition to the OCARTS resolution they require this resolution of membership in the ACOG Association. The next agenda items go with membership requirements

Councilman Fishburn made a motion second by Councilman McCurdy to approve Resolution 15-C04 as written.

Yes: Fishburn, McCurdy, Chilvers                      No: None                      Absent: Pollok, Cox

**Consideration and possible action to approve an Agreement of membership between ACOG and the City of Purcell.**

Councilman Fishburn made a motion second by Mayor Chilvers to approve the agreement of membership between ACOG and the City of Purcell.

Yes: Fishburn, Chilvers, McCurdy                      No: None                      Absent: Pollok, Cox

**Consideration and possible action to appoint one delegate and two alternate delegates to the ACOG Board of Directors.**

Councilman Fishburn made a motion second by Mayor Chilvers to appoint Dale Bunn as a delegate and two alternate delegates Kevin Rhoads and Tommy Mize to the ACOG Board of Directors.

Yes: Fishburn, Chilvers, McCurdy                      No: None                      Absent: Pollok, Cox

**Discussion of the 2015-2016 Budget.**

Councilman Fishburn made a motion second by Councilman Chilvers to table until the April 20<sup>th</sup> meeting.

Yes; Fishburn, Chilvers, McCurdy                      No: None                      Absent: Pollok, Cox

*Mayor Chilvers declared the meeting to be recess at 11:01 p.m.*

*At 12:08 am Mayor Chilvers reconvened the meeting.*

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

- a. Discussion and consideration of labor contract for fiscal year 2015-2016 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 2015-2016 between the City of Purcell and the FOP # 194 in accordance with 25 O.S. 307 § (B) (2).

Mayor Chilvers asked if the items listed under Executive Session were listed legal and proper for the Council to enter into executive session. Mr. Haxel advised that they were.

Councilman Fishburn made a motion second by Councilman McCurdy to enter into joint executive session at 12:09 a.m. to discuss items listed on 'a' and 'b'.

Yes: Fishburn, McCurdy, Chilvers                      No: None                      Absent: Pollok, Cox

Councilman Fishburn made a motion second by Councilman McCurdy to return to regular session in both meetings at 1:03 a.m.

Yes: Fishburn, McCurdy, Chilvers                      No: None                      Absent: Cox, Pollok

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

- a. Discussion and consideration and possible action concerning the labor contract for fiscal year 2015-2016 between the City of Purcell and the IAFF Local 3596 in accordance with 25 O.S. § 307 (B) (2).

No action taken on item 'a'.

- b. Discussion and consideration and possible action concerning the labor contract for fiscal year 2015-2016 between the City of Purcell and the FOP # 194 in accordance with 25 O.S. 307 § (B) (2).

No action taken on item 'b'.

**City Council comments.**

Mayor Chilvers made the comment that he believes that Mr. Sullivan is dragging his feet and should have be ready. Councilman McCurdy concurred.

**City Manager and staff comments.**

Mr. Bunn advised he would be in contact with the Council concerning the possibilities of beginning meetings earlier.

**City Attorney comments.**

Mr. Haxel had no comment.

**Adjourn.**

Mayor Chilvers declared the Meeting to be adjourned at 1:07 p.m.

Approved on the 4th day of May 2015

---

John Chilvers, Mayor

ATTEST:

---

Dorothy Kennedy, City Clerk