

**CITY OF PURCELL  
REGULAR MEETING  
FEBRUARY 1, 2021  
6:00 P.M.  
IN THE COMMUNITY ROOM  
OF THE POLICE SERVICE BUILDING  
1515 N GREEN AVENUE**

**Special Notice  
Applicable to the February 1, 2021 Purcell City Council Meeting**

*Because of the pandemic Coronavirus (“COVID-19”) properly wearing personal protective masks or face shields and personal distancing of at least six (6) feet will be required.*

**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 6:03 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, John Blue, Bobby Elmore, Jeff Hixon, Mike Lewis, Justin Howell, Michael Minor  
Counsel: Greg Dixon

**3. Pledge of Allegiance.**

Mayor Cox led the Pledge of Allegiance.

Mr. Bunn offered the invocation.

**4. Welcome.**

Mayor Cox welcomed Council, Staff, and guests.

**5. Discussion of agenda items.**

None.

**6. Approve the Consent Agenda.**

- a. **Approval of minutes for January 4, 2021 Meeting(s).**
- b. **Approval of payment of claims as presented in the Council Expense Report in the amount of \$734,729.77.**
- c. **Approval of payment of Street & Alley Claims in the amount of \$0.00.**
- d. **Approval of payment for Unemployment Insurance in the amount of \$441.00.**
- e. **Approval of payment of Capital Improvement Claims in the amount of \$229,132.75.**
- f. **Approval of payment of Rural Fire Claims in the amount of \$0.00**
- g. **Approval of payment of Cemetery Care \$0.00**
- h. **Approval of payment for Airport Authority in the amount of \$1,504.00**
- i. **Approval of estimated payroll in the amount of \$275,000.00.**
- j. **Approval of the Treasurer’s Financial Report.**
- k. **Approval of PMH Water Line Extension Change Order No. 1 in the amount of \$16,507.00.**
- l. **Approval of PMH Water Line Extension Change Order No. 2 in the amount of \$7,532.00.**

Councilman Jacobs made a motion second by Councilman Tate to approve the Consent Agenda as presented.

Yes: Jacobs, Tate, Fishburn, Engert, Cox

No: None

Absent: None

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

No items were removed from the Consent Agenda.

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

Mr. Lohn went over the December 2020 Financial Reports. Revenues have outpaced expenses for the current fiscal year thru December. Tax revenue is overall up 11.59% versus last year. The City expenses were higher than revenues in December 2020.

- December 2020 monthly loss was \$153,213.40. Year to date profit thru December is \$610,762.71
- Year to Date Revenue thru December for the General Fund compared to the budget is 57.52%
- Expenses Year to Date thru December for the General Fund compared to the budget is 48.99%
- Revenue Year to Date thru December for PWA compared to the budget is 56.06%
- Expenses Year to Date thru December for PWA compared to budget is 46.87%

**9. Presentation and discussion of the City Manager Report.**

Mr. Bunn reported on the following:

- Windstream Pole Agreement, Valor has agreed with our count. They are now counting poles and going through an approval process prior to placing any apparatus on our poles. This is completely different from the way business was being conducted.
- Hospital projects:
  - Storm Sewer is complete.
  - Rough Grading is complete.
  - Sewer Up Sizing is complete although there is some cleanup to do before final payment.
  - Water Line is about 30% complete. The Green Avenue bore was done.
  - The Hospital Construction has begun. There have been some rain delays on pouring the foundation and slab.
  - Erosion Control has been approved.
  - The jungle was cleared for the retention pond.
  - Hospital Projects are all within budget.
- Hospital Operations concerning Payroll Protection Program (PPP) loan forgiveness program: We were provided news today that the loan has been forgiven. Mr. Bunn commended Kem Scully and Renee Barber for their efforts.
- Chickasaw Wellness Center status: We have provided everything that we have been asked for.
- The City is preparing to file for a second round of PPP Program. It will be filed through HR Department.
- The Red Hill Rehab was scheduled to begin in March but has already begun and should be completed in 90 days.
- The I-35 interchange is ongoing and ODOT has sent out surveys and they want our input.
- Main Streetscape: ODOT is having problems in this area. We are on the third project coordinator, and the project is still in environmental review. He stated he didn't look for it to be let out for bids this summer and we don't want it to be ongoing during the holiday season.
- He provided the OMAG Stability Survey for Purcell and reported that Purcell performance scored above average. Mr. Bunn said there was a question about a reserve policy. He handed out a cash flow chart. He made the notation that written on this chart is the "Policy of the City that we will keep a minimum of 25% of non-income related expenses in reserves". He advised we will maintain at least three months in reserves. He noted that we currently have reserves to cover one year if necessary. Mr. Bunn further stated that a lot of the reserve monies are for capital projects and are already dedicated to projects. Mayor Cox asked if that was management policy or a council policy? Mr. Bunn advised it is a management policy. Mayor Cox and Councilman Jacobs stated some of the dedicated projects are the I-35 Interchange, Main StreetScape, and the City Yard.
- Mr. Bunn reported on some Purcell items that have certified trademarks now from the US Patent Office. The War Horse and the Heart of Oklahoma are registered and no one else can use them. The Quarter Horse Capital of the World is a registered trademark at this time but has not been used extensively in print and is not certified at this time.

Councilman Fishburn asked if the Purcell Dragon on the water tower is or could be patented. Mr. Bunn stated he would be happy to work with the school to assist them.

**10. Discussion and possible action to enter a new contract for legal services with Ted Haxel, Greg Dixon, Chris Lind for the City of Purcell.**

Councilman Jacobs made a motion second by Councilwoman Engert to approve the contract for legal services.

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

**11. Discussion and possible action concerning an address from Les Hudson concerning drainage of the 500 Block South 6th.**

Mr. Hudson provided a map displaying the area and drainage that he wanted to discuss. He stated that City drainage water, from Main Street southward, turns into his property and then runs into his pasture on South 6th. He advised currently there is still standing water in his pasture. Mr. Hudson informed the Council that there is a cement culvert just pass Eel River running to underground drainage. The Culvert was used the past to carry the water, but over the years the land has built up and now all the water comes in on his property to the west. The water is now cutting under his business and rusting the building material. He advised Mr. Bunn had done some work a couple of times but was not adequate to take care of the water.

He stated he would like the City to look at some type drainage like a cement culvert to carry the water to the Culvert on Eel River. Mr. Bunn asked Mr. Hudson if the driveways in the area have tin horns. Mr. Hudson stated that some years ago the City removed driveway tin horns and installed asphalt mounds to carry water. Attorney Dixon stated that we could not do anything on private property.

Mayor Cox asked Mr. Bunn to investigate what we might be able to legally do to help the drainage situation.

**12. Discussion and possible action concerning an address from William B. Boyle concerning ADA requirements for Cities concerning ADA access and the City plan to improve un accessible streets and other city access.**

Mr. Boyle reported he is concerned about the basketball courts at McCurdy Park and at the Lake. He reported there is no handicap parking or accessibility. Mr. Boyle stated he has been in contact with attorneys from American with Disabilities. In conversations there are some areas Purcell is out of compliance.

He stated that the City is required to have a written Transitional Plan and have someone appointed as the ADA Coordinator. He asked to be provided with that written plan as well as who the ADA Compliance Coordinator is.

Attorney Dixon asked for clarification as to what Mr. Boyle was requesting from the City and informed him that we would like to work with him in meeting ADA regulations and needs. Mr. Dixon asked for time to get the matter researched and suggested it be on the next agenda.

**13. Discussion and possible action to approve the Purcell Lake Trail Phase 2 Scope and Fee of \$59,954 presented by Guernsey; work performed include plans, geotechnical investigation, preparation of bid documents and bid solicitation, construction bid recommendation, construction oversight and Oklahoma Department of Tourism grant administration.**

Mr. Danny Powell, engineer and Paula Hofford of Guernsey were present to present Purcell Lake Trail Phase 2. Mr. Powell reported Phase 1 is almost complete.

Phase 2 will cross the spillway and across the dam for pedestrian access.

Councilman Jacobs made a motion second by Councilman Fishburn to approve the Lake Trail Phase 2 Scope and Fee of \$59,954 as presented by Guernsey.

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

*Mayor Cox skipped number 14 at this time.*

**15. Discussion and possible action to surplus the Police Department 18 ft FEMA JAYF trailer VIN: 1UJBJ02P861JY0427.**

Chief Elmore reported this trailer was purchased through the Emergency Management Department in 2004 or 2005. It has water damage and neither the Emergency Management nor Police Department has any use for it. He said he would like to be able to advertise it as surplus on Purple Wave.

Councilman Jacobs made a motion second by Councilman Fishburn to declare the 18 ft FEMA JAYF Trailer VIN number 1UJBJ02P861JY0427 surplus as written.

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

**16. Discussion and possible action concerning adoption of Resolution No. 21-C05 to amend Resolution No. 20-C19 to include Chapter 123.**

Ms. Kennedy reported that Mr. Haxel feels that a Resolution is not necessary. No action taken on agenda item number 16.

**17. Discussion and possible action concerning adoption of Ordinance 21-01 amending Ordinance 20-05 to include Chapter 123 in the Purcell 2020 Code of Ordinances.**

Councilman Jacobs made a motion second by Councilman Fishburn to approve Ordinance No 21-01 as written.

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

**18. Discussion and possible action concerning Request for Professional Services with respect to independent auditing services for the City of Purcell and its fiduciary funds.**

Mayor Cox advised our current auditor has been with the City for some time. Councilman Fishburn stated that it is common practice for cities to request quotes for professional services.

Councilman Fishburn made a motion second by Councilwoman Engert to approve agenda item 18 and Request Professional Services with respect to independent auditing services for the City of Purcell.

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

*Mayor Cox went back to agenda item 14.*

**14. Discussion and possible action to acknowledge receipt of an acceptable policy from the Heart of Oklahoma Chamber of Commerce (HOCOC) to not endorse a person for public office.**

Councilman Jacobs made a motion second by Councilman Tate to acknowledge the receipt of the Heart of Oklahoma Chamber policy concerning not endorsing persons running for public office.

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

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

*Mayor Cox declared the City Council Meeting and the Purcell Public Works Authority in joint session at 7:30 p.m. for City agenda item 19 thru 22 and PWA agenda items 13 thru 16.*

**19. Discussion and possible action concerning 2021-2022 Projects and budget.**

Mayor/Chairman Cox recommended that small departments be consolidated with each other if possible, to simplify the budget process. He suggested the Christmas Lights be made their own department with their own budget even if it doesn't include salaries of employees. He stated that he is not against the Christmas Lights, but we would be able to better track revenue and expenses.

Councilman/Trustee Jacobs asked if it would be possible to break the departments up into more than one budget meeting. He felt this would allow better communication of needs versus available budget. Mr. Bunn replied that the supervisors would like that better as opposed to having to set through a long meeting.

Mayor/Chairman Cox stated that Purcell needs to be mindful of potential budget impact from the minimum wage raise. The current national plan will increase from \$7.25 to 9.50 and then continue to increase each year until in the 4<sup>th</sup> year it will reach \$15.00 per hour.

**20. City Council Comments.**

Councilman/Trustee Tate asked if Purcell had considered recycling. Mr. Bunn noted that we had checked on cost to citizens was going to increase \$15 per month. We have bins at the Convenience Center, however articles other than recyclables are placed in the bins. Councilman Jacobs noted that he had driven by several times and trash and articles have been discarded around the bins rather than in them.

Councilwoman/Trustee Engert asked if the Columbarium has been set yet. Mr. Bunn was going to check on the schedule.

Mayor/Chairman Cox reminded the Council and others present that the Lodging Tax election will be February 9<sup>th</sup>. He encouraged attendees to vote.

**21. City Manager and staff comments.**

Chief Elmore thanked Mayor Cox, for information about a Silver Alert. Due to Mayor Cox being alert and notifying the Police Department, they were able to return an elderly man to family members. The family members were very grateful.

Treasurer Victor Lohn informed the Council that the City has experienced some spoofing and our bank account was compromised. He stated the spoofing is very well put together because it is not easily detected and is at a loss to know how to block it. Chief Elmore suggested to get Bedlam Computer involved.

**22. City Attorney comments.**

Mr. Dixon had no comments.

**23. Adjourn.**

Mayor Cox declared the meeting to be adjourned at 8:04 p.m.

*Approved this 1st day of March, 2021*

**Attest:**

\_\_\_\_\_  
**Ted Cox, Mayor**

\_\_\_\_\_  
**Dorothy Kennedy, City Clerk**