

**PURCELL PUBLIC WORKS AUTHORITY
REGULAR MEETING
APRIL 5, 2021
6:00 P.M.
IN THE COMMUNITY ROOM
OF THE POLICE SERVICE BUILDING
1515 N. GREEN AVENUE**

Special Notice

Applicable to the April 5, 2021 Purcell Public Works Authority 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.

Chairman Cox called the meeting to order and declared a quorum to be present at 6:35 p.m.

2. Roll Call.

Roll call was conducted by Secretary, Dorothy Kennedy, with the following results:

Trustees present: Danny Jacobs, Graham Fishburn, Theda Engert, Jay Tate, Ted Cox
Trustees absent: None
Staff present: Dale Bunn, Victor Lohn, Dorothy Kennedy, Bobby Elmore, John Blue, Michael Minor, Josh VanOrt, Clent Kennedy, Greg Cypert, Rocky Claunch, Kraig Edleman, Laine Bradley, Mike Lewis, Justin Howell
Counsel: Ted Haxel, Greg Dixon

3. Discussion of agenda items.

Chairman Cox called for discussion of Agenda Items. He stated the Consent agenda is longer than normal if any Councilman needs a brief description.

4. Approval of the Consent Agenda:

- a. Approval of minutes for March 1, 2021 Meeting(s).
- b. Approval of claims as presented in the Council Expense Report in the amount of \$514,654.22.
- c. Approval of the claims from the Water Impact Fee Fund as presented in the Council Expense Report in the amount of \$0.00
- d. Approval of payment of Golf Claims as presented in the Council Expense Report in the amount of \$54,565.40.
- e. Approval of payment of estimated payroll in the amount of \$91,000.00.
- f. Approve Treasurer’s Financial Report.
- g. Approval of Final Grading & Retention Change Order No. 1 in the amount of \$1,800.
- h. Approval of Sewer Improvements New Hospital Change Order No. 2 in the amount of \$7,340.
- i. Discussion and possible action concerning Budget Amendment PWA-2021-3 increasing COVID-19 Expense in the amount of \$4,666.93.
- j. Approval of Red Hill Storage Rehabilitation Change Order No. 3 in the amount of \$2,000.

Trustee Jacobs made a motion second by Trustee Fishburn to approve the Consent Agenda as written.

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

5. Discussion and possible action on items removed from the Consent Agenda.

No items were removed for discussion.

6. Discussion and possible action on accepting a bid and or declaring an emergency for replacement of the control valve at the Lexington Storage Facility.

Mr. Kenny Sullivan explained the Lexington Facility receives all the water coming into Purcell. There is a control valve that automatically lets water in and as the water level lowers it shuts off. Staff is currently

having to operate it manually. He requested the project be declared an emergency because it is Purcell's water source.

Trustee Jacobs made a motion second by Trustee Engert to declare the Replacement of the Control Valve at the Lexington Storage Facility an emergency project.

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

7. Discussion and possible action for the City of Purcell Public Works Authority to enter into an agreement with SSM to be the Manager of Purcell Municipal Hospital effective July 1, 2021.

Mr. Haxel reported we have been working on the agreement for some time. He advised the latest version in his opinion still has typos, but the hardcore items are those he believes we can live with. Hardcore items are as follows:

- It is a five-year (5) contract beginning July 1, 2021
- Can be terminated for any reason upon 180 days' notice by either party.
- There is a provisions for termination with cause. A 30-day notice is required. Cause must be disclosed, and they have 30 days to either fix the cause or show proof that the cause does not exist.
- SSM is required to provide us a budget on or before June 1st annually.
- Any variance over \$25,000 goes before the Hospital Board.
- Any variance over \$50,000 goes to the Hospital Board and the Purcell Public Works Authority
- The fees they get paid is 2% of Kem Scully's salary and benefits and 3% of net patient revenue. Which is defined by gross revenue minus contractual items.
- There will be a 5.5% fee if they collect on PMH behalf. Currently hospital collections are going to a third-party collection, so it does not affect anything currently.
- At this point in time Kem Scully will be their employee that we pay. They cannot move her, change her, or send her to another facility or location without the owner's written consent. Mr. Haxel advised PPWA is the owner. It furthers states that SSM may change the CEO at its discretion, but it must be with PPWA input. He explained SSM cannot move the CEO but they can fire her, but it must be with PPWA input.

Councilman Fishburn asked for a definition of "input". Mr. Haxel stated it is open because it is not defined and can't be defined. It is a protentional problem. Mr. Haxel advised it behooved both sides to work together.

Chairman Cox asked if this is the same type contract that other communities have. Mr. Haxel stated he made them tell him that it is. Chairman Cox asked if this contract is like the one that shut Pauls Valley down. Mr. Haxel stated it is not.

Councilman Fishburn asked what the opinion of the Hospital Board. David Shirley stated they have only seen a draft, but from what they have seen the Hospital Board agrees with it.

Chairman Cox advised from a Rural Hospital situation that has taxed their citizens to have this hospital, it is not something that has been entered lightly. There have been months of negotiations that have gone into it.

Trustee Fishburn made a motion second by Trustee Jacobs approve the contract and authorize the Chairman to sign the contract upon final approval of staff and counsel.

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

8. Discussion and possible action concerning the possibility of receiving bids for Solid Waste Services for the City of Purcell.

Chairman Cox made a motion second by Trustee Jacobs to approve going out to bid for Solid Waste Services.

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

9. Discussion and possible action concerning Change Order No 2 in the amount of \$35,623.57 and authorize the City Manager to sign Change Order approval and related documents.

Trustee Jacobs made a motion second by Trustee Tate to approve Change Order No. 2 in the amount of \$35,623.57 and authorize City Manager to sign the Change Order.

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

Chairman Cox declared the meeting to be in recess in order to go into the

Purcell Economic Development Authority Meeting at 7:56 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 7:57 p.m.

- 10. 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 2021-2022 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 2021-2022 between the City of Purcell and the FOP #194 in accordance with 25 O.S. § 307 (B) (2).**

Mayor Cox made a motion second by Councilman/Trustee Fishburn to enter into joint Executive Session at 7:57 p.m. with the following persons entering: Councilmen/Trustees who are present, City/Trust Attorney Greg Dixon, City/Trust Manager Dale Bunn and City/Trust Treasurer Victor Lohn.

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

Mayor/Chairman Cox declared the Council has returned from Executive Session.

Mayor Cox made a motion second by Councilman Jacobs to return to regular Joint Session at 9:02 p.m.

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

- 11. 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 2021-2022 between the City of Purcell and the IAFF Local 3596 in accordance with 25 O.S. § 307 (B) (2).**
 - b. Discussion and consideration and possible action concerning labor contract for fiscal year 2021-2022 between the City of Purcell and the FOP #194 in accordance with 25 O.S. § 307 (B) (2).**

Mayor/Chairman Cox declared there is no action on Executive Session items.

12. Trustee comments.

Councilwoman/Trustee Engert thanked Ms. Kennedy and Mr. Lohn for coming to her grandmother's funeral.

Mayor/Chairman Cox stated he had information from a friend that there is a problem with soft porn in their home. He wondered if we need to address it by ordinance.

13. General Manager and staff comments.

None.

14. Adjourn.

Chairman Cox declared the meeting to be adjourned at 9:07 p.m.

Approved this 3rd day of May 2021

Attest:

Ted Cox, Chairman

Dorothy Kennedy, Secretary