

**CITY OF PURCELL
REGULAR MEETING
SEPTEMBER 8, 2020
6:00 P.M.
IN THE COMMUNITY ROOM
OF THE POLICE SERVICE BUILDING
1515 N GREEN AVENUE**

**Special Notice
Applicable to the September 8, 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 6:02 p.m.

2. Roll Call.

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

Councilmen present: Danny Jacobs, Graham Fishburn, Jay Tate, Ted Cox

Councilman absent: Theda Engert was absent at roll call but joined the meeting at 6:34 p.m.

Staff present: Dale Bunn, Victor Lohn, Dorothy Kennedy, John Blue, James Bolling, Clent Kennedy, Justin Howell, Mike Lewis, Dakota Norman, Michael Minor

Counsel: Ted Haxel, Chris Lind

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.

Among those who sign up to speak were Bill Call, Tracy Holmes, Kayla Thompson and Norma Van Winkle and others from the community were present to show their support of Agenda Item No. 10.

Those who signed and actually spoke to Council Members were the following:

- Bill Call: Mr. Call wanted to voice his frustration with poor internet service that has been ongoing since installation. He stated his first preference would be for current providers to provide the service that they are being paid to provide. He favors competition of suppliers in some form.
- Kayla Thompson: Stated her current internet service is extremely inadequate. A grandchild is unable to participate in online school. She added that during the Covid 19 outbreak she was unable to work from home due to the poor internet service. She stated she supports giving OEC a shot.

City Attorney Mr. Haxel and Mayor Cox reiterated to audience and speakers to please refrain from naming providers specifically.

- Norma Van Winkel added to some of the speakers concerning poor to no service. She advised she has been on two internet providers and one satellite company. She said that her service to be expensive and very poor.

6. Approve the Consent Agenda.

- a. **Approval of minutes for August 3, 2020 Meeting.**
- b. **Approval of payment of claims as presented in the Council Expense Report in the amount of \$534,056.49.**
- c. **Approval of payment of Street & Alley Claims in the amount of \$3,750.00.**
- d. **Approval of payment for Unemployment Insurance in the amount of \$9,541.35.**
- e. **Approval of payment of Capital Improvement Claims in the amount of \$40,164.62.**
- f. **Approval of payment of Rural Fire Claims in the amount of \$397.69.**
- g. **Approval of payment of Cemetery Care \$678.37.**
- h. **Approval of payment for Airport Authority in the amount of \$859.97.**
- i. **Approval of estimated payroll in the amount of \$275,000.00.**
- j. **Approval of the Treasurer's Financial Report.**
- k. **Approval of Change Order Request from Hammer Construction for necessary water management for the PMH Replacement Facility Initial Grading Project in the amount of \$23,985.60.**

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

Yes: Jacobs, Fishburn, Tate, Cox

No: None Absent: Engert

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.

Treasurer Victor Lohn provided an oral report stating July 2020 Revenues outpaced expenses for the current fiscal year thru July. Tax revenue overall is up, 17.61% versus last year. The monthly profit for July 2020 was \$50,049.09.

9. Presentation and discussion of the City Manager Report.

Mr. Bunn reported on the following:

- The status of the Basketball Court. He advised the City has gone to the Surety Bond Company due to the condition of one basketball court. The Bond Company is bidding out the demolition and replacement of the court through a sub-contractor.
- Covid 19 Update: Mr. Bunn advised Purcell has had a sprinkling of Covid cases. The reports are 28 active cases in Purcell. Surrounding communities have had greater numbers.
- New Hospital project update: The Storm Sewer project has been completed. The Rough Grading project has restarted as of today. The project was delayed due to finding debris in the water channel. The upsizing of the sewer is about 20% complete. The New Water line will help the north end of the City in addition to providing the new hospital with the volume they need. The water project should begin within 30 days.
- Sewer Line Rehab on 9th Avenue involving two blocks located in alley areas is complete.
- North Green Avenue, from Grant to North 9th Avenue project, we have been looking at for a couple of years. We have tried to get funding from ODOT, but to date we have not received any. We have retaken some action by taking soil samples in that area to insure we get reconstruction done correctly due to wash-boarding. We are also conducting a traffic survey. This is especially necessary now since the Junior High and High School are there. He said the hope that this may help with the traffic signal we have wanted.
- The Chickasaw Wellness Center: ONG has moved their gas lines. The City and Sullivan's has participated in teleconference with the Bureau of Indian Affairs. The paperwork is progressing and should get back to the Chickasaw's so that they can go out to bid.
- I-35 Interchange is ongoing. EST is working on the plans and have submitted the first billing which is on the Agenda.
- Main StreetScape update: There is a virtual meeting scheduled with Halff on September 11. The project plans to begin after the first of the year to avoid any interference with holiday shopping.
- Lake Trails Phase 1: The bathrooms aerobic system has been approved by DEQ. There is a minor punch list to take care of. The Trails lighting is pretty impressive, thanks to the Electric Department who did a fantastic job. He stated it is an attraction for Purcell.

- Lake Trail Phase 2: The survey is complete. Guernsey is working with Sullivan for a design of a bridge over the spillway. Sullivan still monitors the Dam for us.
- Special meeting for the Hospital Bid is September 14.

10. Discussion of an address from Nancy Maynard concerning companies who offer fiberoptic services being allowed to provide services in the City of Purcell.

Mayor Cox advised before turning the floor to Ms. Maynard he stated, for those who may not know, that the City does see the need of high speed internet. The City has been working on a plan to get other services here.

Ms. Maynard advised that she was concerned about some of the services in the City of Purcell. She advised she would not name company names because someone failed to tell her that she would need to notify suppliers if she wanted to mention suppliers by name.

Ms. Maynard emphasized that an important aspect of community service is, to serve the community. One of the suppliers does not allow residents to use their services. This specific supplier only offers service to governmental agencies, non-profit organizations, commercial and a few other agencies.

Mr. David Goodspeed from OEC Fiber spoke concerning services that OEC Fiber could offer to the community. Mr. Goodspeed's credentials are that he is the Vice President of OEC IT and president of OEC Fiber. Mr. Goodspeed informed the Council that OEC Fiberoptic is a subsidiary of OEC, and began offering services in 2017. OEC Fiber has grown substantially since that time. Mr. Goodspeed stated OEC offers true Fiber services that does not degenerate. He advised they provide services and do not cut corners. Services include land line phone services, internet, Television.

Some of the surrounding communities have elected to allow OEC Fiber are: Lexington, Newcastle, Norman, Noble and Moore.

Councilwoman Engert joined the meeting already in progress at 6:34 p.m.

Mayor Cox asked Mr. Goodspeed, "What are the barriers to coming to Purcell?" Mr. Goodspeed advised they can come to Purcell, but do not wish to do so without a partnership. He advised he had met with the City Manager and City Attorney in October but did not hear anything back. Mr. Haxel agreed that the meeting had occurred, but the City had not heard anything back.

Mr. Goodspeed stated OEC Fiber offers a standard agreement that allows them to come into Purcell and utilize public easements. He stated they bury 100% of their lines. OEC Fiber will pay the City 5% of all their video revenue on an annual basis.

Mayor Cox stated that some of the emails he has received, it almost appears, that the City has said no. Mayor Cox stated that is not the case. Mr. Bunn commented that we are anxious for the service. Mr. Bunn reported that the electric poles are near capacity at this time. This doesn't seem to be a problem, since all services are fiberoptic and pole space is not required.

Ms. Maynard asked what OEC Fiber needs from Purcell. She asked if OEC would have access to easements. Mr. Goodspeed advised included in the agreement is access to public easements. Mr. Bunn again stated the only problem that Purcell would have had is if OEC Fiber needed access to pole space, because we are at capacity.

The matter will be placed on the special meeting agenda.

11. Discussion and possible action concerning I-35 Interchange/SH 74/West Grant Street Phase 2 EST Invoice No. 49568 in the amount of \$133,184.25.

Councilman Jacobs made a motion second by Councilman Tate to approve the EST Invoice No. 49568 in the amount of \$133,184.25 as written.

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

12. Discussion and possible action concerning ODOT invoice for Green Avenue Improvements from Grant Street to Washington Avenue: Signals, School Crossing Sidewalks, Lighting and Landscape Improvements in the amount of \$34,413.12.

Mr. Bunn informed the Council that this invoice is the result of a series of ODOT change orders. ODOT implemented change orders but failed to get them to the City for approval. We disputed them, some of the disputed charges were for their own mistakes. Mr. Bunn advised the \$34,413.12 is a fair cost.

Councilman Jacobs made a motion second by Councilman Fishburn to approve agenda item number 12 concerning ODOT invoice in the amount of \$34,413.12.

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

13. Discussion and possible action concerning Resolution No. 20-C13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PURCELL (PURCELL) FOR THE PURPOSE OF FILING FOR A 2021 RURAL ECONOMIC ACTION PLAN (REAP) GRANT TO REBUILD A SEWER LIFT STATION; AND NAMING THE ASSOCIATION OF SOUTH CENTRAL GOVERNMENT (ASCOG) TO WRITE AND ADMINISTER THE GRANT; AND COMMITMENT TO PROVIDE NECESSARY FUNDS; AND AUTHORIZING THE MAYOR TO SIGN ALL RELATED DOCUMENTS;

Mr. Bunn stated that this is a resolution approving the City filing for a Rural Economic Action Plan (REAP) Grant for rehab to the lift station. The estimated cost of \$500,000. The project was included in the budget as capital improvement. Mr. Bunn advised the REAP Grant would most likely cover engineering cost.

Councilman Jacobs made a motion second by Councilman Fishburn to approve Resolution 20-C13 giving approval of filing for a REAP Grant to rebuild a sewer lift station as written.

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

14. Discussion and possible action authorizing ASCOG to write a REAP Grant for the City of Purcell to Rebuild the Juneau and South Canadian Sewer Lift Station in the amount of \$45,000.

Councilman Jacobs made a motion second by Councilman Fishburn to authorize ASCOG to write a REAP Grant to rebuild the Juneau and South Canadian Sewer Lift Station in the amount of \$45,000.

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

15. Discussion and possible action concerning dedication of necessary local funding from General Fund and In Kind Services will be through the City of Purcell for Rebuilding a Sewer Lift Station project estimated cost \$500,000.

Councilman Fishburn made a motion second by Councilman Tate to dedicate necessary local funding from General Fund and In-Kind through the city of Purcell for Rebuilding a Sewer Lift Station project estimated cost of \$500,000.

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

16. Discussion and possible action to declare 624 Apache a dilapidated structure.

Mr. Lewis advised this structure has been on Code Enforcement watch list for over a year. During that time the owner began working on it, but for an unknown reason stopped. The structure has deteriorated and is in an unsafe condition. The condition was brought to Mr. Lewis' attention in early July and he began the legal process. He also spoke to the owner, who informed him that she would have it removed by the 15th. He advised he has had several discussions with the owner who states she is going to have it torn down. Mr. Lewis displayed pictures as to its current condition stating it is in a neighborhood, it is unsafe and unstable. It appears to be held up only by two or three interior walls. Mr. Lewis advised the structure is wide open to curious juveniles, transits or animals. He made the recommendation to move forward and remove it.

Councilman Jacobs made a motion second by Councilman Tate to declare 624 Apache a dilapidated structure.

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

17. Discussion and possible action concerning declaring surplus outdated and unused electronics as listed on attached Exhibit A.

Mr. Bunn reported Exhibit A represents a group of computers and iPads that have outlived their usefulness.

Councilman Jacobs made a motion second by Councilwoman Engert to declare as surplus electronic equipment as listed on Exhibit A.

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

18. Discussion and possible action concerning creating a City Policy concerning membership in non-profit organizations.

Mayor Cox stated he had requested this agenda item when a concern was brought to him about some organizations that we support have given the appearance of participating in political campaign activities very close to an election date. He advised he feels we need to come up with some type of uniform policy and what would cause us to remove support and membership from organizations that participate in similar activities.

Councilman Fishburn suggested research with other cities. If other cities have had this occurrence, they may have a policy that can be adapted to fit our needs. Mr. Haxel advised we could look into it.

19. Discussion and possible action concerning Resolution 20-C14 A RESOLUTION CONCERNING FUNDING PURSUANT TO THE CARES ACT AND THE CORONAVIRUS RELIEF FUND, CONFIRMING THAT IT IS THE POLICY OF THE CITY THAT ALL PUBLIC SAFETY PERSONNEL COSTS ARE “SUBSTANTIALLY DEDICATED” TO THE COVID-19 RESPONSE EFFORTS OF THE TOWN THROUGHOUT THE ONGOING STATE OF EMERGENCY.

Mr. Bunn stated in order to qualify for any significant amount of money we need to pass this resolution which is outlined by the State of Oklahoma. Basically, stating that the activities of our first responders was significantly affected by Covid-19. Mr. Bunn stated this was indeed the case. Responders had to gear up for encounters with the public and other items were part of their duties during Covid -19.

Councilman Tate made a motion second by Councilman Jacobs to approve Resolution 20-C14 as written.

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

20. Discussion and possible action concerning Budget Amendment GF-2021-2 increasing Revenue – Reimbursements/Discounts and increasing Street & Alley Capital Appropriations both in the amount of \$8,000.

Mr. Lohn advised the Amendment reflects payments from two of the three residents on Deer Run who are funding planned road work. Mr. Bunn added the road is being paid for by the residents and the County will do the work. The project will not cost the City anything, with the exception of future maintenance.

Councilman Fishburn made a motion second by Councilwoman Engert to approve Budget Amendment GF-2021-2 as written.

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

21. Discussion and possible action concerning Budget Amendment GF-2021-3 increasing Animal Shelter Donation Revenue and increasing Building Maintenance both in the amount of \$2,329.43.

Mr. Lohn advised is due to improvements made to the animal pens at the Shelter.

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

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

22. Discussion and possible action concerning Budget Amendment Cap Imp-2021-1 Misc Revenue in the amount of \$54,927.81 and Trsf in – PPWA in the amount of \$1,062,714.71 and increasing Capital Outlay \$1,117,642.52.

Councilman Jacobs made a motion second by Councilwoman Engert to approve Amendment Cap Imp-2021-1 as written.

Yes: Jacobs, Engert, Tate, Fishburn, 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 7:00 p.m.

*Mayor Cox declared the City Council Meeting and the
Purcell Public Works Authority in joint session
at 7:14 p.m.*

23. City Council Comments.

Councilman/Trustee Tate commented concerning a lake test. He stated the results were 1,200, but the City didn't post it until 11 days later, due to not having received the results. Mr. Bunn advised we immediately act as soon as we receive results. Mr. Blue from Parks Department stated that we did have a delay which was the result of the testing company employees working from home. Councilman/Trustee Tate asked if we could put procedures in place that if the results were not received by 3:00 pm on Friday, the City would call for the results? Mr. Bunn responded we can do that.

Mayor/Chairman Cox asked what the project on 4th Street was. Mr. Minor stated it was a two phase sewer line extension. Mr. Bunn informed Council that it appears the sewer lines were originally private and later other residents connected to those lines resulting in problems.

He made another comment stating the lake swimming area has a lot of children using it.

24. City Manager and staff comments.

There were no comments from the City/General Manager or staff.

25. City Attorney comments.

Neither Mr. Haxel nor Mr. Lind had any comments.

26. Adjourn.

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

Approved this 5th day of October 2020

Attest:

Ted Cox, Mayor

Dorothy Kennedy, City Clerk

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PURCELL PUBLIC WORKS AUTHORITY
REGULAR MEETING
SEPTEMBER 8, 2020
6:00 P.M.
IN THE COMMUNITY ROOM
OF THE POLICE SERVICE BUILDING
1515 N GREEN AVENUE**

EXHIBIT A

Exhibit A – City of Purcell and Purcell Public Works Authority Surplus Electronic List:

Description	Serial Number	Model	Department
iPad	DMRKP338F185	MD513LL/A	Administration
iPad	DMRKP50F182	MD510LL/A	Administration
iPad	DMPKPC96F182	Unknown	Administration
iPad	DMPKP2KTF182	MD510LL/A	Administration
iPad	DMPKP42FF182	Unknown	Administration
iPad	DMRKP329F185	MD513LL/A	Administration
iPad	DMRKPJ23F182	MD510LL/A	Code
iPad	DMPKT3N3F182	MD510LL/A	Code
iPad	DMPJX8V9F18P	MD52211/A	Unknown (Spare)
iPad	9900030677	L1Z789	Water
iPad	Unknown	Unknown	Electric
iPad	DMPK16HPF18P	MD522LL/A	Water
iPad	Unknown	Unknown	Water
iPad	Unknown	Unknown	Code
iPad	Unknown	Unknown	Code
iPad	DMPKGGWLF18P	A1460	Justin
iPad	DKVJC0LLDNQR	A1403	Parks
iPad	DMPKG615F18P	A1460	Parks
Laptop	74007996816	Acer	Code
Laptop	00325-96170-82117-AAOEM	Dell	Administration

POSTED AT PURCELL CITY HALL 230 W. MAIN STREET AT 3:30 P.M. ON
SEPTEMBER 2, 2020 BY CITY CLERK DOROTHY KENNEDY.
