

MINUTES

**CITY OF PURCELL
REGULAR MEETING
NOVEMBER 7, 2022**

6:00 P.M.

**IN THE COMMUNITY ROOM OF
THE PURCELL POLICE SERVICE BUILDING
1515 N. GREEN AVENUE**

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

Mayor Fishburn 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, Andrea Millsap, with the following results:

Councilmen present: Graham Fishburn, Jay Tate, Allen Eubanks.

Councilman absent: Ted Cox, Theda Engert

Staff present: Dale Bunn, Victor Lohn, Andie Millsap, James Bolling, Greg Cypert, Rachael Huey, Rocky Claunch, Michael Minor

Counsel: Greg Dixon

3. Pledge of Allegiance.

Mayor Fishburn led the Pledge of Allegiance.

Dale Bunn offered the invocation.

4. Welcome.

Mayor Fishburn welcomed guests, staff, and council members.

Request to Be Heard

Jacob Crooch, owner of Flycatcher Aviation and owner of a hangar at the Purcell airport presented information about hangar use at the airport. Noted airport hangar space is currently hard to come by. Was concerned about other hangar owners using hangars for vehicle storage when there's limited hangar space. Presented some FAA information regarding hangar use and regulations. Gave his account of conversations with the FAA, airport staff and a hangar owner.

5. Discussion of Agenda Items.

Mayor Fishburn called for any discussion of agenda items.

6. Approve the Consent Agenda:

All items listed under the Consent Agenda are deemed to be non-controversial and routine in nature by the governing body. They will be approved by one motion of the governing body. The items on the Consent Agenda WILL NOT be discussed. Any member of the governing body desiring to discuss an item on the Consent Agenda

may request it be removed from the Consent Agenda and placed in its proper order on the regular agenda for consideration.

- a. Approval of payment of claims as presented in the Council Expense Report in the amount of \$644,068.71.
- b. Approval of payment of Street & Alley Claims in the amount of \$1,587.35.
- c. Approval of payment for Unemployment Insurance in the amount of \$7,051.00.
- d. Approval of payment of Capital Improvement Claims in the amount of \$99,949.47.
- e. Approval of payment of Rural Fire Claims in the amount of \$0.00.
- f. Approval of payment of Cemetery Care in the amount of \$0.00.
- g. Approval of payment for Airport Authority Claims in the amount of \$4,140.89.
- h. Approval of estimated payroll in the amount of \$295,000.00.
- i. Approval of the Treasurer's Financial Report.
- j. Approval of September 6, 2022, Joint Special Meeting Minutes.
- k. Approval of 2023 City of Purcell Holiday Schedule.
- l. Approval of 2023 City Council Regular Meeting Schedule.
- m. Football Proclamation (1972 Class A Football Champions).
- n. Approval of Waldrop Construction Change Order #43 (Surgical Light Hanging)
- o. Approval of Waldrop Construction Change Order #44 (Re-Mobilization-Landscaping)
- p. Approval of Waldrop Construction Change Order # 45 (Temporary Road Detour)

Councilman Eubanks made a motion second by Councilman Tate to removed items 6n, 6o, and 6p from the consent agenda.

Yes: Eubanks, Tate, Fishburn

No: None Absent: Cox, Engert

Councilman Eubanks made a motion second by Councilman Tate to approve the consent agenda as amended.

Yes: Eubanks, Tate, Fishburn

No: None Absent: Cox, Engert

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

n. Approval of Waldrop Construction Change Order #43 (Surgical Light Hanging)

Mr. Bunn noted this was a surgical light for the trauma/ER room that was overlooked on the initial plans. Discussion was had about who would be financially responsible for the error. There were items on this change order, drywall and handrail, that Mr. Bunn said he would inquire about.

Councilman Eubanks made a motion seconded by Councilman Tate to table item n until a corrected invoice is received from the architect.

Yes: Eubanks, Tate, Fishburn

No: None Absent: Cox, Engert

o. Approval of Waldrop Construction Change Order #44 (Re-Mobilization-Landscaping)

Mr. Bunn noted this was for remobilization for the contractor to come back and finish after the roads are finished. Discussion was had about this having to be done because of the road not being finished. This would include landscaping and striping.

Councilman Eubanks made a motion seconded by Councilman Tate to table item o.

Yes: Eubanks, Tate, Fishburn

No: None Absent: Cox, Engert

p. Approval of Waldrop Construction Change Order # 45 (Temporary Road Detour)

Discussion was had about the reason for this item. Mr. Bunn noted the health department would not pass the initial temporary road, but materials were used to firm it up and it was passed without the expense of an asphalt road.

Councilman Eubanks made a motion seconded by Councilman Tate to approve item p as presented.

Yes: Eubanks, Tate, Fishburn

No: None Absent: Cox, Engert

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

- Sales Tax thru September 2022 is up 7.92% over last year or \$130,508.00; up 10.46% over budget or \$174,368.00.
- Use Tax thru September 2022 is up 9.04% over last year or \$22,183.00; up 10.46% over budget or \$18,614.00.
- Tobacco Tax thru September 2022 is down 13.87% over last year or \$3,210.00; down 12.88% over budget or \$2,341.00.
- Electricity in September 2022 had a positive variance of \$249,983.00 vs last year; YTD the variance is positive \$636,241.00.
- Water in September 2022 had a positive variance of \$13,109.00 vs last year; YTD variance is positive \$181,180.00.
- General Fund in September 2022 the expenses were above revenues by \$137,188.00; YTD expenses were above revenues by \$188,889.00.
- Public Works in September 2022 the expenses were above revenues by \$810,672.00; YTD expenses are above revenues by \$237,523.00.

9. Presentation and discussion of the City Manager Report.

Police Department

- Complimented management of the police department. Were down 9 officers and now patrol is adding 15 officers in a difficult recruiting market.

I-35 Interchange

- Project on track.
- Once right of way acquisition is executed, we will start the process of getting easements for the project.
- Starts in 2025.
- Homeowners should be contacted after the first of the year concerning the easements.

Main Stret Scope

- Cost Share Agreement has been signed and payment submitted.

- Bid advertising is November 17, bid award December 5, contracts in January, contractor start is February/March and project terms is about 6 months.

South Canadian Lift Station

- Project has started.
- Friday, the contractor ran into ground water and sand, so an engineering plan is in the process to support the base of the project to avoid settling down the road. Need to have a special meeting to review the change order request from Orr Construction. (Set it for Monday November 14, 2022, at 5:30).

Trails

- Paving is scheduled for this week. Delayed last week, contractor didn't show up.

Medical Office Building

- Project is on schedule for opening in February.

Hospital Site Plan

- Was discovered ONG, Windstream, and OEC lines were not buried deep enough so those have to be remedied (at the entry area off of 9th Ave).
- OEC and Windstream lines should be moved by the 11th of November and ONG matter is on tonight's agenda for their line being moved out of that area.
- Agreement and check to them and see how quickly they can get out there.
- If ONG has the pipe moved by the 18th, All Roads hopes to be done by December 9 and in that time period is when the landscaping should be finished.

Retention Pond

- Invites everyone to look at the retention pond area and what a challenge it is, it's wet all the time. Contractor lost a large backhoe in the area and had to replace the engine. Had to use a dozer and a larger backhoe to get it out.

Green & Hallmark

- Understand there was a near miss on Green Avenue & Hallmark in front of the school involving a student and motorist. Two traffic studies have been done and ODOT has turned the city down for signals because they believe there is not enough traffic.
- There is a meeting with the Superintendent of schools at 1 o'clock tomorrow concerning this matter and to try to find solutions.

10. Discussion and possible action concerning resolution No. 22-C07 A RESOLUTION OF THE COUNCIL OF THE CITY OF PURCELL, OKLAHOMA, GIVING THE SECRETARY OF THE MCCLAIN COUNTY ELECTION BOARD NOTICE OF A PRIMARY ELECTION TO BE HELD ON FEBRUARY 8, 2023.

Councilman Tate made a motion seconded by Councilman Eubanks to amend Agenda Item No. 10 to read February 14, 2023, instead of February 8, 2023.

Yes: Tate, Eubanks, Fishburn

No: None

Absent: Cox, Engert

Councilman Tate made a motion second by Councilman Eubanks to approve Agenda Item No. 10 as amended.

Yes: Tate, Eubanks, Fishburn

No: None

Absent: Cox, Engert

11. Discussion and possible action to approve Budget Adjustment No. RF-2023-1 in the sum of \$38,476.00 (Rural Fire).

Rocky Claunch noted this is Rural Fire, not City funds. Council approved budget for \$38,739.00 for cabin chassis. It was ordered, GM cancelled the order, and in re-ordering there is a \$10,000.00 difference in price. Rural Fire approved to spend the additional \$10,000.00. Mr. Lohn noted Rural Fire does have the funds available.

Councilman Eubanks made a motion second by Councilman Tate to approve Agenda Item No. 11 as written.

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

12. Discussion and possible action to approve Budget Adjustment No. GF-2023-6 in the sum of \$4,500.00 (Police Department Grant).

James Bolling presented information about a yearly grant from Wal Mart for equipment. This is to purchase 2 ballistic shields. The grant has been awarded and just needs approval.

Councilman Eubanks made a motion second by Councilman Tate to approve Agenda Item No. 12 as Written.

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

13. Discussion and possible action to approve Budget Adjustment No. GF-2023-5 in the sum of \$1,901.20 (Vehicle Maintenance Insurance Reimbursement).

Incident with a vehicle and this is what the insurance paid.

Councilman Eubanks made a motion second by Councilman Tate to approve Agenda Item No. 12 as Written.

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

14. Discussion and possible action to approve an agreement with ONG to move the gas line out of the construction area for the new roadway at Purcell Municipal Hospital. Approval of the work requires a prepayment of \$28,261.00 to ONG and authorization of the City Manager / PWA General Manager to sign the agreement and any necessary easement.

Previously discussed in city manager's report. Discussion was had about location of easement and current right of ways.

Councilman Eubanks made a motion second by Councilman Tate to approve Agenda Item No. 14 as written.

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

*Mayor Fishburn declared the meeting to be in recess in order to go into the
Purcell Public Works Authority Meeting at 6:55 p.m.
Mayor Fishburn declared the City Council Meeting and the
Purcell Public Works Authority in joint session in order to
enter joint Executive Session at 7:06 p.m.*

- 15. EXECUTIVE SESSION: DISCUSSION, CONSIDERATION RE: AN EXECUTIVE SESSION TO BE HELD IN ACCORDANCE WITH 25 O.S. 307 § (B) (3).**
- a. Discussion and consideration concerning the purchase or appraisal of real property in accordance with 25 O.S. 307 § (B) 3.**

Councilman Eubanks made a motion second by Councilman Tate to enter into joint Executive Session at 7:06 p.m. with the following persons entering: Councilmembers who are present, City Attorney Greg Dixon , City Manager Dale Bunn, City Treasurer Victor Lohn.
Yes: Eubanks, Tate, Fishburn No: None Absent: Cox, Engert

- 16. EXECUTIVE SESSION: DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING ITEMS DISCUSSED IN EXECUTIVE SESSION IN ACCORDANCE WITH 25 O.S. 307 § (B) (3).**
- a. Discussion and consideration and possible action concerning the purchase or appraisal of real property in accordance with 25 O.S. 307 § (B) 3.**

Mayor Fishburn declared the Council has returned from Executive Session.

Councilman Eubanks made a motion second by Councilman Tate to return to regular Joint Session at 7:38 p.m.
Yes: Eubanks, Tate, Fishburn No: None Absent: Cox, Engert
No action taken.

17. City Council Comments.

Councilman Cox:

None/Absent.

Councilwoman Engert:

None/Absent.

Councilman Tate:

None.

Councilman Eubanks:

Appreciate everyone's hard work.

Mayor Fishburn:

Congratulated the police department for getting fully staffed. Thanked everyone for their efforts.

18. City Manager and staff comments.

Special meeting November 14, 2022 at 5:30 at City Hall.

19. City Attorney comments.

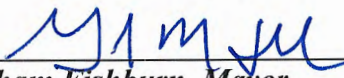
Read the City/ONG contract and find nothing irregular. Approved of Mr. Bunn signing.

20. Adjourn.

Mayor Fishburn declared the meeting to be adjourned at 7:41 p.m.



Approved this 5th day of December 2022



Graham Fishburn, Mayor

Attest:



Andrea Millsap, City Clerk