

MINUTES

**CITY OF PURCELL
REGULAR MEETING
MARCH 6, 2023
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 6:01 p.m.

2. Roll Call.

Roll call was conducted by City Clerk, Andrea Millsap, with the following results:

Councilmembers present: Ted Cox, Graham Fishburn, Theda Engert, Jay Tate, Allen Eubanks.

Councilmembers absent: None.

Staff present: Dale Bunn, Victor Lohn, Andrea Millsap, Michael Minor, Justin Howell, Clent Kennedy, Serena Melton, Bobby Elmore, Trey Phillips, John Blue, Rachael Huey, Greg Cypert, Quinn Kroth, Mike Lewis.

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.

5. Discussion of Agenda Items.

Mayor Fishburn called for any discussion of agenda items.

None.

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 \$639,045.85.**
- b. Approval of payment of Street & Alley Claims in the amount of \$1,071.40.**
- c. Approval of payment for Unemployment Insurance in the amount of \$0.00.**

- d. Approval of payment of Capital Improvement Claims in the amount of \$115,752.40.**
- e. Approval of payment of Rural Fire Claims in the amount of \$7,315.74.**
- 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 \$24,172.91.**
- h. Approval of payment for Drug Enforcement Claims in the amount of \$999.00.**
- i. Approval of estimated payroll in the amount of \$295,000.00.**
- j. Approval of the Treasurer's Financial Report.**
- k. Approval of February 6, 2023 Regular Meeting Minutes.**

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

No items removed from the consent agenda.

Vice-Mayor Cox made a motion second by Councilwoman Engert to approve the Consent Agenda as written.

Yes: Cox, Engert, Tate, Eubanks, Fishburn

No: None

Absent: None

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

- Sales Tax thru January 2023 is up 7.32% over last year or \$309,795.00; up 11.19% over budget or \$456,848.00.
- Use Tax thru January 2023 is up 15.47% over last year or \$51,517.00; up 15.96% over budget or \$65,167.00.
- Tobacco Tax thru January 2023 is down 11.89% over last year or \$4,363.00; down 10.57% over budget or \$3,826.00.
- Electricity in January 2023 had a negative variance of \$83,707.00 vs last year; YTD the variance is positive \$658,419.00.
- Water in January 2023 had a positive variance of \$28,170.00 vs last year; YTD variance is positive \$299,130.00.
- General Fund in January 2023 the expenses were below revenues by \$150,768.00; YTD expenses were above revenues by \$89,712.00.
- Public Works in January 2023 the expenses were above revenues by \$9,125.00; YTD expenses are below revenues by \$96,489.00.
- The March utility billing was sent to the outsourcing company on Friday afternoon February 24, 2023, too late to be processed and mailed. They were to be mailed Monday, February 27, 2023. On Friday March 3, 2023, I emailed the outsourcing company to inquire about our utility bills. They emailed me back and said that they had to transfer the processing to their Alabama plant since they did not have the correct envelope in stock. They assured me that is highly unlikely to happen again.
- On our health insurance loss ratio for the calendar year 2021 was 69%. For the calendar year 2022 the loss ratio is 123.5%. The broker has spoken with Blue Cross Blue Shield and the premium increase could be 20-30%. At 20% the increase would be \$15,140.00 monthly or \$181,680.00 annually. At 30% the increase would be \$22,714.00 monthly or \$272,568.00. This will be an impact to our budget for 2023-2024.
- I made the third of six \$100,000.00 monthly payments to the hospital in February 2023.

9. Presentation and discussion of the City Manager Report.

I-35 Interchange

- Smith-Roberts Land Services issued Right of Way Notice of Intent February 7.
- Construction to start in 2025.

South Canadian Lift Station

- Electric complete except for backordered breaker, installing fuses in the meantime.
- Wet well complete, trash baskets installed, fault structure complete, valves installed, final grading is in progress, pumps installed (completed in February).
- Generator start up is tentatively the week of the 9th, the 13th, depending on when the tech is available.
- Automatic engineering start up and commissioning process was scheduled for June but has been moved up to March 13th. After 10 days of commissioning the new site decommissioning will start on the old station.
- Microcom system coordination will be done by our staff working with Microcom.

Medical Office Building

- Opening scheduled for March 20, 2023.

Green Avenue & Hallmark

- Finally received a study showing justification for ODOT to make changes in the area. Grant application planned to be done by Traffic Engineering Consultants seeking signals, crosswalks, turn lanes, and sidewalks in that area. This grant will provide 80% of the funding for the project.

South Green Avenue Lighting

- Bids have been received and there's an agenda item for this.

Hospital Site Plan

- Calendar provided.
- Winrock Speed Shop replaced Zech Ford. The drains in the NE/Corner created a hump in the drive and they were concerned car haulers would hang up. This was caused by moving a storm sewer intake and elevation should have been changed. Engineer drew up new plans and they are going to the final grading and asphalt companies for adjustment. This should take a couple of days.

Councilman Eubanks asked about retention pond. Dale noted it's with the final grading and should be done in about a month.

Dale noted weather permitting All Roads should be out by the 24th. The retention pond is secondary priority to other items because it's doing its job currently just needs to be finished.

Eubanks asked when all construction would be done, and site cleaned up. Mr. Bunn noted that it should be in April.

- Made agreement with Sunray to clear more trees in order to have better line of site to the hospital.

- All Roads estimates 2 weeks of good weather for completion of paving projects for curbs and asphalt.
- Leaves removal of temporary roads, irrigation and landscaping.

Main StreetScape

- Bid is in April, decision on the bids will come at that time and target for completion is November. Completion date will be in the bid documents.

Trails

- Items completed in February: backfilling, sod beside trail, handicap parking, pads poured for the trash cans and benches, bollards, ADA parking, sidewalk from trail to pavilion poured.
- Items remaining: trash cans, benches, trail signage which should be completed March 10th; lights and post and cable fencing to keep people from driving on the trail.

Remember your nomination forms for Giving Time.

Chamber Banquet is April 13th.

Congressman Tom Cole toured the hospital on Valentines Day.

Agenda Item No. 16 was heard out of turn due to time constraints of presenter, Trey Phillips.

16. Discussion and possible action concerning a recommendation from Trey Phillips, Electric Supervisor to award bid for the South Green Avenue Lighting Project to Harcon, LLC from the following bids:

a. Harcon, LLC	\$239,450.00
b. B&B Industries, Inc.	\$347,000.00
c. TLS Group, Inc.	\$385,733.50

Trey Phillips, Electric Supervisor presented information noting Mr. Harris of Harcon was the low bid and was the only bidder to appear for a pre-bid site visit to walk the project. Also noted the project was approximately \$50,000.00 over the project estimate and this was due to increase in cost of materials since the time of the estimate.

Councilman Eubanks made a motion second by Councilman Tate to approve Agenda Item No. 16 as written.

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

10. Discussion and possible action to approve the mayor signing a Proclamation to declare April as Fair Housing Month.

Mayor Fishburn read the Proclamation.

Vice-Mayor Cox made a motion second by Councilman Eubanks to approve Agenda Item No. 10 as written.

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

11. Discussion concerning a building permit for Lot 1, Block 1, Riverview Estates Addition.

Lance Jolly had a request to be heard. Mr. Jolly said he would like to be issued a building permit. Noted first email he received was February 2022 from Mr. Bunn stating the city was waiting on cul-de-sac to be installed. He noted that neighbors have received building permits. Mr. Bunn noted that the construction of the cul-de-sac directly affects his property and did not affect the others. He also noted that they have been in contact with the owner of the development over the last 10 years about this issue and he was told we would have to hold permitting until the construction was completed. Mr. Bunn noted that he spoke with Johnny Mann, who is in charge of the project and he, with Dixon Construction, is planning to do the project. There is a possibility that a water line will have to be moved to accommodate the construction and there may also be fiber. The city is willing to cooperate on all that. The circumference of the turnaround is on the lot that Mr. Jolly purchased and that's the final reason for withholding the permit. Councilman Eubanks engaged in the discussion and strongly encouraged Mr. Bunn to call Mr. Mann daily to check on status.

12. Discussion and possible action concerning city council to direct city staff to submit a letter to ODOT requesting a traffic study on Highway 74 that is within limits of the City of Purcell.

Zack and Brandy Harris (Request to Be Heard). Mr. & Mrs. Harris noted that this area is in an industrial area and the population and traffic in the area has increased substantially. Noted there was no shoulder, no sidewalks, no lighting, the speed limit is too high, and they know of several accidents and most recently a fatality. When there are problems on I-35, traffic is routed to that area. They requested these items be remedied. There was discussion by council members, and it was noted that the area in question is governed by ODOT. Council directed Mr. Bunn to write a letter of request to ODOT for a traffic study. Mr. Bunn told Mr. & Mrs. Harris that if they wanted to send the city a letter, he would include it with the letter he is sending.

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

Yes: Eubanks, Tate, Cox, Engert, Fishburn

No: None

Absent: None

13. Discussion and possible action to approve the Fire Marshall, Fire Chief, and City Manager signing a letter granting Arby's (2010 South Green Ave.) approval of a permit for an underground flammable liquid propane gas tank permit upon filling certain requirements.

Quinn Kroth, Fire Marshall, presented. The Arby's is going in just north of the liquor store at the south end of town. Wasn't exactly sure why they were opting for underground propane but it's possible there wasn't a gas line in proximity.

Vice-Mayor Cox made a motion second by Councilwoman Engert to approve Agenda Item No. 13 as written.

Yes: Cox, Engert, Tate, Eubanks, Fishburn

No: None

Absent: None

14. Discussion and possible action to approve Budget Amendment Cap Imp-2023-1 in the sum of \$1,000,000.00 to record transfers from the ICS reserve fund.

Mr. Lohn noted this was to balance capital outlay. There is an over encumbrance of \$4 million. Councilman Eubanks made a motion second by Councilwoman Engert to approve Agenda Item No. 14.

Yes: Eubanks, Engert, Cox, Tate, Fishburn

No: None

Absent: None

15. Discussion and possible action concerning a recommendation from the City of Purcell Planning Commission to appoint Than Maynard to replace Del Pedlow on the board.

Vice-Mayor Cox made a motion second by Councilman Eubanks to approve Agenda Item No. 15 as written.

Yes: Cox, Eubanks, Engert, Tate, Fishburn

No: None

Absent: None

16. Discussion and possible action concerning a recommendation from Trey Phillips, Electric Supervisor to award bid for the South Green Avenue Lighting Project to Harcon, LLC from the following bids:

d. Harcon, LLC	\$239,450.00
e. B&B Industries, Inc.	\$347,000.00
f. TLS Group, Inc.	\$385,733.50
g.	

Agenda Item No. 16 was heard out of turn due to time constraints of presenter, Trey Phillips and was heard after Agenda Item No. 9.

17. Discussion and possible action to approve Purcell Public Library/Pioneer Library System Budget Request for 2023-2024.

Rebekah Lynam presented on behalf of the library. She noted that “in person” activities are back in full swing. Ms. Lynam described different programs currently available. The council thanked Ms. Lynam for her presentation. No action was taken.

18. Discussion and possible action to approve the Purcell Police Department’s purchase of three (3) Dodge Durangos at the state bid price of \$127,005.00 from Bob Howard Chrysler Dodge Jeep.

Chief Bobby Elmore presented on behalf of the police department. Noted that the department budgeted for the purchase of 3 Chargers in the total estimated sum of \$89,234.00. The chargers were not available, so they went with the Durangos.

Councilman Eubanks made a motion second by Councilman Tate to approve Agenda Item No. 18 as written.

Yes: Eubanks, Tate, Cox, Engert, Fishburn

No: None

Absent: None

19. Discussion and possible action to award the Purcell Municipal Airport Construct Hangars contract to W.L. McNatt & Company who had the lowest and best bid (Base \$513,866.00, 2 hangars; Base+Alt. 1 \$725,158.00, 3 hangars; Base + Alt 1&2 \$921,450.00, 4 hangars) subject to the receipt of the FAA and OAC grants.

Toby Baker presented information on the bids. FAA would have a flat \$223,000.00 in the project regardless of the project or alternate the city chooses to pursue. Engineering is included in the amounts reflected. Base (City share is 25%±) \$600/mo per lease space payout would be 10 years 9 months; Base+Alt 1 (City share is 33%±)\$600/mo per lease space payout would be 13 years; Base+Alt2 (City share is 38.5%±)\$600/mo lease space payout would be 13 years 10 months. Discussion was had about requirements to maintain the FAA funding. Was noted operating expenses are minor utilities (electric) plus insurance. Was noted construction would most likely start during the next budget year. Mr. Baker noted dropping below 10 hangars, we would no longer receive FAA funding. Discussion was had about the amount of funding we receive from FAA. Mr. Baker noted the base amount we receive the last 20 years is a base of \$150,000.00 annually. Last year a new program added and the city received an additional \$110,000.00 and this year was

an additional \$113,000.00. If we drop below the 10 and FAA funding is dropped we don't have money for maintaining the airport. Mr. Baker noted that because we've taken federal grants in the past, we have a 20 year obligation to operate it or the city will have to repay the grant funds. Vice-Mayor Cox made a motion second by Councilwoman Engert to approve the base \$513,866.00 for 2 hangars.

Yes: Cox, Engert, Eubanks, Fishburn

No: Tate

Absent: None

20. Discussion and possible action to set April Budget Meetings.

Discussion concerning potential dates was had.

Vice-Mayor Cox made a motion second by Councilwoman Engert to set budget meetings for April 25, 2023 at 5:30 p.m. and April 26, 2023 at 5:30 p.m., both at City Hall.

Yes: Cox, Engert, Tate, Eubanks, Fishburn

No: None

Absent: None

Mayor Fishburn declared the meeting to be in recess in order to go into the Purcell Public Works Authority Meeting at 7:17 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 7:44 p.m.

21. 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).**

Vice-Mayor Cox made a motion second by Councilman Eubanks to enter into joint Executive Session at 7:44 p.m. with the following persons entering: Councilmembers who are present; City Attorney; City Manager, Dale Bunn; City Treasurer, Victor Lohn.

Yes: Cox, Eubanks, Engert, Tate, Fishburn

No: None

Absent: None

22. 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 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 at 8:50 p.m.

No action taken was taken in executive session.

23. City Council Comments.

Councilman Eubanks:

Eubanks asked Mr. Bunn about the plan for improving audio for broadcast. Mr. Bunn noted it was going to be added to the 2023-2024 budget. Discussion was had and Eubanks directed Mr. Bunn to go ahead and purchase the equipment.

Eubanks thanked Mr. Bunn and Mr. Martinez for getting the dead end sign up on the road by the lake that he asked for at the last council meeting.

Eubanks questioned Mr. Bunn about salaries outpacing the budget. Mr. Bunn said he didn't have information in front of him but if Mr. Eubanks would let him know what departments he was talking about he would look into it and get back with him.

Councilman Tate:

Asked Mr. Blue projected time for the playground. Mr. Blue said we had the equipment and are waiting on the installation people to finish a job out of state. Should be started by the end of the month.

Asked Chief Elmore if he has noticed an uptick in the area of homeless and are we doing anything about it. Chief Elmore asked what exactly and noted that if they are on private property they trespass them and the police department has a homeless liaison to try to get them resources. Most of them that he's aware of live out in the woods and we can't make them leave just because of their existence in the city of Purcell.

Councilwoman Engert:

None.

Vice-Mayor Cox:

Noted he would like to get an ordinance or resolution in place prior to 4th of July permitting season concerning sales tax deposits for Fireworks previously discussed.

Mayor Fishburn:

Asked when the hospital billboard, that was damaged by the high winds, was going to be repaired. Mr. Bunn said he believed it had already been done.

Gave a thank you to those involved in preparation of the employee luncheon.

24. City Manager and staff comments.

Mrs. Millsap noted that the release of the bonds on the old hospital site property has been obtained and filed and all title requirements have been met. Title is now clear.

25. City Attorney comments.

None.

26. Adjourn.

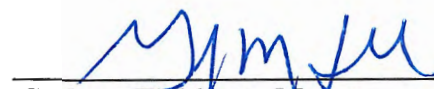
Mayor Fishburn declared the meeting to be adjourned at 8:21 p.m.

Attest:


Andrea Millsap, City Clerk



Approved this 3rd day of April 2023


Graham Fishburn, Mayor