

**CITY OF WILBURTON**  
REGULAR SCHEDULED MEETING  
July 13, 2017

Public Notice posted July 12, 2017, 11:30a.m.  
Front Entrance Door, Wilburton City Hall

The Wilburton City Council convened in a **Regular Scheduled** Meeting held on the 13<sup>th</sup> day of **June, 2017 at 5:34p.m.** in the Wilburton City Hall Council chambers; Mayor Stephen Brinlee presiding. Mayor Brinlee led the assembly in the Pledge of Allegiance to the flag.

**ROLL CALL:**

The substitute City Clerk conducted the roll call with members responding:

LITTLEJOHN	PRESENT	MINGS	PRESENT
HAYNES	PRESENT	KENDALL	PRESENT
SIMS	PRESENT		

**CITIZEN COMMENTS: None**

- 1. DISCUSS AND TAKE ACTION TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JUNE 8, 2017.**
- 2. DISCUSS AND TAKE ACTION TO APPROVE THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF JUNE 13, 2017.**
- 3. DISCUSS AND TAKE ACTION TO APPROVE JUNE 2017 CLAIMS FOR PAYMENT.**
- 4. DISCUSS AND TAKE ACTION TO APPROVE PAYMENT OF PAYROLL JULY 14 THROUGH AUGUST 10, 2017.**

MOTION BY LITTLEJOHN, SECOND BY HAYNES, TO COMBINE AND APPROVE THE FIRST FOUR ITEMS ON THE AGENDA: APPROVE THE MINUTES OF JULY 8, 2017 REGULAR MEETING; APPROVE THE MINUTES OF JULY 13, 2017 SPECIAL MEETING; APPROVE PAYMENT OF CLAIMS FOR JUNE 2017; AND APPROVE PAYMENT OF PAYROLLS JULY 13 THROUGH AUGUST 10, 2017.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

- 5. DISCUSS AND TAKE ACTION TO APPROVE BUDGET ADJUSTMENTS.** Mayor Brinlee stated City Clerk Cindee Blankenship is out this week due to husband's hospitalization; therefore, Deanna Crawford of Crawford & Associates prepared the budget adjustments for the Council members. In response to Councilman Hayne's question as to the reason for the adjustments, the Mayor stated these four (4) adjustments are administrative requirements to ensure FY16-17 end of year balances in each identified fund.

MOTION BY HAYNES, SECOND BY SIMS, TO APPROVE PRESENTED BUDGET ADJUSTMENTS.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

- 6. DISCUSS AND TAKE ACTION TO APPROVE RESOLUTION 17-1210, SUPPORT OF MAIN STREET PROGRAM.** Mayor Brinlee stated this is the annual statement of support from the City Council for the Wilburton Main Street Program.

MOTION BY SIMS, SECOND BY KENDALL, TO APPROVE RESOLUTION 17-1210, SUPPORT OF WILBURTON MAIN STREET PROGRAM.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

7. **DISCUSS AND TAKE ACTION TO APPROVE OMAG INVOICE FOR \$34,992.00 FOR FY2017-18 WORKERS' COMPENSATION. (TABLED JUNE 8, 2017)** Mayor Brinlee stated the invoice total of \$51,129 is for both City (\$34,992) and PWA (\$16,137) with each amount presented to appropriate body for approval.

MOTION BY HAYNES, SECOND BY MINGS, TO APPROVE OMAG INVOICE FOR \$34,992.00 FOR FY2017-2018 WORKERS COMPENSATION.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

8. **DISCUSS AND TAKE ACTION TO APPROVE FULL SURVIVOR RETIREMENT BENEFITS FOR MRS. RONNIE (TOYE) MASSEY.** Mayor Brinlee stated when the City of Wilburton initially contracted with Oklahoma Municipal Retirement Fund (OMRF) to administer our retirement program, OMRF failed to have all employees aged 65 complete Form DB1.10. Because of this oversight, OMRF will approve the full retirement benefit for Mrs. Massey if the City Council approves. Without Form DB1.10, Mrs. Massey will receive 50% of Mr. Massey's retirement. This amount is part of the pension "pot" for the whole City of Wilburton program, not an additional amount. Councilman Littlejohn asked if the other employees have completed the form to which the Mayor stated they had been given the form to complete.

MOTION BY LITTLEJOHN, SECOND BY HAYNES, TO APPROVE FULL SURVIVOR RETIREMENT BENEFITS FOR MRS. RONNIE (TOYE) MASSEY.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

9. **DISCUSS AND TAKE ACTION TO APPROVE GOING INTO EXECUTIVE SESSION TO DISCUSS STREET COMMISSIONER'S POSITION.** Councilman Haynes asked if it is necessary to declare whether the Executive Session's purpose is for discussing an individual or the position. Mayor Brinlee stated the cited state statute covers both the individual and position and both will be discussed in this Executive Session. Mayor Brinlee asked the five councilmen/women if anyone had an objection to the City Attorney setting in with the Executive Session. Each councilman/woman stated there was no objection to Attorney Brown joining the Executive Session.

MOTION BY LITTLEJOHN, SECOND BY SIMS, TO APPROVE GOING INTO EXECUTIVE SESSION TO DISCUSS THE STREET COMMISSIONER'S POSITION.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

The City Council went into Executive Session at 5:41pm

10. **DISCUSS AND TAKE ACTION TO APPROVE THE RETURN TO REGULAR COUNCIL SESSION.**

MOTION BY LITTLEJOHN, SECOND BY KENDALL, TO APPROVE RETURNING TO REGULAR COUNCIL SESSION.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

The City Council returned from Executive Session at 6:18pm

11. **DISCUSS AND TAKE ACTION TO APPROVE RESOLUTION 17-1211, DECLARE OFFICE OF THE STREET COMMISSIONER VACANT AND COMBINE DUTIES WITH THE DUTIES OF OFFICE OF THE MAYOR.** Mayor Brinlee asked if there was any discussion. Councilman Littlejohn stated it is imperative that the Council does not do anything to take away the citizen's voice; however, after looking at all the issues to be considered, it is best to not have an election. Councilman Sims stated he, too, believed it important to ensure the power of the people so they can make their own decision(s). He had discussed this with several citizens and all had the same

question, "Why was the Street Commissioner an elected position?" They further stated they did not have a job description so was difficult to vote for the best person without knowing job expectations. It would be more efficient for someone to be selected based on experience with required duties; therefore it made more sense for the Mayor to select the best person for the job. The people will still have their say as the Mayor is held accountable for his actions.

Mayor Brinlee stated there are several options available: 1) By state statute, have 60 days to appoint a Street Commissioner and that person completed the term until the next general election; 2) If the Council does not appoint anyone, the must have an election within 120 days; 3) May combine the duties and obligations with another office (will not abolish position). Councilman Littlejohn stated that approving the combining of duties and obligations, the City will save approximately \$50,000 a year. City Attorney Brown stated the Mayor's salary cannot be changed while he is in office because of additional duties. Councilman Haynes stated that of the 43 Oklahoma cities with the Aldermanic form of government, only 3, to include Wilburton, elect their Street Commissioner. Councilman Sims asked the Mayor, if approved, if it is his intent to hire someone soon. Mayor Brinlee stated, "We have a good crew now. There is no need to make a change." He then asked Brent Wilson, acting Supervisor, if he agreed. Mr. Wilson said, "It's working ok now."

**MOTION BY LITTLEJOHN, SECOND BY KENDALL, TO APPROVE RESOLUTION 17-1211, DECLARE OFFICE OF STREET COMMISSIONER VACANT AND COMBINE DUTIES WITH THE DUTIES OF THE MAYOR.**

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

**12. DISCUSS AND TAKE ACTION TO APPROVE ORDINANCE 17-1099, AMENDMENT OF CITY CODE CHAP 1, COMBINING THE DUTIES OF THE STREET COMMISSIONER WITH THE DUTIES OF THE MAYOR.** Mayor Brinlee asked if there was any discussion.

**MOTION BY LITTLEJOHN, SECOND BY HAYNES, TO APPROVE ORDINANCE 17-1099, AMENDMENT OF CITY CODE CHAPTER 1, COMBINING THE DUTIES OF THE STREET COMMISSIONER WITH THE DUTIES OF THE MAYOR.**

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

**MOTION BY HAYNES, SECOND BY LITTLEJOHN, TO APPROVE THE EMERGENCY CLAUSE FOR ORDINANCE 17-1099, AMENDMENT OF CITY CODE CHAP 1, COMBINING THE DUTIES OF THE STREET COMMISSIONER WITH THE DUTIES OF THE MAYOR.**

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

**13. DISCUSS AND TAKE ACTION TO APPROVE REAPPOINTMENT OF UNELECTED CITY OFFICIALS FOR A TWO-YEAR TERM IAW CITY ORDINANCE 08-1061 AND OKLAHOMA STATE STATUTE §§9-105: a. Wes Brown as City Attorney; b. David Donoley as City Fire Chief; c. Mike Elder as City Building Official/Inspector; d. Pam Hirrill as Emergency Management Director; and e. Richard Lerblance as City Judge.** Councilman Littlejohn asked the reason the revenues for citations/tickets were down. Mayor Brinlee stated they were up \$10,000 to \$62,000 for the FY year just ended; perhaps were less just recently.

**MOTION BY LITTLEJOHN, SECOND BY HAYNES, TO APPROVE REAPPOINTMENT OF UNELECTED CITY OFFICIALS FOR A TWO-YEAR TERM IAW CITY ORDINANCE 08-1061 AND OKLAHOMA STATE STATUTE §§9-105: a. Wes Brown as City Attorney; b. David Donoley as City Fire Chief; c. Mike Elder as City Building Official/Inspector; d. Pam Hirrill as Emergency Management Director; and e. Richard Lerblance as City Judge.**

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

14. NEW BUSINESS  
None.

15. ADJOURN:  
MOTION BY LITTLEJOHN, SECOND BY HAYNES, TO ADJOURN AT 6:35pm.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MING	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

Cindee Blankenship  
CINDEE BLANKENSHIP, City Clerk

Stephen Brinlee  
STEPHEN BRINLEE, Mayor

Allen Littlejohn  
ALLEN LITTLEJOHN, Ward 1

Terry Haynes  
TERRY HAYNES, Ward 2

Doug Sims  
DOUG SIMS, Ward 3

Mae Mings  
MAE MINGS, Ward 4

Julia Kendall  
JULIA KENDALL, Ward 5