

CITY OF WILBURTON
REGULAR SCHEDULED MEETING
March 8, 2018

Public Notice posted March 7, 2018, 2:00p.m.
Front Entrance Door, Wilburton City Hall

The Wilburton City Council convened in a **Regular Scheduled** Meeting held on the **8th day of March, 2018 at 5:30p.m.** in the Wilburton City Hall Council chambers; Mayor Stephen Brinlee was absent; President Terry Haynes presided. Broc Franklin led the group in prayer followed by President Haynes leading the assembly in the Pledge of Allegiance to the flag.

President Haynes stated that having the authority to do so, he moved Agenda Item #6 to be the last Agenda item of the City Council Meeting.
Upon roll call, the members answered:

ROLL CALL:

City Clerk Cindee Blankenship conducted the roll call with members responding:

LITTLEJOHN	PRESENT	MING	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 FEBRUARY 8, 2018.**
- 2. DISCUSS AND TAKE ACTION TO APPROVE FEBRUARY 2018 CLAIMS FOR PAYMENT.**
- 3. DISCUSS AND TAKE ACTION TO APPROVE PAYMENT OF PAYROLLS MARCH 9 THROUGH APRIL 12, 2018.**

MOTION BY LITTLEJOHN, SECOND BY SIMS, TO COMBINE AND APPROVE ITEMS #1, #2 AND #3 ON THE AGENDA: APPROVE THE MINUTES OF FEBRUARY 8, 2018, REGULAR MEETING; APPROVE PAYMENT OF CLAIMS FOR FEBRUARY 2018; AND APPROVE PAYMENT OF PAYROLLS MARCH 9 THROUGH APRIL 12, 2018.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MING	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

- 4. DISCUSS AND TAKE ACTION TO APPROVE BUDGET ADJUSTMENT TO INCREASE CAPITAL IMPROVEMENT FUND BY \$1813 TO COVER EXPENDITURES.** City Clerk Blankenship stated she was acting on advice of Auditor Deanna Crawford for this budget adjustment.. Even though City Sales Tax Deposits have been higher, capital outlay needed to be augmented by \$1813 due to the need to replace the air conditioning/heater unit in the Chamber of Commerce building.

MOTION BY SIMS, SECOND BY KENDALL, TO APPROVE THE BUDGET ADJUSTMENT OF \$1813 TO INCREASE CAPITAL IMPROVEMENT FUND TO COVER EXPENDITURES.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MING	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

- 5. DISCUSS AND TAKE ACTION TO APPROVE RESOLUTION #18-1222, AMERICAN FIDELITY MANAGEMENT OF EMPLOYEES HEALTH CARE. Presentation by Scott Dawson, Senior Account Manager, American Fidelity Assurance (AFA) Company.** Mr. Dawson stated his company has been retained by Oklahoma Public Employees Health & Welfare Plan (OPEH&W) to consolidate the actions needed and to ensure the City is in compliance with Obama Care Section 125, as well as all regulatory requirements. Additionally AFA handles complete enrollment of new employees and annual re-enrollment of all full time employees. The direct cost is \$0 to the City.

Councilman Littlejohn asked City Clerk Blankenship if Mayor Brinlee was on board with this resolution to which she replied that Mayor Brinlee attended the initial information meeting with Mr. Dawson and was in complete agreement with the Resolution.

President Haynes asked who paid for their service since there was no direct cost to the City. Mr. Dawson stated that approval of the resolution ensured payment by OPEH&W. Additionally, this resolution approval ensured that any future supplementary plans needed by City employees would be issued through AFA. Employees with current supplementary plans may retain their current plan(s), but no company will be authorized to offer supplementary plans to employees during this contract period.

MOTION BY LITTLEJOHN, SECOND BY HAYNES, TO APPROVE RESOLUTION #18-1222, AMERICAN FIDELITY MANAGEMENT OF EMPLOYEES HEALTH CARE.

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 ORDINANCE #18-1101, AMENDING CITY CODE, CHAPTER 19, PUBLIC UTILITIES AND OTHER ENTERPRISES, ARTICLE 1. WATER SERVICES, SECTION 19-11. WATER RATES.** President Haynes stated the Public Works Authority conducted a Special Meeting on February 26 at which they discussed and approved the new water rates. The Ordinance is on the Agenda for approval for amendment of City Code as authority to raise the rates.

Councilman Littlejohn stated the auditors recommended this action which will increase the rates approximately \$2.83 a month per household.

MOTION BY SIMS, SECOND BY MINGS, TO APPROVE ORDINANCE #18-1101 AMENDING CITY CODE, CHAPTER 19, PUBLIC UTILITIES AND OTHER ENTERPRISES, ARTICLE 1. WATER SERVICES, SECTION 19-11. WATER RATES.

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 DECLARING AS SURPLUS 2001 FORD F150 PICK UP, VIN 1FTZF172X1KF04662, AND TO APPROVE ANNOUNCEMENT OF ACCEPTING BIDS TO SELL.** President Haynes stated this vehicle had not been used for over 3 years; in fact, has been sitting in the vacant lot south of City Hall for that length of time. In order to sell, it must first be declared surplus by the City Council.

MOTION BY LITTLEJOHN, SECOND BY KENDALL, TO APPROVE DECLARING AS SURPLUS THE 2001 F150 FORD PICK UP, VIN 1FTZF172X1KF04662, AND TO APPROVE ANNOUNCEMENT IN NEWSPAPER OF ACCEPTING BIDS TO SELL.

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 APPOINTMENT OF JOHN FORD TO E911 BOARD.** President Haynes stated this is 1 of 3 appointed by the City to the E911 Board. One position was vacant due to the resignation of Jeremie Green. Councilman Littlejohn asked Officer Ford if he was willing to be the Appointee to the Board to which Officer Ford stated, "Yes".

MOTION BY SIMS, SECOND BY MINGS, TO APPROVE APPOINTMENT OF JOHN FORD TO THE E911 BOARD.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

10. **DISCUSS AND TAKE ACTION TO APPROVE RESOLUTION 18-1221, SUPPORT FOR STATE QUESTION (SQ) 794, CRIME VICTIM RIGHTS AMENDMENT (MARCY'S LAW).** President Haynes stated Mayor Brinlee had requested this item to be on the Agenda. As this is a political State Question, having not discussed with Mayor Brinlee, and not wanting to set precedent, he proposed this Agenda item be tabled until the next City Council Meeting.

MOTION BY HAYNES, SECOND BY LITTLEJOHN TO TABLE RESOLUTION #18-1221, SUPPORT FOR SQ794, CRIME VICTIM RIGHTS AMENDMENT (MARSY'S LAW).

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 BALLPARK LEASE AGREEMENT WITH WILBURTON BOARD OF EDUCATION. (TABLED 8 FEBRUARY 2018).

President Haynes introduced the Agenda Item by stating he was hopeful the discussions would be very civilized; each presenter allowed 3 minutes; and he preferred hearing things not said before in February Council Meeting. Five (5) Citizens signed up to make comments:

Broc Franklin: I have lived 28 years in Wilburton and have coached ball since 2008. I left for a while and returned to this same problem. I took 1 kid to the Oklahoma Kids league as a draft pick. Was kicked off the field even though I helped raise money to fund the whole baseball program. The schools are cutting programs right and left and are having trouble getting enough money to fund their programs. I support the lease agreement.

Curt Redding: I was not here for the last meeting. I want the City Council to drop this Agenda Item. There is no need for this. There has been no issue that needs to be dealt with.

President Haynes asked Mr., Redding if he was a member of the Park & Rec (P&R) Board, to which Mr. Redding stated he was. He further stated that the P&R Board had not had anyone come to the Board meeting to present issues.

Gary Rosebure: The park was built for the youth of the community, not for the school. Have organized the fields' schedule with the school, but the last few years there has been an issue with the PeeWee Field. Yes, the dollar amount from concessions has been down which seems to be the issue. But the school has no issue or interest with the fields. The City Ordinance set the P&R Board in charge of the concessions, but the school can be in charge if they want to. The ball field issue with the kids has been addressed several times at the P&R Board. I was told by the Councilman, if you bring us a team where the coach picks the team members, we will reject that. I think that is fair.

Bucky Anderson: I've coached 8 and Under girls team. We started practice on the Yellow Field and had to pick grass out of the field. Bobb Johnson was director. We were not able to play at the schools. The southwest field – Black Field – was not used by anyone. It wasn't mowed and not a good environment. I am totally for the school to have an agreement.

Charles Glenn: I am trying to figure out what is going on. I was one of the originals ones working when we set up the park for Latimer County kids. I have no problem with the school using fields. The history of the field is I dug up the field for the water pipe that AMOCO donated. At the first meeting I stated the county was dead with no place for the kids to go, no ball fields. There was a huge need for a ball park for the whole county. When it was started it was running smooth. P&R Board had a contract with the school. First it was \$5,000 a year and then went to \$2,000. I understand nothing has been paid by the schools for 2 or 3 years.

President Haynes stated comments by the citizens signing in to give comments have been concluded. Unless someone is asked a question specifically by a Councilman, there would be no further comments.

Councilman Littlejohn stated he had attended 2 meetings: one with 2 P&R Board Members; and one earlier this week with the Mayor, Councilman Sims, and the coaches from the school. At both, tried to find a solution. Regardless of what anyone thinks, there are problems. We are at the point where the school cannot work with the P&R Board. The P&R Board does not ever use the baseball field. The softball field was used when Rodney Wright had softball practice last year, but no league games have been played on them for 2 years. The PeeWee/Midget field had 7 or 8 teams use last year. The coaches propose things to build up the program with softball and midget fields. If this agreement is approved, the City is not giving away control.

Councilman Sims stated they had tried to resolve the problem, but could find no resolution. A change must be made to alleviate the current problems. This is a very sensitive subject for both Councilman Littlejohn and Mayor Brinlee.

Councilman Littlejohn state there has been discussion of the school taking their teams away from the park and going to the college to practice and playing only "away games".

President Haynes stated he thanked the gentlemen for struggling with this problem. He then addressed the agreement terms which state the length of the agreement is for 99 years, which is an unacceptable length of time. He asked Coach Lay what length of time would be acceptable as a term of the agreement. Coach Lay stated 3 years would be a good length of time as it would take 3 years to get a tournament scheduled in Wilburton and then begin to build up attendance.

President Haynes asked what would happen at the end of 3 years to which Coach Lay replied they would renegotiate any terms needing negotiation.

Curt Redding asked why had the school not been to the P&R Board to discuss the agreement. President Haynes stated the P&R Board does not have the authority to negotiate a contract.

Councilman Sims asked Coach Lay if the 3-year lease is approved, what was their plan of action? Coach Lay stated the 3A Basketball Regionals and 2A had over 5,000 people attending. It included 7 high schools so would like to invite the regional tournaments to Wilburton, but also they are looking at inviting middle school tournaments and a summer festival.

Councilman Littlejohn stated there was a point brought up at the last Council Meeting which he would like to address. Specifically, did this Council have the authority to negotiate the agreement with the school concerning the ball fields which originally were donated by EOOSC.

City Attorney Brown noted Mayor Brinlee visited with Dr. Smith who stated he has no problem with this lease.

President Haynes asked if there was any further discussion by the Council.

Councilman Sims stated he had made some notes on the original agreement. He was not in favor of 99 years, but would approve 3 years to see if the school could bring in tournaments. He wanted clarification in language on concession stand possession; also that the upstairs belongs to P&R; Maintenance Building should stay with P&R and is not for School's use; and the School uses their own equipment and materials for the field maintenance.

Councilman Littlejohn moved to approve the three (3) year lease.

City Attorney Brown stated the Council could approve the agreement subject to revisions.

Councilman Haynes stated he wanted to add to the motion to put the agreement back on the Agenda for the next Council Meeting for revision(s) approval only. He then seconded the motion.

MOTION BY COUNCILMAN LITTLEJOHN TO APPROVE THE BALLPARK LEASE AGREEMENT WITH REVISIONS SUBJECT TO APPROVAL OF THE COUNCIL AT THE APRIL CITY COUNCIL MEETING. COUNCILMAN HAYNES SECONDED THE MOTION.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

11. NEW BUSINESS:

There was no New Business.

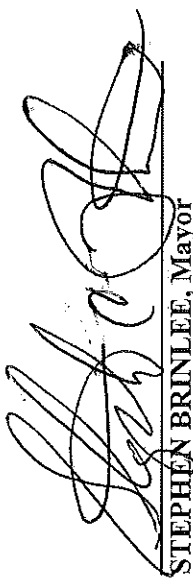
12. ADJOURN:

MOTION BY LITTLEJOHN, SECOND BY KENDALL, TO ADJOURN AT 6:25pm.


Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Absent
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

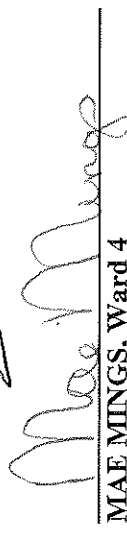

CINDEE BLANKENSHIP, City Clerk

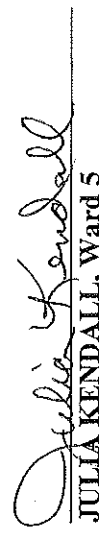

STEPHEN BRINLEE, Mayor


ALLEN LITTLEJOHN, Ward 1


TERRY HAYNES, Ward 2


DOUG SIMS, Ward 3


MAE MINGS, Ward 4


JULIA KENDALL, Ward 5



CITY OF WILBURTON
 REGULAR CITY COUNCIL MEETING
 March 8, 2018 5:30 P.M. City Hall, Wilburton, OK

CITIZENS COMMENTS

NOTE: Per City Code, Chapter 1, Article 3, Section 1-5, 4b, "Every citizens' conversation and comments shall be limited to 3 minutes discussion unless such time is extended by the Mayor or majority vote of the quorum present."

SIGN IN SHEET

<u>NAME</u>	<u>TELEPHONE</u>	<u>ADDRESS</u>	<u>AGENDA NUMBER</u>
✓ Broc Franklin	(918) 478-3623	2580 NE, 1800th Ave	Wilburton #6
✓ Curt Reding	918-465-5467	311 Blair	#6
✓ Gay Roseburg	918-465-5438	1000 W. 570th	#6
✓ Buckley Anderson	918 916 9998	10869 Sw 270 Hwy	#6
✓ Charles Allen	918/465-7783	5200 N.W. Ash Creek Rd.	#6