

CITY OF WILBURTON

REGULAR MEETING

March 10, 2022

Public Notice posted March 9, 2022, 11:00a.m.
Front Entrance Door, Wilburton City Hall

The Wilburton City Council convened in a **Regular Meeting** held on the **10th day of March 2022** at **5:30p.m.** with Mayor Stephen Brinlee presiding. Rev Daniel Taylor, Pastor of Church of the Rock, offered the opening Prayer. Note: Mayor Brinlee had to leave unexpectedly and President Haynes took over presiding the meeting. After the Pledge of Allegiance, the Roll Call was conducted.

ROLL CALL:

City Clerk Blankenship conducted the Roll Call with members responding:

LITTLEJOHN	PRESENT	GOAD	PRESENT
HAYNES	PRESENT	KENDALL	PRESENT
SIMS	PRESENT		

CITIZEN COMMENTS:

There were no sign-ins on the Citizen Comment Sign-In Sheet.

- 1. DISCUSS AND TAKE ACTION TO APPROVE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 10, 2022.** Councilman Littlejohn discussed 7. NEW BUSINESS A. which needs to clarify there was one (1) old trailer that was removed from the lot. On an adjacent lot, one building was installed with intent of eventually using for a drive-thru sandwich shop.

MOTION BY LITTLEJOHN, SECOND BY GOAD, TO APPROVE THE MINUTES AS AMENDED.

Upon roll call, members voted as follows:

LITTLEJOHN	Yes	GOAD	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

- 2. DISCUSS AND TAKE ACTION TO APPROVE FEBRUARY 2022 CLAIMS FOR PAYMENT.**
- 3. DISCUSS AND TAKE ACTION TO APPROVE PAYMENT OF PAYROLLS MARCH 11 THROUGH APRIL 14, 2022.**

MOTION BY LITTLEJOHN, SECOND BY SIMS, TO COMBINE AND APPROVE SECOND AND THIRD ITEMS ON THE AGENDA.

Upon roll call, members voted as follows:

LITTLEJOHN	Yes	GOAD	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

- 4. DISCUSS AND TAKE ACTION TO APPROVE REPUBLIC SERVICES AGREEMENT FOR WASTE COLLECTION. TABLED 10 FEBRUARY 2022**

Steve Gage, Manager, Municipal Sales; Jimmy Skipper, Operations; and Brian Wilt.

Mr. Gage introduced his co-workers to the City Council and then described the process used to determine if and how much to raise prices. Usually, a price increase is tied to the Consumer Price Index (CPI) which was 7.8%, but the current contract is restricted to an annual increase of 4%. Is here to answer any questions from the Council. Mr. Skipper stated that he responds to questions daily, as received. He distributed his business card with both business and cell numbers and stated for them to call him day or night with a question or a problem.

Councilman Littlejohn discussed there is an annual increase of about 4%. He discussed the need for the contract to not read, "5-year contract" as City, by law, can only approve a contract for 1 year. City Attorney Lerblance confirmed that the law states the City cannot enter a contract with money not yet earned, and budget is based on annual sales tax income; therefore, cannot know what future sales tax income is. He asked Mr. Gage why Republic needed a 5-year contract. Mr. Gage stated pricing is lower for City as it is spread over 5 years and includes the tremendous equipment expenses of the trucks. They are used only for 3 days a week in Wilburton which does not cover all expenses. Mr. Skipper stated one of their cities has a one-year contract with a four-year option and has a 90-day option to cancel. A discussion followed concerning the City's ability to enter into the one-year, with four-year option contract.

Mr. Gage stated that neither he nor Mr. Skipper has the authority to change the contract this date. The current contract ends tomorrow, 11 March. They must have contract in place to operate. On 12 March City will not have contract for trash pickup.

City Attorney Lerblance stated that he could not, in good conscious, recommend a change without doing research to see if the PWA option is viable which will take approximately one week. Mr. Gage stated they could extend this contract for one week to give the City service while City Attorney researched legality of options. Councilman Littlejohn stated the approval would require a Special City Council Meeting. He directed the question to Mr. Gage, "If we do sign a PWA contract for 5 years, would that 4% stay and not be raised even though CPI is more?" Mr. Gage replied, "Yes. Once it is in the contract, it will be 4% every year."

Dir Elder discussed the current updated contract for one week with Mr. Gage and it was decided to use this contract and write in the extended end date of 17 March 2022. Further, President Haynes will sign in the absence of Mayor Brinlee.

City Attorney stated he had found the regulation on line that answered the legality of the one-year contract with PWA. He read the definition, status, and restrictions of the PWA Trust to the Council attendees and stated, "This can be handled in following PWA meeting and can be addressed under, "New Business" on Agenda.

NO ACTION DUE TO LACK OF MOTION.

5 DISCUSS AND TAKE ACTION TO APPROVE MODIFICATION OF THE GAS WELL ROAD THAT CROSSES A PORTION OF SECTION 30, TOWNSHIP 5, NORTH RANGE, 19 EAST, LATIMER COUNTY, FOR ACCESS TO MERIT ENERGY COMPANY WELL IN SAID SECTION.

President Haynes stated he is still confused about agreement with Merit Energy for the road. Who paid for the road? City Attorney Lerblance stated an easement was granted in 1969 with City granting Sun Exploration a release for any damages. "We do not have the original easement. We assume the company built the road across land of all property owners so they could get to their well. We have the map of the existing road which will possibly flood once the reconstruction is completed and the lake is raised." President Haynes asked if City is required to pay for the road? Attorney Lerblance stated City could make the case with Ms. Stewart, Merit Energy, if they want it, they can pay for it even though it is not in the contract. "My position is this is our road but you want to use it. The timeframe is such we have time to pursue it".

Dir Elder stated they want to go 600 feet to the south, which is open land. President Haynes asked if there is any way to find the original easement? He stated he would feel much better if he knew those terms. Attorney Lerblance suggested looking at the Latimer County Court House where it would have been filed. He stated he recommends approving this modification, but leave open who pays for it.

MOTION BY SIMS, SECOND BY KENDALL, TO APPROVE. MODIFICATION OF THE GAS WELL ROAD THAT CROSSES A PORTION OF SECTION 30, TOWNSHIP 5, NORTH RANGE 19 EAST, LATIMER COUNTY, FOR ACCESS TO MERIT ENERGY COMPANY WELL IN SAID SECTION.

Upon roll call, members voted as follows:

LITTLEJOHN	Yes	GOAD	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

6. DISCUSS AND TAKE ACTION TO APPROVE OPTION FOR WARD BOUNDARIES CHANGES NEEDED TO IMPLEMENT REDISTRIBUTION TO ACCOMMODATE UPDATED POPULATION TOTALS DETERMINED BY 2020 CENSUS.

President Haynes stated his study of each of three options indicated there is not much difference in the three options. He suggested Option #3. It appears the lines are all predicated on following Census Bureau's map of street blocks; some with number of residents in Wards; and some with none. He asked if there were any questions or discussion.

Councilman Littlejohn stated that with the other options, several current council members would not be living in their Ward which obviously would create some logistical and administrative issues.

MOTION BY LITTLEJOHN, SECOND BY GOAD, TO APPROVE OPTION #3 FOR WARD BOUNDARIES CHANGES NEEDED TO IMPLEMENT REDISTRIBUTION TO ACCOMMODATE UPDATED POPULATION TOTALS DETERMINED BY 2020 CENSUS.

Upon roll call, members voted as follows:

LITTLEJOHN	Yes	GOAD	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

7. DISCUSS AND TAKE ACTION TO APPROVE INVOICE FOR \$38,221 TO OMAG FOR CITY OF WILBURTON'S PORTION FOR 2022 INSURANCE (PROPERTY \$20,038 AND MUNICIPAL GENERAL LIABILITY/AUTO \$18,183).

President Haynes stated this appears to be the standard insurance approved every year. He asked if there was a change in the 2022 costs? City Clerk Blankenship stated they had gone up a little bit, but not excessively.

MOTION BY HAYNES, SECOND BY GOAD, TO APPROVE INVOICE FOR \$38,221 TO OMAG FOR CITY OF WILBURTON'S PORTION FOR 2022 INSURANCE (PROPERTY \$20,038 AND MUNICIPAL GENERAL LIABILITY/AUTO \$18,183).

Upon roll call, members voted as follows:

LITTLEJOHN	Yes	GOAD	Yes
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

8. **COUNCIL COMMENTS:**

WPD CH Robert Bias stated the new DigiTicket was officially being used after training each officer, Secretary Woods, and Court Clerk Blankenship on 9 March. The ticket is printed after the issuing officer presses a few buttons on the menu and can include multitude of offenses which formerly required a ticket for each offense. This will greatly cut down on the time involved with one stop, and on the administrative processing time as it automatically is sent digitally to each admin-required department. He thanked the Council for their approval of the grant which purchased the system.

9. **NEW BUSINESS:**

There was no New Business.

10. **ADJOURN.**

MOTION BY HAYNES, SECOND BY KENDALL, TO ADJOURN AT 6:12pm.

Upon roll call, members voted as follows:

LITTLEJOHN	Yes	GOAD	Yes
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

JAYME GOAD, Ward 4

JULIA KENDALL, Ward 5