

**ALTUS CITY COUNCIL MEETING
MINUTES
FEBRUARY 15, 2011**

1. CALL TO ORDER

The City Council of Altus, Jackson County met in regular session Tuesday, February 15, 2011 at 7:50 p.m. in the Council Chambers of City Hall. Notice of the meeting was duly filed and posted in the office of the City Clerk, February 10, 2011 at 10:55 A.M.

2. ROLL CALL

The Secretary's roll call indicated the following members present:

T.L. Gramling-Mayor	
Presiding	
Perry Shelton	Peggy Risinger
David Brown	Scot Simco
Rick Henry	Don Johnson
Sid Willis	Jack Smiley

Absent:

Also Present: Michael Nettles, Matt Coppock, Catherine Coke, Joe Don Dunham, LaJune White, Linda Walker, Donita Beers, Holmes Willis, Lloyd Colston, Dan Scott, Bob Stephenson, Mike Patterson, Mike Turner, J.R. Wheeler, Jimmy Rogers, Tom Hobbs, Randy Marple, Barbara Burleson, Greg Camp, Tony Sanchez, Jerry Gibson, Janice Berryhill, Steve Perry, Greg Camp, Dennis & Angie Murphy, Bob Carder, Mary Esparza, Deb Davis, Tim Murphy, David Braddock, Miranda Ingram, Jim Atkinson, David Webb and other public.

3. COMMENTS FROM THE AUDIENCE.

None

4. CONSIDER THE CONSENT AGENDA LISTED BELOW AND VOTE WHETHER TO APPROVE IT IN ITS ENTIRETY, OR REMOVE ITEM(S) FOR DISCUSSION AND SEPARATE VOTE.

A. APPROVE MINUTES FOR THE SPECIAL CITY COUNCIL MEETING ON JANUARY 25, 2011.

B. APPROVE MINUTES FOR THE SPECIAL JOINT MEETING OF AMA AND CITY COUNCIL ON JANUARY 25, 2011.

C. APPROVE MINUTES FOR THE CITY COUNCIL MEETING ON FEBRUARY 2, 2011.

D. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE GENERAL FUND TOTALING \$63,902.52.

E. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE WORKERS COMP FUND TOTALING \$765.00.

F. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE ASSURANCE FUND TOTALING \$164,604.44.

G. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE DONATION FUND TOTALING \$1,119.00.

H. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE AIRPORT FUND TOTALING \$208,918.09.

I. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE HOTEL/MOTEL TAX FUND TOTALING \$12,996.45.

J. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE F.A.A. GRANT FUND TOTALING \$5,500.00.

K. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE O.D.O.T. GRANT FUND TOTALING \$26,152.20.

L. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE STREET & ALLEY FUND TOTALING \$5,186.57.

M. APPROVE PURCHASE ORDERS FOR FY 2010-2011 FOR THE EMERGENCY 911 FUND TOTALING \$291.31.

N. CONSIDER APPROVING FEBRUARY 17, 2011 PAYROLL IN THE ESTIMATED AMOUNT OF \$381,062.21 AND OVERTIME IN THE ESTIMATED AMOUNTS OF \$0.00; MANDATED CONTRACTUAL OVERTIME AND ADDITIONAL OVERTIME OF \$ 8,751.65 FOR A TOTAL OF \$389,812.86.

O. ACKNOWLEDGE MONTHLY REPORTS AND MINUTES AS FOLLOWS:

FLEET MAINTENANCE FUEL REPORT - A

Councilman Shelton had one item that he asked to be removed from the consent agenda. That would be item #O.

Motion by SMILEY and seconded by WILLIS to approve the consent agenda with the exception of one items listed as *Fleet Maintenance Fuel Report* with the caveat that we do not overdraw the City Pool Fund. The Mayor called for the vote recorded as follows:

AYE: Brown, Henry, Risinger, Simco, Johnson, Shelton, Willis, Smiley

NAY: None

Motion carried 8-0

Discussion continued over the item removed from the consent agenda.

Councilman Shelton stated that the reason that he brought this up was because “we said we are doing a spending freeze and it appears that we may have quit doing some of the spending but we’re still running vehicles hard and fast. We need to somehow get a control of our fuel consumption.”

Motion by SHELTON and seconded by WILLIS to approve the item that was removed for discussion from the Consent Agenda. The Mayor called for the vote recorded as follows:

AYE: Shelton, Brown, Henry, Willis, Risinger, Simco, Smiley, Johnson

NAY: None

Motion carried 8-0

5. CONSIDER AND DISCUSS THE OMRF ACTUARIAL STUDY OF THE CITY’S RETIREMENT PLAN AND (1) VOTE TO APPROVE ORDINANCE NO. 2011-06, AMENDING THE RETIREMENT SYSTEM DEFINED BENEFIT PLAN OF THE CITY OF ALTUS, OKLAHOMA BY PROVIDING A SPECIAL RETIREMENT OPTION FOR CERTAIN ELIGIBLE EMPLOYEES BASED ON THE AGE AND YEARS OF CREDITED SERVICE OF SUCH EMPLOYEES; PROVIDING FOR SEVERABILITY; AND (2) VOTE TO APPROVE THE EMERGENCY SECTION.

BACKGROUND: *This agenda item was voted down at the last meeting but is being brought back upon receipt of the OMRF Actuarial Study.* Back in October 2005, at the request of City employees the City approved Ordinance Nos. 2005-15 and 2005-16 that opened up a window of early retirement to 68 eligible employees. There are advantages to both the employee and the City to create a window using the rule of 80. Currently, employees employed before 1996 can make lump sum withdrawals of their retirement benefits upon reaching normal retirement eligibility. Under the rule of 80, lump sum payments are not allowed. Currently there are about 17 employees hired before 1996 who could elect this option. **At a special Council meeting on January 25, 2011, the City recommendation of election by February 28, 2011 and an effective date of April 1, 2011, will be adjusted and the dates filled in at this City Council meeting.**

This item presented by Matt Coppock, Human Resource Director and Michael Nettles, City Administrator.

Mr. Coppock, stated that the information they received from an Actuarial study which reveals that if all seventeen eligible employees took the retirement window, (several people are not interested in the retirement window) it would cost our plan 1.88% at the max. It would actually save the City some money vs. people taking the lump sum as they wait for their retirement later on.

Councilman Shelton questioned as to how much they would be saving.

Mr. Nettles, stated that it would vary depending on the number of people that take the early retirement. If everyone (17) retired, our annual savings in payroll alone would be \$587,075 but would increase our plan cost by 1.88% which would be the equivalent of \$1,397.00. If four or five of the ones took the early retirement that we thought might do it, we would save roughly \$237,000.

Motion made by SMILEY and seconded by BROWN to approve Ordinance No. 2011-06, amending the Retirement System Defined Benefit Plan of the City of Altus by providing a *Special Retirement* option for certain eligible employees based on the age plus the years of their service to equal 80.

The Mayor called for the vote recorded as follows:

AYE: Risinger, Shelton, Brown, Simco, Henry, Smiley, Johnson, Willis

NAY: None

Motion carried 8-0

Motion by SMILEY and seconded by SHELTON to approve the Emergency Clause to Ordinance No. 2011-06. The Mayor called for the vote recorded as follows:

AYE: Simco, Smiley, Johnson, Risinger, Willis, Henry, Brown, Shelton

NAY: None

Motion carried 8-0

6. CONSIDER, DISCUSS AND (1) VOTE TO APPROVE ORDINANCE NO. 2011-07, AMENDING SECTION 22-20, ARTICLE II, CHAPTER 22 OF THE ALTUS CITY CODE, 1980 BY ADDING SUBSECTION TWENTY-TWO (22) RELATING TO THE EMPLOYEE RETIREMENT SYSTEM PLAN WITH OMRF AND THE ADDITION OF AMENDMENT TWENTY-ONE (21); PROVIDING A SPECIAL RETIREMENT OPTION FOR CERTAIN ELIGIBLE EMPLOYEES BASED ON THE AGE AND YEARS OF CREDITED SERVICE OF SUCH EMPLOYEES; PROVIDING FOR SEVERABILITY AND (2) VOTE TO APPROVE THE EMERGENCY SECTION AND SETTING AN EFFECTIVE DATE.

BACKGROUND: This item was tabled at the last meeting so that the Council could review the promised OMRF Actuarial Study of the City's Retirement Plan. This is a companion agenda item to offering a Special Retirement Option to those eligible employees that qualify for the Rule of 80 and who choose early retirement. This process is identical to what the City Council did in October, 2005. The City's Employee Retirement Plan, funded by OMRF, allows employees employed with the City prior to 1996 to elect lump sum payments at a normal retirement. To prevent excessive lump sum withdrawals we have proposed an early retirement option for eligible employees that eliminates the lump sum provision. Excessive lump sum withdrawals that could occur with the pre-1996 employees would require the City to significantly increase contributions to the retirement fund. The dates and time of election period listed for the February 1 meeting, will be changed and announced at this February 15 meeting.

This item presented by Catherine Coke, City Attorney

Motion made by SMILEY and seconded by SIMCO to approve Ordinance no. 2010-07 amending Section 22-20, Article II, Chapter 22 of the Altus City Code, 1980 by adding subsection twenty-two relating to the Employee Retirement system Plan with OMRF and the addition of Amendment twenty-one providing a special retirement option for certain eligible employees based on the age plus years of service of such employees. The Mayor called for the vote recorded as follows:

AYE: Brown, Shelton, Henry, Willis, Johnson, Smiley, Simco, Risinger

NAY: None

Motion carried 8-0

Motion by JOHNSON and seconded by SHELTON to approve the Emergency Clause to Ordinance No. 2011-07. The Mayor called or the vote recorded as follows:

AYE: Smiley, Simco, Risinger, Johnson, Henry, Willis, Brown, Shelton

NAY: None

Motion carried 8-0

7. CONSIDER, DISCUSS AND VOTE TO APPROVE ORDINANCE NO. 2011- , AMENDING SECTION 25-51 OF THE ALTUS CODE 1980 TO CHANGE THE HOURS OF OPERATION AT THE CITY LANDFILL, CLOSING ON FRIDAYS AND SUNDAYS, OPEN 7:00 A.M. TO 6:00 P.M., MONDAY THROUGH THURSDAY AND OPEN ON SATURDAYS ON A LIMITED BASIS FROM 8:00 A.M. TO 12:00 NOON FOR PRE-APPROVED NON-HAZARDOUS INDUSTRIAL WASTE; AND VOTE TO APPROVE THE EMERGENCY SECTION WITH AN IMMEDIATE EFFECTIVE DATE.

BACKGROUND: *This item was tabled from the last meeting, staff has revised the language as to Saturdays.* The AMA and City Council voted at a Special Meeting on January 25, 2011 to implement 4 day, 10 hour work days, Monday through Thursday, closed on Friday for City employees and City facilities, except for certain 24-hour operations. This change makes it necessary to change the hours of operation at the City Landfill. Those hours were last changed in 2004. Staff has prepared an Emergency Ordinance for Council's consideration with an immediate effective date.

This item presented by Bob Stephenson, Public Works Director

Mr. Stephenson stated that he would like to try the new hours of Mon.- Thurs from 7:00 a.m. to 5:30 p.m.; Friday from 8:00 a.m. to 12 Noon; and Saturday from 8:00 to Noon for 60-90 days on a trial basis before ordinances are changed.

Councilman Henry continued discussion on the necessity of Bar-S's need to dump at certain times and the need to open Saturday morning for other public needing to dump.

Motion made by SIMCO and seconded by BROWN to table this item. The Mayor called for the vote recorded as follows:

AYE: Brown, Shelton, Henry, Willis, Risinger, Simco, Smiley, Johnson

NAY: None

Motion carried 8-0

8. CONSIDER, DISCUSS AND VOTE TO ENTER INTO AN AGREEMENT WITH THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR THE PURPOSE OF RECEIVING FINANCIAL ASSISTANCE FOR THE AWARDED OPERATIONS AND SAFETY GRANT, AND AUTHORIZE STAFF TO SEEK BIDS FOR AN INDUSTRIAL CAPACITY WASHER/EXTRACTOR, DRYER AND DRYING RACK SYSTEM FOR BUNKER GEAR.

BACKGROUND: The Fire Department applied for an Operations and Safety grant with the Assistance to Firefighters program May 27, 2010 and has secured this highly competitive award for \$20,000.00. The Federal share is \$18,000.00 and the City's share of costs is \$2,000.00 This grant will

fund in-house, bunker gear cleaning equipment necessary to meet NFP decontamination requirements, eliminate contaminated elements in public laundries and clean gear in accordance to manufacturer's labels which will cut costs in cleaning expenses to an outside source and the replacement of compromised and broken down gear due to inadequate cleaning procedures.

This item presented by J.R. Wheeler, Fire Chief

Motion made by SMILEY and seconded by SIMCO to enter into an agreement with the Assistance to Firefighters Grant Program for the purpose of receiving financial assistance for the awarded Operations and Safety Grant and authorize staff to seek bids for an Industrial Capacity Washer/Extractor, Dryer and Drying Rack System. The Mayor called for the vote recorded as follows:

AYE: Brown, Shelton, Henry, Risinger, Simco, Johnson, Smiley, Willis

NAY: None

Motion carried 8-0

9. RECEIVE, CONSIDER AND DISCUSS AN APPEAL BY DAVID RICHARDS, CONCERNING THE DILAPIDATED BUILDING COMMISSION (DBC) ORDER RELATED TO 720 WEST LIVEOAK, DBC #08-11 AND VOTE TO EITHER APPROVE OR DISAPPROVE THE APPLICANT'S REQUEST TO REMOVE THE ORDER OF DEMOLITION ON THE PROPERTY.

BACKGROUND: In response to complaints received at the City of Altus Planning Department about the condition of the residential property located at 720 W. Liveoak, an inspection was made on 2-11-08. During the inspection, it was determined that the condition of the residential building was unsafe and subject to the provisions of Sections 7-373 through 7-390 of the Altus Code regarding Dilapidated Buildings.

The matter was referred to the Dilapidated Building Commission and a Public Hearing was conducted on 3/6/08. The DBC found the building to unsecured and dilapidated. The owners, as shown on the Jackson County Tax Rolls, were allowed ten days to secure the property. The property owner submitted a rehab plan on 6-4-09 with a completion date of 10-3-09. Notices were sent to the owner but he never made any further attempts to contact or work with the Planning Department.

On 1-7-10, the DBC held a Public Hearing concerning this property and recommended abatement of the building. A notice of Dilapidation and Lien and Order of Demolition was filed with the Jackson County Clerk on 1-21-10. The property owner listed on the Jackson County Tax Rolls, as David Richards, was sent by certified mail the DBC decision and provided a copy of the Notice of Dilapidation an Lien and Order of Demolition which was returned as unclaimed.

The Planning Department has scheduled abatement of the dilapidated building during Project 2 of the 2008 CDBG Small Cities Set-Aside Grant for removal of residential and commercial dilapidated buildings. Another attempt to notify the owner of the decision was completed on 1-4-11 which provided the owner a copy of the Notice of Dilapidation and Lien and Order of Demolition. The owner contacted the Planning Department as to the status of the property with the DBC and at which time he stated he did not want the house torn down. He was informed that he would need to submit a letter requesting City Council to rescind the demolition order.

Mr. Richards appeals to the City Council to rescind the Order of Demolition by the Dilapidated Building Commission.

This item presented by Barbara Burlison, Planning Director

Motion made by HENRY and seconded by BROWN to table this item and contact David Richards, the owner. The Mayor called for the vote recorded as follows:

AYE: Brown, Shelton, Henry, Willis, Johnson, Smiley, Simco, Risinger

NAY: None

Motion carried 8-0

10. CONSIDER, DISCUSS AND VOTE TO APPROVE RESOLUTION NO. 2011-03 TO ACCEPT THE ALTUS CITY PLANNING COMMISSION (ACPC) RECOMMENDATION CONCERNING THE FINAL PLAT FOR THE HUNTER POINTE ADDITION PART VIII.

BACKGROUND: The Hunter Pointe Addition Part VIII was submitted to the Altus City Planning Commission (ACPC) at a regular meeting on February 14, 2011. The ACPC reviewed the Final Plat and recommends approval by the City Council subject to the Staff recommendations contained in ACPC-11-02.

This item presented by Barbara Burleson, Planning Director

Motion made by SIMCO and seconded by BROWN to approve Resolution No. 2011-03 to accept the Altus City Planning Commission recommendation concerning the Final Plat for the Hunter Pointe Addition Part VIII. The Mayor called for the vote recorded as follows:

AYE: Henry, Johnson, Smiley, Willis, Brown, Simco, Risinger, Shelton

NAY: None.

Motion carried 8-0

11. CONSIDER, DISCUSS AND VOTE TO ACCEPT THE RECOMMENDATION OF THE ALTUS CITY PLANNING COMMISSION AND APPROVE ORDINANCE NO. 2011-08 CHANGING THE ZONING CLASSIFICATION OF THE FOLLOWING PROPERTY:

A tract of land in the southwest quarter of section 4, township 2 north, range 20 west of the Indian Meridian, Jackson County, Altus, Oklahoma further described as follows:

Beginning at the NW corner of Hunter Pointe addition, Part VI to Altus, Oklahoma thence N00°26'30"W, a distance of 753.02 feet; thence S89°01'46"E, a distance of 342.09 feet; thence S00°29'00"W, a distance of 420.00 feet; thence S89°01'46"E to the west line of Hunter Pointe Addition, Part VII, a distance of 195.50 feet; thence S00°29'00"W along said line, a distance of 333.00 feet to the NE corner of Hunter Pointe Addition, Part VI; thence N89°01'46"W along the north line of Hunter Pointe addition, part VI, a distance of 537.04 feet to the point of beginning, containing 7.40 acres, more or less.

From Agriculture (AG) to Auto-Urban Residential (AR).

BACKGROUND: Shurway applied for rezoning of an undeveloped tract located in the Hunter Pointe Addition to change the existing zoning of the property from Agriculture (AG) to Auto-Urban Residential (AR). The applicant intends to develop the Hunter Pointe VIII for twenty-one single-family dwelling units. The rezoning request was submitted to the Altus City Planning Commission (ACPC) on February 14, 2011. The ACPC reviewed the rezoning and recommends approval by the City Council.

This item presented by Barbara Burleson, Planning Director

Motion made by SIMCO and seconded by SHELTON to approve Ordinance No. 2011-08 to accept the Altus City Planning Commission's recommendation concerning changing the zone from Agriculture (AG) to Auto-Urban (AR). The Mayor called for the vote recorded as follows:

AYE: Shelton, Brown, Henry, Risinger, Simco, Willis, Johnson, Smiley

NAY: None.

Motion carried 8-0

12. RECEIVE, CONSIDER AND DISCUSS AN APPEAL BY NESTOR PEREZ, CONCERNING THE DILAPIDATED BUILDING COMMISSION (DBC) ORDER RELATED TO 920 SOUTH FOWLER, DBC #08-44 AND VOTE TO EITHER APPROVE OR DISAPPROVE THE APPLICANT'S REQUEST TO REMOVE THE ORDER OF DEMOLITION ON THE PROPERTY.

BACKGROUND: In response to complaints received at the City of Altus Planning Department about the condition of the residential property located at 921 South Fowler, an inspection was made on 10-8-08. During the inspection, it was determined that the condition of the residential building was unsafe and subject to the provisions of Sections 7-373 through 7-390 of the Altus Code regarding Dilapidated Buildings.

The matter was referred to the Dilapidated Building Commission and a Public Hearing was conducted on 11-6-08. The DBC found the building to be unsecured and a dilapidated building. The owners, as shown on the Jackson County Tax Rolls, were allowed ten days to secure the property which the letter was returned as undeliverable. FCI National Fund II, LLC purchased the property at a Sheriff Sale on 1-21-06 and was also notified to attend the Public Hearings concerning the property. The Planning Department did not receive any response to the notices sent to the mortgage holder.

On 7-2-09, the DBC held a Public Hearing concerning the property and recommended abatement of the building. A Notice of Dilapidation and Lien and Order of Demolition was filed with the Jackson County Clerk on 7-13-09. The property owners listed on the tax rolls were notified by certified mail of the Notice.

The Planning Department has scheduled abatement of the dilapidated building during Project 2 of the 2008 CDBG Small cities Set-Aside Grant for removal of residential and commercial dilapidated buildings. The property was purchased by Nestor Perez on 6-14-10 at the Jackson County Sheriff's Sale. Mr. Perez was not advised of the Order of Demolition. On 1-6-11 the Chief Building Inspector found the property to be occupied. The new owner was contacted as to the status of the property with the DBC, that the building would need to be brought up to code and the City Council would need to rescind the demolition order. He complied with the requirement and updated the property to meet current codes and was approved for occupancy by the Planning Department.

Mr. Perez appeals to the City Council to rescind the Order of Demolition by the Dilapidated Building Commission.

Motion made by SIMCO and seconded by SHELTON to approve the appeal from the property owner and remove the order of dilapidation. The Mayor called for the vote recorded as follows:

AYE: Shelton, Risinger, Simco, Brown, Henry, Smiley, Johnson, Willis

NAY: None.

Motion carried 8-0

13. VOTE TO GO INTO EXECUTIVE SESSION AND RECORD AND VOTE ACCORDINGLY.

Motion by JOHNSON and seconded by SIMCO to go into executive session at 8:30. The Mayor called for the vote recorded as follows:

AYE: Shelton, Brown, Henry, Willis, Simco, Smiley, Johnson, Risinger

NAY: None

Motion carried 8-0

PROPOSED EXECUTIVE SESSION ITEM(S):

8:30 P.M. TO 10:45 P.M.

14. DISCUSS IN EXECUTIVE SESSION THE ANNUAL EVALUATION FOR THE HUMAN RESOURCE DIRECTOR, AND IN OPEN SESSION TAKE APPROPRIATE ACTION AS SPECIFICALLY AUTHORIZED IN SECTION 307 (B)(2) TITLE 25 O.S.A.

15. DISCUSS IN EXECUTIVE SESSION THE ANNUAL EVALUATION FOR THE INFORMATION TECHNICIAN DIRECTOR AND IN OPEN SESSION TAKE APPROPRIATE ACTION AS SPECIFICALLY AUTHORIZED IN SECTION 307 (B)(2) TITLE 25 O.S.A.

16. DISCUSS IN EXECUTIVE SESSION THE ANNUAL EVALUATION FOR THE FINANCE DIRECTOR, AND IN OPEN SESSION TAKE APPROPRIATE ACTION AS SPECIFICALLY AUTHORIZED IN SECTION 307 (B)(2) TITLE 25 O.S.A.

17. DISCUSS IN EXECUTIVE SESSION AND VOTE TO EITHER PAY, DENY OR TABLE FOR INVESTIGATIVE PURPOSES A TORT CLAIM FILED BY ASHLEY A. GONZALEZ FOR WATER DAMAGE TO HER HOME AT 1118 NORTH WILLARD STREET IN AN UNKNOWN AMOUNT.

18. CONSIDER ANY MOTIONS AND VOTES RELATING TO THE EXECUTIVE SESSION ITEM(S).

None

OUT OF EXECUTIVE SESSION AT 10:45 P.M.

ITEM #14

Motion by JOHNSON and seconded by SHELTON to approve the annual evaluation of the Human Resource Director with a one step increase. The Mayor called for the vote recorded as follows:

AYE: Shelton, Brown, Henry, Willis, Risinger, Simco, Smiley, Johnson

NAY: None

Motion carried 8-0

ITEM #15

Motion by JOHNSON and seconded by SHELTON to approve the annual evaluation of the Information Technician Director with a one step increase. The Mayor called for the vote recorded as follows

AYE: Risinger, Simco, Smiley, Johnson, Shelton, Brown, Henry, Willis,

NAY: None

Motion carried 8-0

ITEM #16

Motion by JOHNSON and seconded by SHELTON to approve the annual evaluation of the Finance Director with a one step increase. The Mayor called for the vote recorded as follows

AYE: Willis, Henry, Brown, Shelton, Johnson, Smiley, Simco, Risinger

NAY: None

Motion carried 8-0

ITEM #17

Motion by JOHNSON and seconded by WILLIS to *deny* a tort claim filed by Ashley A. Gonzalez for water damage to her home at 1118 N. Willard in an unknown amount.

AYE: Smiley, Johnson, Risinger, Willis, Henry

NAY: Simco, Brown, Shelton

Motion carried 5-3

19. REVIEW, DISCUSS AND POSSIBLE ACTION ON OTHER NEW BUSINESS, IF ANY, WHICH HAS ARISEN SINCE THE POSTING OF THE AGENDA AND WHICH COULD NOT HAVE BEEN REASONABLY FORESEEN PRIOR TO POSTING OF THE AGENDA. (25 O.S.A., SECTION 3-111 (9)).

None

20. MAYOR'S APPOINTMENTS

None

21. CITY ADMINISTRATOR'S COMMENTS AND REPORTS (discussion only).

(1) I want to remind the Council members and the Mayor that time is running short on attendance for the Quail Breakfast. We need to determine who is eligible to go at City's expense and who is not. I'm not asking for that tonight, but it's something we can't put off much longer. Maybe we'll discuss it at our special called meeting. (2) Again I want to thank the departments for the last couple of weeks when we've had inclement weather, I thought everybody has been more than prepared. Fortunately we didn't lose any power but a lot of people, street department, support from water and sewer and a lot of staff worked when other people weren't here. I appreciate you being here and Thank You for what you did to help make it as easy as possible for the rest of citizens in Altus.

22. CITY COUNCIL MEMBER'S COMMENTS AND REPORTS

Sid Willis - I'm going to pass on the Quail Breakfast trip. That will save the City some money.

Scot Simco - Most of the stuff that we've discussed here tonight, I just want to have this on record. When I ran for City Council, I ran with the idea that the City (Council and staff) should let the citizens know the truth whether it's good news or bad. The good news is we're finally getting to the truth about the financial shape that we're in. I for one have been at City Hall a lot talking with Joe Don. Before this has happened I always asked him about our money, and was always told, 'we're doing OK', never heard doing great, but a few weeks ago it was 'well, I'm not comfortable with our cash flow'. Then after more discussion, really we don't have any flow, just no money left, just going day by day. I didn't realize at the time that the cash plan report that we get isn't worth the paper it's written on. It's a plan that we'd like to have money in these accounts, it just wasn't really there. It's also been said that the new Council doesn't understand big finance. It doesn't take a rocket scientist to figure out when you have no money. The report does show a few departments that are separate from the cash pool and that money is there but what's troublesome is, like our landfill shows \$679,692. One would think that would be in a separate account since we would need another million dollars to build a new cell. I'm just wondering why the Council was never told this and there are five other accounts that are the same way. Joe Don and I have talked about this several times so this isn't something that's just been brought out. We have found out the City has been overdrawn at the bank, which you can not do. Now that we know that, we can not let that ever happen again. An e-mail was going around saying we should have let the staff borrow 1.8 million dollars to buy all the stuff they wanted and that's what caused all this to happen. While the truth is, two items were purchased, a new truck for the Electrical department and a cable puller for the Electrical department. Staff recommended we buy this. I agreed to buy it. I thought they were two great items. Not one time was it said, we can not afford these items. Also, I just want to let everyone know, had we have borrowed the money, the \$200,000 that we paid for those two items, would have been lower than the loan payment. So I think it's kind of crazy that people are saying we should've borrowed the 1.8 million dollars and that's what caused this whole catastrophe. The QMA loan that the last Council approved was \$200,000. That was taken out of pooled cash, that was the golf course, which I do not understand why the military money we get from the State, could not pay for that since it abuts the base. A few more little things-- The QMA law suit was \$22,000. The hangar law suit with the City and the Technology Center was \$27,000, which had it been done a whole different way, the law suit never would have happened. The City had a good will gesture to OK-1 for \$5,000. The storms are as follows; money we should get from the State; 243 - We're getting some of that back Joe Don says; 232 - We should get that back. When? We don't really know, the state is broke also. The side loader that was on the list to buy, but we didn't buy one, we didn't buy a new one, just so happened that the driver at one time was going to be fired but was not, he got one more chance. With this help, we have to spend another \$69,000 for a good used loader which I credit Bob and Kenny for finding a good used loader that works very well. The total list that was unfunded, that the City purchased, was \$2,639,650 plus we just found out there's another \$135,00 that we paid extra to Briggs & Asso. and that's a whole other ball of worms, I feel like. Not one time, when we were giving the OK on items in our agenda did we hear, 'well we should not buy this'. The things we do get says staff recommends. There has been a few items, Holmes' loader, that the staff recommended, let's table that. But if it's not tabled, staff recommends we buy it. Then we get to look at these and make a decision with a financial picture that we get. There's not a person in here that would get the financial papers that we receive, saying all the money that we have in the different funds, would say No to

purchasing these items. When you think you have 1.9 million dollars in the Emergency Fund, when you think you have \$965- in Street & Alley Fund, yes, you can buy this because you have the money to buy it. Well, now we understand that Joe Don didn't understand that the way we read the numbers and the way he presented it was different. Joe Don assured me that we won't get that any longer. When Danny McQuiston was on the Council years ago, he was always talking about needing more money in the Emergency Fund. The Mayor and I have talked about that several times and I think we all know whether in our homes or businesses, you have to have emergency money. We thought it was 1.926 million dollars. I for one, brought the idea to add \$3.00 to everyone's utility bill to help pay the City back. I've been getting questions, 'What did they do with that \$3.00?'. Folks, this is an emergency. The emergency money is put into pooled cash and it was needed to help pay bills. A couple of things that some customers talked about was 'when you talk about take home trucks and cars. I have a friend in Tulsa has a take home truck. He loves it. His car at home hardly ever gets driven. I know it costs the City money and the staff that takes home vehicles, it costs them money also, because they have to pay a tax on the take home vehicle. How much would that save us? It's something we need to look into.

Jack Smiley - Mayor, I just wonder if anyone is still listening in the listening audience on the radio. I want to make note that we have a lot of candidates that are running for office that is here, Arvella Wall, David Webb, Rick Steen, Michael Beason, Deb Davis, Bob Carder, Ted DeVore. There may have been some more. I appreciate everyone coming out. Mary Esparza, sorry. That's what it takes to run government, everyone coming out and getting involved. I like to see it and good luck to everyone.

Rick Henry - I would like to say something negative but also something positive. First the negative, the problem that we have from what I see when I look at the pool cash money, would take anywhere from 4 to 5 million dollars to make all the accounts whole. It's kind of laughable to think that money was spent this year, last year, two, three, four years ago. The problem has been building for quite some time, just this process that we have found (accounting process) has come to light. Part of the problem has been since the accounts have been pooled together, you can draw out of the Emergency Fund and nobody even knows that it happened. That's the major issue, that's where it's coming from. On the positive, my mother was sick this week. I got to experience the emergency room in two different hospitals, EMS and several doctors and nurses. Our health care system is in good hands. If I'm getting sick, I'm getting sick in the United States. I don't want to hear the federal government bad mouth our medical system. Thank you.

23. MAYORS COMMENTS AND REPORTS

My comment is -- Our revenue is flat and flattened out and we've spent more money than we had.

24. ADJOURN

Motion made by JOHNSON and seconded by WILLIS to adjourn the meeting at 11:00 p.m. The Mayor called for the vote recorded as follows:

AYE: Risinger, Simco, Smiley, Johnson, Willis, Brown, Shelton

NAY: Henry

Motion carried 7-1

LaJune White City Clerk/Treasurer

T.L. Gramling, Mayor