

# CITY OF OILTON | MEETING MINUTES

Approved  
April 27, 2020  
AP

March 10, 2020 | 7:00 pm | City Hall Oilton, OK

Mayor, Steve Arnold	Present
Clerk, Abigail Parnell	Present
Attorney, Bryan K. Drummond	Absent

## Attendees:

Martha Graham, Zachariah Hollingsworth, Kevin Wright, Shannon Wilson, Brice Wilson, Carl Stout, Wesley Gann

## 1. CALL TO ORDER/ROLL CALL/ESTABLISH QUORUM

### COUNCIL MEMBERS PRESENT

Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell

### COUNCIL MEMBERS ABSENT

N/A

**QUORUM ESTABLISHED (6 OUT OF 8 MEMBERS PRESENT)**

## 2. DISCUSSION AND APPROVAL OF THE FEBRUARY 11, 2020 REGULAR MEETING MINUTES.

Kenneth #18 - wanted to clarify that Ali has heart worms.

Tyler made a motion to approve the February 11, 2020 Regular meeting minutes. Bessie seconded.

### Vote

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell

Nay -

**MOTION APPROVED.**

## 3. DISCUSSION AND APPROVAL OF THE FEBRUARY 27, 2020 SPECIAL MEETING MINUTES.

Kenneth #11 - wanted to add that Steve had given a possible Doctor to rent the doctor's office building.

Kenneth #8 - Carl is the one who gave the update on K-9 Ali

Kenneth made a motion to approve the February 27, 2020 Special meeting minutes. Jimmy seconded.

### Vote

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell

Nay -

**MOTION APPROVED.**

**4. TREASURER'S REPORT**

Abigail provided bank account balances.

Jerry – He doesn't believe we've gotten our money's worth and asked Steve his opinion.

Steve – He doesn't believe we've ever signed a formal agreement with Linda. Abigail confirmed that there was never any contract signed.

Jerry - He doesn't believe we should be paying \$4,000 a month for what we've been getting. The last report we got didn't even reflect what our true balance was. He went over all of the costs the general fund balance didn't reflect.

Jerry – Transfers need to be made to the Cemetery Improvement Fund and the Perpetual Fund.

Steve – Asked if when Linda finishes the Audits we could curtail her services to every other month or every quarter?

Tyler – mentioned Email from Linda referring to her doing the treasurer duties.

Jerry – Fire Department funds need to be in Separate Account since Indian Electric collects out money for the Fire Subscriptions and then gives us a check.

Tyler – Steve needs to talk with Linda since she is an employee of the city and this needs to be taken care of since we have spent so much money.

Jerry – Said he would like to talk to the auditor when she comes for her next visit. Abigail informed him that she would not be here at their next visit.

Jerry – he will call Anne since she will not be on site again.

Jerry – suggested transferring money from the court fund to the general fund to help cover payroll.

Jerry – would like himself and Steve to get with Abigail and get the accounts up to date.

## **5. DISCUSSION AND ACTION ON THE PURCHASE ORDERS AND CLAIMS.**

Tyler – asked about the PO for Linda. He requested that she send us an itemized invoice from now on so that we know what we're paying for.

PO 12020140 – Linda Bourne - Hold

Tyler - asked about Critical Comm.

Abigail - responded that it was a bill for remaining late fees that hadn't been paid before the account with them was closed.

Jerry – asked about what was going on at the Fire Department.

Tyler – said the PO was for replacing parts on the heat/air unit in the Community Room.

Tyler made a motion to approve all purchase orders and claims with the adjustment of Holding PO 12020140 until we speak with Linda. Jerry seconded the motion.

### **Vote**

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay -

**MOTION APPROVED.**

## **6. PUBLIC HEARING ON CDBG BLOCK GRANT**

Tyler made a motion to open the hearing. Bessie seconded the motion.

### **Vote**

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay -

**PUBLIC HEARING OPENED.**

Barbara Albritton – The Audits must be up to date and the 2019 Audit must be filed with the application due May 1<sup>st</sup>. This grant is administered by the Oklahoma State Department of Commerce. The one's they focus on are for Water and Sewer systems. The grant maximum is \$450,000. The city qualifies as a whole if they are over 51% below low-income. We would find out in August or September if the city is funded.

The purpose of the hearing is to get opinions from the council and residents on possible projects.

Bessie – Suggested Waterlines. Barbara said we would have to specify where we wanted them and have an engineering report.

Jerry – Asked about the amount. Barbara said that it's \$2,000 per person in the area of the project with a maximum of \$450,000.

Barbara – Suggested possible 2<sup>nd</sup> Water Well

Jerry – Our water lines are 100 years old there rusted and made from old cast-iron pipe. The valve on the old tower doesn't work well. When and if we put in new waterlines they need to be put in on the side of the streets so the streets aren't torn up when we have to repair a line.

Barbara – One of the things we have to be careful with is if we pick specific line segments then we'd have to do an income survey for those specific areas and that additional time that we'd have to put in.

Jerry – Asked Barbara if we have to have match?

Barbara – You don't have to any match. There is no points that for match.

Wesley Gann – Asked if any surveys have been done recently on our water lines. Barbara said not to her knowledge.

Shannon Wilson – Asked if they replaced a water line would they just replace the main line or the line going to the residence as well. Barbara said that it would just be the main line to the meter.

Barbara - Asked if there were any questions or comments. No response.

Jimmy made a motion to close the Public Hearing. Kenneth seconded the motion.

#### Vote

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay -

**PUBLIC HEARING CLOSED.**

#### **7. DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF CITIZEN PARTICIPATION PLAN.**

Barbara – This is a required document that needs to be with the application. It states that there will be a hearing at the time of application which we just had and then at the close of the project if it is funded and any time there are major changes to the scope of the project. It also contains information saying that the residents will stay informed of the project through council meeting agendas.

Tyler made a motion to adopt the Citizen Participation Plan. Bessie seconded the motion.

#### Vote

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay –

**MOTION APPROVED.**

#### **8. DISCUSSION AND POSSIBLE ACTION REGARDING SELECTION OF PROJECT FOR FY 2020 CDBG APPLICATION.**

Barbara – states that she didn't know if we were ready yet or not to decide on a project but it would be great so that we could get started on the engineering report. If we wait until April that'll be pushing the engineer a bit but she doesn't want to push the city to make a decision that they may not be ready to make.

Jerry – Kenneth asked about the engineer.

Barbara – said the City has worked with a couple engineers in the past.

Steve – wanted to reaffirm that because of our current financial situation if the council were to choose to hold off at this time that Barbara would understand.

Barbara - replied yes. She said she told Jerry that even though the grant could absorb costs of most of the project that if the cost were to go over the grant amount the city would have to absorb that extra cost.

Barbara – Reap Grants are open in July. We could use the Reap Grant to pay for the engineering and then be ready for the CDBG grant next year. That may be better.

Barbara – the selection of project could be no project this year.

Tyler – Doesn't think it's guaranteed that our Audits will be done.

Jerry – Asked if the engineer would be able to give us an estimate of how much 4" main line we could do if we want to do water lines and in that area we would have to do the income survey. Barbara said yes, that has to be done before the application.

Tyler made a motion to take no action. Kenneth Seconded.

### Vote

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay -

**MOTION APPROVED.**

## **9. DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF CDBG RESOLUTION**

**NO ACTION.**

## **10. DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION FOR MAYOR TO EXECUTE APPLICATION DOCUMENTS.**

**NO ACTION.**

## **11. DISCUSSION AND ACTION ON ESTABLISHING AN AMNESTY PERIOD FOR INDIVIDUALS WITH OUTSTANDING WARRANTS THROUGH THE CITY OF OILTON.**

Chief Stout – Thinks a good time to start this with revenue being in the state that it is. He put the idea out there on the PD Facebook page. There's about \$92,000 worth of outstanding warrants right now. Those people with outstanding warrants can create payment plans with the city and don't have the risk going to jail and accruing those extra fees.

Abigail – We've already had several payments since the post was made on Facebook.

Steve – Reached out and spoke with Bryan and said we would need the council's approval and approval from Judge Shaw.

Chief Stout – We can post it on Social Media and any newspapers in the area.

Steve – Asked how long the PD wanted to do this for.

Chief Stout – for 2 weeks and we're working on when those two weeks will be.

Bessie made a motion to establish an Amnesty Period of two weeks to be determined by the Police Chief for individuals who have outstanding warrants through the City of Oilton. Kenneth seconded the motion.

## Vote

Aye – Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay –

### **MOTION APPROVED.**

## **12. DISCUSSION AND ACTION TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH DOC'S FOOD STORES, INC DBA JB'S MARKET.**

Kevin Wright – He's owned A-Affordable here in town and started working in the grocery business when he was 16 working for Sammy Ballard here in Oilton. When he was 19 he became a sales rep for Lipton Tea Company and worked there for 10 years and then 2 years in the brokerage business before he started A-Affordable. He's worked with a lot of the big retailers in the state. About 3 weeks ago he received a call asking if he would be interested in buying the grocery store. He is not but he said he would make some phone calls. He called a friend who has some stores in the area. Kevin knows Steve Davis from when he worked at Lipton. He asked him if there was anything that would keep him in town and he said no. Kevin asked about a possible rebate. Steve said he's gone to the City once before and doesn't know if he could do it again. Kevin said he'd ask if the City would be interested in doing a rebate again. What the City needs to know is that whether or not they choose to give the rebate they're going to lose that money no matter what. And if the store goes out of business it is highly unlikely that another grocery store will be here again. They have also spoke with Williams in Drumright Oklahoma about taking over the operation. The only way they would be interested is if there was a sales tax rebate in place. As he continued to talk to Mr. Davis about the operation of the store he said they would be willing to stay open if they were to get some help with management or sell the store but a sales tax rebate would have to be in place either way. He knows it's a tough time but we've got to think about our community and investing in our community and what the town will look like if the store closes down. Not only will we lose sales tax but we'll also start losing population.

Steve – Previously we did enter into a sales tax rebate with JB's. There were some different thresholds that that agreement was on and they didn't meet some of those thresholds so the full 5% was not paid out. His initial thoughts are that 2% is the maximum sales tax rebate we could support and have it contingent upon JB's selling to Williams.

Jerry – Do you know what the projected monthly sales tax is?

Kevin – wasn't sure.

Jerry – Why didn't it work last time?

Kevin – thinks its management quite honestly, and most likely ownership. He saw their losses last year and would probably consider closing the store too. One thing he brought up to Steve Davis is you have to cash checks. You're in a small community where people come home from work out of town and banks are closed. If they can't cash checks here they'll go to Walmart to cash them and end up getting their groceries there. It's a Meat and Potato Store and you never see any family packs in there. There are several things they could be managing better. Kevin told them that there would need to be some adjustments if you decide to keep the store open and make it work.

Jerry – He would think that if anything could make it work they could. And if they're not making it work then how can anyone else make it.

Kevin – Knows where it's been in the past when Mr. Ballard owned it and it worked.



Tyler – We've also got to think about the business the grocery store brings to the community. People may stop and get gas or dinner after they've gotten their groceries. Even if we lose that 2% it's still better than 0% and we still have a grocery store.

Jerry – basically what it's going to boil down to is we're the scape goat on whether it closes or not. He would like to know what the 3% would be.

Abigail – When I looked at numbers from our last audit it looked like the total rebate we gave them was \$25,000.

Jerry – So is that \$2,000 a month going to really make a difference or are we just pouring money into a dry well.

Kevin – that \$2,000 dollars would be really helpful in the grocery business. You're electric bill really tends to eat you up. He texted Steve to see if he's available and could let him know the numbers.

Kevin – Jerry, Doc's was shutting their doors. They weren't coming to ask the City, he offered to ask. So if we think we're being considered the scapegoat they were not coming to ask the City. It was Kevin who offered. They know the financial state the City is in. They weren't coming to ask, they were just going to shut the store down.

Jerry – Thinks that if we aren't better off than we're gonna have a choice to make to. We're going to have to lay people off and cut services. So it's a catch 22.

Kevin – You're right, no matter what choice you make the money's not going to be there.

Steve – Yea, the money's not going to be there if they close or if we enter into an agreement to give them a rebate.

Kevin – The only thing you can hope for is that the money is there in the future. If they close the money will never be there again. And he is confident that there will not be another store here. Fairfax had a grocery store for a few months and they only reason they have a grocery store there now is because the Osage tribe paid for the building, the inventory, and basically gives that guy the store to operate.

Tyler – He called a good friend of his who goes into businesses and restructures them and he gave him the numbers for the store and he said there is no way he would take the store over because it wouldn't be profitable.

Kenneth – Are we just putting money down a tube or what?

Tyler – No, we're not going to have the money either way.

Kevin – You're putting the money back into the citizens.

Kenneth – How do we know that if we give them a sales tax rebate that they'll keep the store open.

Kenneth – We'd make that part of the agreement.

Tyler – and if they leave they would pay it back.

Kevin – I would also put it on a threshold so that it gets back to where it was. He does believe Williams is more equipped to deal with the structure of a small town grocery store. He knows for a fact that they have a similar sales tax agreement with many of the towns they are in.

Jerry – We've already budgeted for this year so if it did happen we would need to wait until the new fiscal Year to be able to issue a rebate.

Kevin – That may be a possibility.

Jerry – Thinks he would be in favor of a new owner. It seems like it's a sinking ship.

Steve – If the sales tax rebate was contingent upon new ownership is that something you would agree with Jerry?

Jerry – I think so, and some more information on numbers. Especially with the oil crisis and the virus scare. What's that going to do? We're in a tough time right now.

Jimmy – Do you work in the grocery industry? When I worked at a company they predicted what it was going to be like in five or ten years. Do you have any predictions?

Kevin – I don't work in that industry, I sell to grocery stores so I don't know what the projection is as far as there is projected shrinkage. It's not felt as much in bigger areas like Tulsa because there are more stores to go to but in small towns like this it is.

Kenneth – Can they give us a business plan?

Jerry – Can we hold off tonight on making a decision until we get more information and see if Williams can maybe make a commitment?

Kevin – Yes, but the sales tax rebate commitment would probably have to be made before Williams would make a commitment. Steve Davis asked him if he should be here tonight and he said he didn't think that would be wise. You might enter into a negotiation with them so that there would be an action and we could start talking to them.

Tyler made a motion to enter into negotiations with Doc's Food Stores, Inc. DBA JB's Market in regards to a possible Economic Development Agreement contingent upon council approval. Bessie seconded.

#### Vote

Aye – Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell

Nay –

#### **MOTION APPROVED.**

### **13. DISCUSSION AND POSSIBLE ACTION TO ADVERTISE FOR MOWING BIDS ON CEMETERY.**

Jerry – knows of at least three local contractors interested.

Steve – suggested having the cemetery mowed twice a month.

Tyler – suggested hiring someone for \$10/hour full-time to only mow and weedeat. That's \$1600 a month versus paying someone to come in and it be \$1,100 each time they mow. The Cell Phone Tower would pretty much pay for that.

Jerry – I don't care but there's one time a year when it has to look its best and that's Memorial Day weekend.

Steve – We could take bids or keep it house. The two guys we have now don't really have the time to do anything additionally. In year's past they've done it but they've got a lot going on.

Jerry – Are you saying we'd use our equipment and our insurance?

Tyler – Yes, and they'd mow the cemetery and then the park then the alleys and then back to the cemetery.

Steve – So as far as this item he'll go ahead and reach out and get the bids.



Jerry – Are we going to get the Summer Tribal Program?

Steve – The application has been sent in so now we're just waiting.

Brice – The problems not mowing it it's weedeating it. We can mow all of the City property in about 3 days but the weedeating takes about 38 hours. So maybe someone could just come in to weedeat.

Tyler – Sounds like part time help.

Jerry made a motion to advertise for mowing bids on the Cemetery to include mowing and trimming and they must have insurance as well as what they charge per time. Jimmy seconded the motion.

**Vote**

Aye – Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay –

**MOTION APPROVED.**

**14. DISCUSSION AND POSSIBLE ACTION TO PURCHASE COLD PATCH ASPHALT.**

Brice got a quote on Asphalt.

Steve – Dunlap Asphalt quoted us \$90/load. He suggested purchasing 6 loads using moneys in the Sales Tax Road account.

**TON**

Jerry – We need to pick it up as we need it, not all at once and let it set there. We need a load for the OPWA because we've got some streets that need repaired from fixing water leaks.

Jerry made a motion to approve a purchase order to Dunham Asphalt to purchase asphalt as needed not to exceed 5 loads. The PO is to be paid out of the Sales Tax Road Account and the County will provide the hauling at no cost.

**Vote**

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay -

**MOTION APPROVED.**

**15. DISCUSSION ON 2020 CENSUS TO DETERMINE IF THE CITY IS COMPLIANT WITH REQUIREMENTS AND IF ALL INFORMATION HAS BEEN SUBMITTED.**

Jerry – has all of the information they've requested been submitted.

Steve – Yes, the packet we received has been completed.

Jerry – Did they ask for addresses?

Steve – No

Jerry – We need to make sure they don't have addresses. We need to make sure they get everybody counted.

**16. DISCUSSION AND ACTION ON APPROVING THE ENGAGEMENT LETTER SENT BY ELFRINK & ASSOCIATES, PLLC TO BEGIN WORK ON THE FISCAL YEAR 2019 AND FISCAL YEAR 2020 AUDITS.**

Abigail – the letter in the packets is the same letter everyone got at the last meeting. She spoke with Anne and sent Anne's response to Bryan and he said he understands now why it is worded the way it is and we can go ahead and approve it.

Kenneth – So we're not appropriating funds, we're just engaging in the audit?

Abigail - Correct

Jerry made a motion to approve the engagement letter sent by Elfrink & Associates, PLLC to begin work on the Fiscal Year 2019 and Fiscal Year 2020 Audits on the advice of the Attorney. Bessie seconded the motion.

**Vote**

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell

Nay -

**MOTION APPROVED.**

**17. NEW BUSINESS**

**Business Unknown -**

Tyler made a motion to advertise for Summer Employment. Jerry seconded the motion.

**Vote**

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell

Nay -

**MOTION APPROVED.**

**18. PUBLIC COMMENTS**

Kevin Wright – Had the sales tax numbers from Steve Davis. It's right at \$6,000 for the 5%.

Brice Wilson – Wanted to let us know that he's been researching the water pipe. It's got a 100 year lifespan and it averages about \$100/foot so we're looking at about \$20,000 a block and 4 million for the town.

Shannon Wilson – As a consumer for the grocery store we supported Sammy because he was local. They're going to have to be more competitive. There are so many people in this area that's low income and they're not going to send their very last dime in JB's because it's more of a convenience store. It's not something this town is utilizing like when Sammy had it. The mark ups are what's killing us.

Shannon Wilson – Second issue is the Cemetery. If you actually went through this cemetery you'd see how it's completely desecrated by OPWA Supervisor Bruce Coldiron's backhoe going through the graves. Phyllis Bumpkis's father's military grave marker is pushed into the ground at an angle because the time and dignity was not taken to dig up the stone before he drove through and put the stone back. Its hills and valley's from the backhoe.

Shannon Wilson – On Sunday the OPWA Supervisor Bruce Coldiron purposely and in her heart maliciously, with Beverly Hensley sitting in her drive way pulled out of the school parking lot going about 10 miles an hour and about 15 feet from her house and guns it right towards Beverley's car right down the street and then breaks at Campbell. Why did he do this? Maybe because of her Facebook post the speeding in the School Zone. She will advocate safety for everyone in this community and Kiton and Brice were just out there. That could have been vehicular man slaughter on a City Employee. What he does is a bad reflection on the City of Oilton. Shannon did talk to Chief Stout and he said Bruce didn't do anything illegal. If Brice did it to Tammy Brice's butt would be suspended or fired. It's ridiculous. Thank you.

**19. BOARD MEMBER COMMENTS**

Kenneth – On this Amnesty that we're going to have coming up, would it be possible to get the website back up to where they could pay online so that we'd be able to get more of the fines paid?

Abigail – She's already working with Officer Carver and a third party collection agency on that.

Kenneth – When are we going to be able to get our website up? Because we may be able to save some money with online bill pay.

Abigail – She's not sure when the website will be back up. She asked Kenneth what he meant by saving money.

Kenneth – He's been in several times when she's on the phone having to manually enter in the information and if we had online bill pay her time could be served better doing other things so we would be saving money.

Jerry – The man that was here earlier said he put an application in for animal control and he wants to know why he's not being considered.

Steve – He met with him.

Jerry – Can we get that on the next agenda? And how is Steve coming along with the Sales Tax Enforcement?

Steve – He did reach out to his contact at the OTC

Jerry – When a new business comes to town we need them to come get a permit and fill out an application with their information and their sales tax number. Maybe that's something Chief Stout can work on with his Code Enforcement.

Steve – Yeah we talked about that.

Jerry – People may not know that if they are running a business out of their home or selling something on the internet that's taxable. We need to step up on that and maybe get some more tax that we're entitled to.

## **21. ADJOURNMENT**

Bessie made a motion to adjourn. Tyler seconded the motion.

### **Vote**

Aye - Kenneth Graham, Jerry Green, Bessie Mattaliano, Jimmy Kennedy, Jackie Kennedy, Tyler Bridwell  
Nay -

**MEETING ADJOURNED @ 9:02 PM**