



City Commission Meeting

August 06, 2024 at 6:00 PM

City Administration Building at 130 N Oklahoma Ave.

Record of Minutes

The Commission of the City of Mangum will meet in regular session on August 06, 2024, at 6:00 PM, in the City Administration Building at 130 N. Oklahoma Ave, Mangum, OK for such business as shall come before said Commission.

ORDER OF BUSINESS

CALL TO ORDER

Mayor Menasco called the meeting to order at 6:00pm.

ROLL CALL AND DECLARATION OF QUORUM

Present

Commissioner Michelle Huckabay

Commissioner Judith McCaslin

Commissioner Dixie Peterson

Commissioner Mark Chapman

Also Present

Mayor, Jackie Menasco

City Attorney, Corry Kendall

City Manager, Erma Mora

CONSENT AGENDA

The following items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Board member (or a community member through a Board member) so requests, in which case the item will be removed from the Consent Agenda and considered separately. If any item involves a potential conflict of interest, Board members should so note before adoption of the Consent Agenda.

Motion to approve.

Motion made by Commissioner Peterson, Seconded by Commissioner Chapman.

Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson, Commissioner Chapman

1. Approve July 2, 2024 meeting minutes as presented.
2. Approve June 2024 financials for all funds.

3. Approve July 2024 claims.
4. Approve August 2024 estimated payroll.

FURTHER DISCUSSION

Consideration of any items removed from the consent agenda.

REMARKS

Remarks or inquiries by the audience not pertaining to any item on the agenda.

The American Legion presented Major Olson with a Certificate of Accommodation.

REPORTS

5. Financial Report for June by the City Manager.

City Manager Mora presented the June Financial Report. Sales Tax was \$48,730, up by 3.6% from last month and up by 20% from last year. Use Tax is \$10,163, down by 12% from last month and up by 11% from last year. Other revenues were \$96,000 this year, up by 40% from last month and up by 150% from last year. This may be due to the \$80,000 and \$4,000 that we received in Purplewave money. No transfers were done in June. We are waiting for a call from the auditors to see if we should do them or if they will take care of the transfers. Overall revenues from our general fund are \$513,000 which is up from last year which is also due to Purplewave. Expenses in the general fund for June were \$183,000 which is down from \$199,000 last year. Revenue for MUA is \$311,000 which is down from last year's \$323,000. MUA expenses were \$1 million, this is higher due to the purchase of the excavator and some other major items purchased. She added the consultants will be here the third week of August and they will be completely finished with 2022/2023 and 2023/2024. After they come in and do their fieldwork and then they will give us our letters.

6. Police Report for June by the Chief of Police.

Chief Taylor presented the June Police Report. Recorded 486 calls and of those were: 6 accidents, 16 alarm calls, ACO took care of 33 animal calls, breaking and entering, civil matters, control burns, death notification, 7 disturbances, 6 domestic disputes, fight with no weapons, couple of fire alarms, 187 information requests, an intoxicated person, petty larceny, missing person. We had 23 reports filed: 5 assaults, 3 burglaries, 2 protective orders, 1 public intoxication, 3 frauds, larceny, 1 emergency detention, 2 public peace or unattended deaths, 2 vandalisms. Charges were filed on 8 of those and 4 were arrested.

7. Fire Report for July by Acting Fire Chief.

July Fire Report given by the Acting Fire Chief. The department ran a total of 20 calls: 2 motor vehicle accidents, 4 gas leaks and most of those were from Dobson contractors, 1 structure fire assist at Granite, 3 helicopter calls at the Hospital, 2 car fires, 1 lift assist, 3 fire alarms, 4 grass fires. The department has been testing fire hydrants to meet the ISO ratings. They demoed two sets of jaw of life.

ORDINANCES & RESOLUTIONS

OTHER ITEMS

8. Discussion and possible action to apply for CENA funding in the amount of \$15,000.00 to possibly re-open the community meal site.

Mary Jane Scott and Carolyn Hooley presented their ideas for the community meal site. They would like to be able to get the meal site back up and running but something different from before. Mary Jane stated they want something that is not just for senior but for anyone in need. She stated the CENA grant may only be for \$3,000 which will not even pay for all the appliances that will be needed. If they can get the grant, they would like the City to allow them to use the site and remember the previous issues with the utilities and knows that the City has a budget. They are hoping to be able to talk with the Churches, Lion's Club and maybe even the Masons to see if there is something they can tell them that would help them get food for the people in town again. They are willing to donate their time and energy to help develop this program for the community. They would like it to be more like it used to be where they had games and exercises and the had 15 to 20 people in there most of the time. Carolyn stated she tried this a year or so ago. She has spoken with a Senator from Altus that is helping her with ways to get this going. She stated that they want to do things differently this time and that it may only be 2 or 3 days a week. They would like to have it open on different days than the Methodist Church because they are going to start serving on Wednesdays again. They are not trying to compete with others they want to help the entire community. They are going to a meeting in Altus on Wednesday where CENA will be presenting to towns in the area. They would like to talk with other towns and see what they are doing. They would like to have games and TV available as well as a nurse that comes in once or twice a week. They have thought about having some students from the school come to help people with their computers or talk to them about computers. They are open to any ideas. Peterson stated that she has reached out to Southwest Community Action and spoke to the director because when they shut it down before they did not notify anyone that they were doing so. The director told her that all the grants are regulated by the State and that the Mangum location was allowed to stay open much longer than it should have, and this was due to the attendance not being transmitted correctly. The site was required to have a minimum of 25 meals going out everyday to keep the site running and there were only 4 regular daily people showing up. The director told Peterson that the board will look at the history of the meal site, the fact that it has never done well and will most likely not approve the grant. Mary Jane stated that they are here today just to let the board know what their plans are and that if they apply for the grant, it will not be until 2025. She stated they would like to be able to get more places involved. The deadline for this would be September 2025 and it would be at the earliest January 2026 before they could get started. Kendall stated in order to approve them to apply there will need to be a resolution completed which CENA usually send to all the communities. This can be put back on the agenda at a later date.

9. Discussion and possible action regarding converting the Mangum Municipal Golf Course into another Land and Water Conservation Fund (LWCF) permissible use and otherwise bringing the Golf Course into compliance with the LWCF requirements. LWCF use requires the property to be used for a "public outdoor recreation" activity.

Kendall explained that Mora received an email from the Oklahoma Department of Tourism about the Golf Course. In the 70's there were LWCF funds used to improve the Golf Course that were distributed through the National Parks Department. They gave small municipalities grants, but part of that grant was that the properties are expected to be in perpetuity for outdoor recreational use. It can be converted to another outdoor recreational

space for public use but there is a process to go through. If you want to convert it to a non-public use, you would have to acquire the same amount of acreage and open it for public use. The people at the Parks Department stated that there was a conversation about this in 2019, but nobody here was privy to that conversation. There have been other conversations since then and the people who knew about this failed to disclose that this was a LWCF grant. One requirement is that there is an insignia displayed so that the public knows that this is a LWCF property and as far as anyone knows this has never been done. He states that the board needs to decide how they would like to handle this moving forward because the Golf Course has not been cost effective in the past. Kendall recommends approving the city to move forward with converting it to a lower cost outdoor recreational use. He states that turning the cart trails into a walking trail might be an option considering there are already benches and trashcans out there. He also states that the driving range might be pretty easy to maintain and keep that part open to the public. There does not have to be a charge in order to meet the requirements, you would only need to post the insignia and maintain it as an outdoor space for the public. Alternatively, if it is decided to get rid of it you will have to find another 71 acres to convert to public space. Peterson stated that whatever the Golf Course appraises for, that is what they would be expected to spend on a new spend on a new recreational spot even though the grant was only for \$30,000. She stated that she has spoken to a representative about the grant. The grant was applied for in 1974 and completed in 1977. Kendall states that under the Oklahoma State Constitution a municipality such as Mangum is limited to 1 year of fiscal spending and you are not permitted to bind future boards. Therefore, you cannot enter into a multi-year contract, this arguably violates that provision by forcing every board since to continue to upkeep the cost. He states that he is going to do some additional research into this and also reach out to the Attorney General's office. Peterson stated that the representative made it very clear that they are supposed to be notified when we are no longer using the Golf Course as a Golf Course, and it was shut down. They were not notified, and this triggered an investigation. She states that what she has read is condescending itself and we may need to locate the original contract to get the correct information. Peterson stated that she asked if the land could be sold and the money for the grant refunded. She was told no and that the land would have to have a yellow book appraisal which is a federal appraisal. Kendall states that there were three locations within Mangum which are the park, the old tennis courts that were owned by the school and the Golf Course. Because these were improved upon with LWCF funds, if one is no longer used for outdoor recreational use then a new recreational area of equal value would have to be created at the cash equivalent. Kendall states that he does need more time to see if there are any other options but that the board does need to take action to authorize the city to convert it to another permissible use. Mora stated she was told something had to be decided in this meeting because we are already in violation. Kendall stated if it was made into a walking trail then only the paths and trails would have to be maintained. Mora explained that if the City does not have the funding to keep it as a Golf Course, then they are allowed to convert it into another outdoor recreational space per the contract. Mayor Menasco asked if there were any liabilities with having it as a walking trail. Peterson stated she was told we can pick the hours that it is used with the stipulation that it has to be open a reasonable number of days and a reasonable number of hours per day.

Motion to convert the Golf Course into another source of outdoor recreation for the public.

Motion made by Commissioner Peterson, Seconded by Commissioner Chapman.
Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson,
Commissioner Chapman

10. Discussion and possible action to surplus vehicles, equipment and other items that have accumulated over time ranging in value no less than \$1.00 and no more than \$20,000.00. Funds received from the surplus items will be put in the proper department's budget the items came from.

Mora states that attached is a list of the items that they would like to post on Purplewave. This includes a 2014 Ford van that belongs to the Parks Department and it has no transmission, 1997 Ford pickup that also belongs to the Parks department, Kubota Tractor from the Parks Department, 3 point shredder that is also from the Parks Department, and 4 storage containers from the hospital that are no longer used. This will be on Purplewave which is a public auction where everyone can bid.

Motion to approve.

Motion made by Commissioner Peterson, Seconded by Commissioner Chapman.
Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson, Commissioner Chapman

11. Discussion, presentation, and possible action regarding Kim Rumschlag and Mr. Winn's request to build a new animal shelter for the City of Mangum. (Mayor Menasco)

Kim Rumschlag states she would like to present more information to the board in a more private setting. This would include what is expected of the city and what the city expects in return. If the City is not interested, she would like to know because she does not want to waste her time or the board's time. Peterson asked if she understood correctly that Mr. Winn would build the facility but wanted Mangum to either provide the building or the land to put it on and that it would need to be within city limits and not county. Rumschlag confirmed the information was correct because in order to get grants for the shelter, it would have to be within city limits. She states that he would give the city a brand-new building and the city would have to staff and run it. She is concerned about the current budget and thinks that the budget would have to be larger. Peterson states that with all the projects the City currently has going on and how tight the budget is with the current animal control that she does not see how the City could fund a new shelter. Rumschlag states that the new building would be around 3,000 square feet and would be more efficient than what we currently have. There would be running water, more electricity and would probably need one to two more staff members. She states that if there is no interest she needs to know so that she can let Mr. Winn know and he can take his money elsewhere. She states OKC and Altus have their shelters in town, and this is more progressive. She states that Mr. Winn would like to fund something big in his hometown if possible. Peterson states that in the town that we live in people would rather get a new puppy than go pick up their animals from the shelter and until that is under control she does not think that having a bigger shelter that holds more animals is the answer. Rumschlag states that there are things we can do to offset the costs like higher penalties and issue warrants for people who do not pay their fines. She expects that if they are going to spend the money to build a new facility that it is maintained properly. She thanks the board for their time and will let Mr. Winn know they are not interested. Mayor Menasco asked if there are complaints about noise from Lisa Golden's dog boarding place. Chief Taylor states that there has been a complaint about the noise during church, but she keeps them in most of the time and is able to focus her time on the dogs because that is her job. No motion was made, and the mayor thanked Rumschlag for the very generous offer.

12. Discussion and possible action for the Assistant Police Chief to attend the Crimes Against Children training out of state, requested by the County DA.

Chief Taylor explains what the ACA is and states that we have a multi jurisdictional task force here that helps whenever there are crimes against children. This convention is in Dallas, and it is the top training in this area. He states they have worked on 8 cases and filed on 3 since he has started, and they need more training. This training will give them the help they need. The DA's office has paid for the training that was around \$900. McCaslin asked if there is any training offered in Oklahoma and there is none. Mora explained that she spoke with Kendall and that we have never sent anyone out of state for training and that she told Chief Taylor before she would sign off on this it would need to go before the board members. Chief Taylor states that all of the best training for a facility of our size is out of state. He explains that the convention starts on Sunday so Olsen would have to leave the evening of the 10th and would return the evening of the 15th. He confirms that we would still be responsible for the hotel, meals and gas. Mora states that we are only budgeted for one officer to attend Cleet and the Chief to go to training. She has contacted the bank about the use of the credit cards out of state. Peterson confirmed that Chief Taylor had staff to cover Olson being gone.

Motion to approve.

Motion made by Commissioner Huckabay, Seconded by Commissioner McCaslin.
Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson, Commissioner Chapman

13. Discussion and possible action to approve the Assistant Chief of Police to use the City Manager's credit card to book a hotel ranging in cost from least \$113 per night to \$219 per night for the CAC conference in Dallas and to be reimbursement for meals while at conference.

Mora stated she spoke with the bank and Olsen will be able to use the PD credit card to book the hotel and pay for gas. The credit cards are fleet cards but the bank can authorize them to use it this time for the hotel.

Motion to approve.

Motion made by Commissioner Peterson, Seconded by Commissioner McCaslin.
Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson, Commissioner Chapman

14. Discussion and possible action to accept or review the quotes for a spreader, cutter and accessories for the Fire Department.

Acting Fire Chief Christian explains that the department demoed two different sets of spreaders and cutters, the Hurst and Genesis. He states they would like to go with Genesis even though it is a little more expensive. He believes that in the long run it will save the City money. It is about \$500-\$600 every 2 years to maintain where the others are more. The current set the department has is a Genesis but it was built in 1995, and it is still in use. Genesis will also provide an 8-hour course, and they will service the outdated tools we currently have. The service techs are in Oklahoma and with the others, they are in Texas and charge mileage for service calls. Mora explains that they have 3 quotes but, since the department is wanting the higher quote that it needed to come before the board. Christian

states that they are all great tools but long term, upkeep of the Genesis will be cheaper in the long run. He believes that this will last the department 25-30 years.

Motion to approve the Genesis for purchase.

Motion made by Commissioner Peterson, Seconded by Commissioner Chapman.

Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson, Commissioner Chapman

15. Discussion and possible action regarding the mobile home at 621 S. Louis Tittle Avenue discussed in 2022 for all items required by the City Ordinances be brought into City Hall for a permit to be issued. (Citizen)

The Rockhold's state that they have paid their deposit, and the pole has been set up for their electricity, but it has not been connected yet and they want to know what needs to be done to get it connected. They state that they completed the petition with two separate pages and brought it to City Hall. Mora stated that the petition was not completed with enough signatures. The Rockholds state that they need utilities to be able to finish the trailer. Kendall stated that this started with interim City Manager Clark. He stated Clark talked about amending the ordinance to change from 90% of property owners to 90% of owners that live adjacent to the property but, the changes never happened. He states some of the property owners that live out of town were never contacted and therefore the percentage on the petition was not reached. He states that one issue is that the board is the only one that can authorize the mobile home to be moved in they have never returned to present to the board. Another issue was with who was to occupy the trailer and based on the ordinance it has to be the person that owns it which was not the case. The Rockholds state that they were going to allow their daughter-in-law and granddaughter to live there and that it should not be up to the board to say who lives in their house. They want to know if they are going to be able to get everything worked out so that they can get their utilities connected and if not then they will turn it over to their attorney. Peterson states that she believes there were not enough signatures on the petition, and some were duplicated. They were asked to redo the petition and not just add two more signatures. She states that there were many people that didn't want the trailer there but that it was moved in before it was authorized. The information was supposed to have been brought back to the board for verification that everyone was okay with the trailer being there and that was never done. Kendall told the board that there are five things on the list that have to be done for the mobile home statute and because those things have not been completed it would be a variance therefore the board would have to make the decision to approve. He does not believe that this board or the previous board has ever approved for the mobile home to be placed on the property. The Rockholds want to know if this was never approved then why did the city take their money and say they would turn on the utilities. They also stated that they went to code enforcement at that time, and he told them not to worry about it and he would take care of it. They later found out that was not the case after they had already moved the trailer house in. After that they found out all the requirements that were supposed to be met. Kendall explained to them that you do not have to have a house on the property to have utilities turned on. Mayor Menasco asked if they would mind taking the list of items that they need and getting those items to present to the board at the next meeting. The Rockholds stated that they have not set the trailer in case it has to be moved out and explained how it was moved into the property originally. Kendall reads the list of six items needed; consent in writing of 75% of all property owners within the city limits within a radius of 500 feet, the manufactured home improves the surrounding area, the owner of the manufactured home is always the occupant, a permit is obtained from the city, a proposal submitted to the planning commission, and the manufactured home is located on a lot at

least 7500 square feet and a single continuous tract of land and does not house more than one mobile home or more than one habitable dwelling. He adds on top of the six requirements, there are many building codes and year model requirements that are part of the permanent process. He recommends them to contact code enforcement for the permit process. Mayor Menasco asked if they would mind meeting with Steve Kyle to get the details and once they have those the board can make a decision. Kendall reiterates for them to get with Kyle for the permit, get the signatures, make sure everything complies with all the municipal ordinances and then bring everything back to the commissioners for approval. The Rockholds state that they are not getting the signatures again and if the city cannot get past that then he will contact his attorney. They stated they were never told they had to turn the list into the commissioners, they turned it into City Hall and thought they would get the information. Before leaving they stated that they would meet with Kyle the next day.

No action taken.

16. Discussion and possible action regarding additional costs in the amount of \$109,825.00 to complete the wastewater treatment facility improvement project if RIG grant gets denied.

Clyde Morgan presented that there was a bid opening in April that was good for 90 days for the wastewater treatment project. After getting bids it was found that the original grant was short \$109,825 so they went to Oklahoma Rural Water Association and asked for a grant for \$100,000 but there has not been a response yet. Today he received an email from Bill Myers stating that he and the contractor had reviewed the project, and that the contractor will provide a deduction of \$58918 to the other amount if the main line can be moved 15 to 20 feet to the West and that this will require easements. The contractor stated that the reason for the original quote being higher was that when he originally looked at the permit the amount of depth was not sufficient, and he was going to have to use ductal iron pipe so that he could have enough to cover on it. The contractor restudied the permit and if it can be moved over then he can use PVC pipe and will be cheaper at around \$50,906. He states that there is still a possibility that we will receive the grant but cannot guarantee that. He was told in June that Mangum's application was next in line but that they had run out of funds and are expecting to receive more money in July. He reminds the board that the contractor has left the bid open for more than 90 days and is not sure how much longer he will keep it open. Kendall states that this project has been in the works for years. He states we started this, and the engineer did not have the wetland studies done like he was supposed to and now we find out that we don't even have the easements with permission to run pipe across the property. He spoke to Bill Myers in May and told him to send the easements so that he could talk to the property owners. Now he is stating that they are waiting on the attorney to do the easements, which is not the case. We have to satisfy the DEQ consent agenda, but we are having to do incremental steps that should have already been completed as part of the feasibility study before the project started. He states that we obviously need more money, but we cannot apply for other grants for the community until we close some of the current ones. He states this has cost the city a lot more money than it was supposed to, and we still have not achieved this goal and now they are telling us they can save us \$50,000. He wants to know why this was not part of the feasibility study to start and why they did not look at a cheaper option from the beginning. Kendall has reviewed DEQ requirements, and the new option would satisfy those requirements and thinks that we need to move forward and finish this project. He also recommends that we explore other options for engineers in the future that can provide face-to-face information. Morgan states that JM Construction needs to know if we will be proceeding with the project or not. He thinks the construction company is trying to help the city by lowering their price. Mayor Menasco states that the project cannot be abandoned due to grants and DEQ but thinks that we need to move forward. The City Manager states that if the grant does not get

approved then the city will be required to come up with the money. Chapman asked what happens if we do not get granted the easements. Kendall states we may have to look at some sort of imminent domain and again these things are usually taken care of at the beginning of the project.

Motion is made to approve the \$109,825.00 needed to finish the wastewater project.

Motion made by Commissioner Peterson, Seconded by Commissioner Chapman.
Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson, Commissioner Chapman

17. Discussion and possible action to re-encumber the \$220,000.00 that was for the roll off truck and encumber an estimated amount of \$25,000.00 to purchase additional equipment for the electric water meter project.

Mora explained she and Kyle had been talking about the projects that need to be completed, how they have not been able to get the approved roll off truck purchased and that the water meter project is costing more money than we thought. Kyle has offered for the city to re-encumber the \$220,000.00 that was set aside for the roll off truck to use for the other expenses that are coming up. She stated they have tried several different ways to get the extra expenses covered and they have already used quite a bit of the money set aside for that. Kyle states that some of the meters they are having switch out have been there over 50 years and they are having to replace other parts. They believe the engineers did not take this into consideration and the people that needed to be in the meeting with them were not there to advise, so they ordered all the same size. Other sizes are needed to complete this and have heard several different estimates ranging from \$25,000 to \$200,000 for extra equipment. Kyle advises that he would like this money to be re-encumbered to cover whatever additional costs are needed. Kendall told the board that this was ARPA money that was put aside for the roll off and the city is asking to put it back to be used for these projects.

Motion to approve.

Motion made by Commissioner Peterson, Seconded by Commissioner Huckabay.
Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson, Commissioner Chapman

EXECUTIVE SESSION

OPEN SESSION

STAFF AND BOARD REMARKS

Remarks or inquiries by the governing body members, City Manager, City Attorney or City Employees

Gordon Layman stated that he was code enforcement during the time that the Rockhold's moved their trailer house in and that they had utilities at the location for 2 years and never did anything with it. Mora confirmed that there have been no payments to that account since it was created, everything has been adjusted off. Peterson stated that when this started, they had a fifth wheel on the property that they were living in, that it was hooked up to someone else's utilities and they were told they had to move it. Layman states that the wire has since been removed and used elsewhere.

NEW BUSINESS

Discussion and possible action on any new business which has arisen since the posting of the Agenda that could not have been reasonably foreseen prior to the time of the posting (25 O.S. 311-10)

Kyle informs the board that tearing the houses down is a slow process and that a roll off truck would really help to cut costs. He is paying \$300 every time the roll off box is picked up and that does not count the dump fees which we will have to pay anyway. He advises that he has already spent \$16,000 out of his \$20,000 budget. He advises that at some point in the future we are going to have to find some more money if we are going to continue tearing houses down. Currently it costs \$50 per ton to dump but they are in the process of putting in a new dump that will be about half that amount. The new dump is supposed to be for housing, rock and concrete. He states that he is not sure when it will be finished for them to use. They will continue as long as they can.

ADJOURN

Motion to Adjourn

Motion made by Commissioner Peterson, Seconded by Commissioner McCaslin.
Voting Yea: Commissioner Huckabay, Commissioner McCaslin, Commissioner Peterson, Commissioner Chapman

Adjourned at 7:52pm

Jackie Menasco

Jackie Menasco, Mayor

Codi Gutierrez

Codi Gutierrez, City Clerk

