

MINUTES
TAHLEQUAH CITY COUNCIL - SPECIAL MEETING
MONDAY July 24, 2017 - 7:00 PM
CITY HALL COUNCIL CHAMBERS – 111 S. CHEROKEE AVE.

1. MEETING CONVENED

2. Meeting **called to order** by Mayor Nichols at 7:00pm.
The Secretary Michele Collins Called the **Roll call as follows:**

Present:	Councilor Ward I	Bree Long
	Councilor Ward II	Dower Combs
	Councilor Ward III	Stephen Highers
	Councilor Ward IV	Joshua Bliss

OTHERS PRESENT: City Administrator Ed Carr, Police Chief Nate King, Street Commissioner Wayne Ryals, Finance Director Marcie Gilliam, Planning and Development Director Clinton Johnson, News Media Tesina Jackson, IT Director Randy Powell, Emergency Operations Coordinator Mike Underwood, Human Resources Jessica Petty, City Attorney Grant Lloyd, City Council Treasurer Lanny Williams

PUBLIC COMMENTS

3. David Rogers with Paceline Cyclery expressed his concern about nineteen empty lots/buildings in the area from Town Branch to Meigs Jewelry.
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4. There was no action taken regarding access to the commercial property located at and around **500 North Muskogee Ave.** Tahlequah, Ok.
5. Councilor Highers made the motion and Councilor Combs seconded to Reallocate General Funds in the amount of \$58382.63 from the following:

City Attorney-Salaries	110-54-5100	\$46,424.50
City Attorney-FICA & Medicare	110-54-5340	\$3,482.82
City Attorney-Workers Comp	110-54-5350	\$305.40
City Attorney-Unemployment Ins.	110-54-5360	\$159.91
City Attorney-Emp Med Ins	110-54-5370	\$6,990.00
City Attorney-Mmbrsh Trn Trvl	110-54-5400	\$1,020.00
Total		\$58,382.63

Re-Allocated to Managerial-Professional Services 110-51-7200 \$58,382.63

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

6. Councilor Bliss made the motion and Councilor Combs seconded to **accept** the following **Budget Amendments:**

- A) Capital Improvement Fund Amendment #01 Fiscal year 2017-2018
- B) Bond Improvement Fund II Amendment #01 Fiscal year 2017-2018
- C) Bullet Proof Vest Grant #5194 Amendment #01 Fiscal year 2017-2018
- D) CDBG 14 Grant Amendment #01 Fiscal year 2017-2018
- E) TSET 2015 Amendment #01 Fiscal year 2017-2018
- F) Safe Routes to School Amendment #01 Fiscal year 2017-2018
- G) FBI Eastern District of Oklahoma Violent Crime Task Force Amendment #01 Fiscal year 2017-2018
- H) Phase I PAPI-FAA Grant Amendment #01 Fiscal year 2017-2018
- I) CDBG 16 Amendment #01 Fiscal year 2017-2018
- J) Safe Oklahoma 2016 Grant Amendment #01 Fiscal year 2017-2018
- K) Tahlequah Impaired Driving Enforcement Grant 8 Amendment #01 Fiscal year 2017-2018
- L) Task Force Obligation Overtime Grant Amendment #01 Fiscal year 2017-2018

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

7. Councilor Highers made the motion and Councilor Combs seconded to **approve** the **Revised Step and Grade Pay Matrix**, for regular, full-time employees, **grades T111 through T123**. 82.5% of median 3.17% per step.

Vote: Ayes: Highers, Combs, Mayor Abstained: Long, Bliss Motion Carried

8. Councilor Combs made the motion and Councilor Highers seconded to table the possible action to move **employees in grades T117 through T123**, that are currently **under a step 4 in the Step and Grade Matrix, to a step 4**.

Vote: Ayes: Combs, Bliss, Long, Highers Nays: None Motion Carried

9. Councilor Bliss made the motion and Councilor Long seconded to approve the **lease transfer** agreement transferring from **Craig Luster to Tim Ledbetter** as approved by **Tahlequah Airport Board**

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

10. **Presentation of Tahlequah Police Department** 2016-2017 review.

11. Councilor Bliss made the motion and Councilor Combs second to approve **Resolution No.**

07-24-2017-A supporting the **appointment of Jason Nichols to the District 2 Seat** on the **Board of Directors of the Oklahoma Municipal League.**

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

12. Discussion and update on **Kaufman Park.** Possible site donation leaning toward Felts Park.

13. Councilor Bliss made the motion and Councilor Highers seconded to approve a **Resolution No. 07-24-17-B changing the Planning and Zoning Commission meeting** time from 12:00 pm on the third Thursday of each month, to 4:30 pm on the third Thursday of each month.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

14. Councilor Bliss made the motion and Councilor Combs second to **approve** the Plat submitted by **Bull Tuff Mud Company Ready Mix LLC.**

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

15. Councilor Bliss made the motion and Councilor Long made the motion to accept the resignation of the following employees:

- Daniel Howell as a full-time dispatcher in the Police Department – effective 06-26-2017
- Rockie Neugin as a full-time Laborer in the Parks Department – effective 07-10-2017
- Logan Hackworth as a Laborer/Operator in the Street Department – effective 07-21-2017
- Brent Ballew as a full-time Computer Support Specialist in the Managerial Department – effective 07-14-2017
- Carol Eastham as a full-time Finance Support Officer in the Managerial Department – effective 07-20-2017

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

16. Councilor Highers made the motion and Councilor Bliss seconded to accept the **transfer** of the **administrative assistant** to the **finance support officer**, in the managerial department, with a one-step increase.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

17. Councilor Bliss made the motion and Councilor Long seconded to **promote Cory Keele** from a Sergeant in the Police Department to a Lieutenant in the **Police Department** and the **promotion** of a **patrolman** in the Police Department to a **Sergeant** in the Police Department.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

18. Councilor Bliss made the motion and Councilor Long seconded to approve the **promotion** of **Stephen Ellis**, from a part-time laborer in the **Parks Department**, to a full-time Operator in the **Street Department**, at a grade T112, step 1.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

19. Councilor Long made the motion and Councilor Combs seconded on discussion and action as needed on **executing the 2017-2018 contract** for services with the Tahlequah Main Street Association.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

20. Councilor Long made the motion and Councilor Combs seconded to **approve** the sale and **consumption of wine, strong beer, and alcohol in the small pavilion** at the intersection of Water St and Morgan, during the **Big Jim's Motorcycle Rally** on August 11th & 12th, 2017.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

21. Councilor Combs made the motion and Councilor Highers seconded to **close a portion** of **Lewis Avenue to motor vehicles** and designating said portion **for non-vehicular** traffic. Garrison to UC, date is to be determined.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

22. Councilor Highers made the motion and Councilor Long seconded to go into a recess at 8:34 pm.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

23. Councilor Highers made the motion and Councilor Bliss seconded to reconvene meeting at 8:42 pm.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

24. Councilor Combs made the motion and Councilor Highers seconded to approve a Resolution No. **07-24-17-C** related to **Upper Payment Limit Program**.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

25. **Public Hearing:** to **close-out Contract 15701** CDBG 13 for the Pavilion at the City Park.

26. Councilor Highers made the motion and Councilor Combs seconded to acknowledge all **funding** both grant and leverage has been **expended** and approved action on **Accepting** the **Pavilion** at the City Park Project **funded** by Contract 15701 CDBG 13 as complete.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

27. Public Hearing: to close-out **Contract 16140 CDBG 14 for the Pavilion** at the City Park

28. Councilor Bliss made the motion and Councilor Highers seconded to acknowledge all **funding** both grant and leverage has been **expended** and **accepting** the **Pavilion** at the City Park Project **funded** by Contract 16140 CDBG 14 as complete.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

29. Public Hearing: To consider **application** for the 2017 CDBG **small Cities grant** through the Oklahoma Department of Commerce

30. Councilor Bliss made the motion and Councilor Highers seconded to pass **Resolution No. 07-27-D** to make application for the 2017 **Small Cities** grant through the **Oklahoma Department** of Commerce.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

31. Councilor Bliss made the motion and Councilor Long seconded to pass **Citizen Participation** Plan for the **2017 small Cities** grant through the Oklahoma Department of Commerce.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

32. Councilor Combs made the motion and Councilor Highers seconded to **authorize** the **Mayor** to **sign** all grant related documents.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

33. Councilor Long made the motion and Councilor Combs seconded to table on discussion and possible action on **entering** into a **contract with Eastern Oklahoma Development District** to administer the CDBG Small Cities grant, should it be awarded.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

34. PROPOSED EXECUTIVE SESSION - Councilor Highers made the motion and Councilor Long seconded to exit regular session and enter into Executive session.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

❖ Discussion on the **2017-2018 Contract** with the **FOP Lodge 201**, as provided in O.S. Title 25, Section 307 (B)(2)

- ❖ Discussion on the **2017-2018 Contract** with **IAFF Local 4099**, as provided in O.S. Title 25, Section 307 (B)(2) .
 - ❖ Discussion and possible action to **hire a Finance Director** in the Managerial department, as provided in O.S. Title 25, Section 307 (B) (1).
 - ❖ Discussion regarding confidential communications related to *Robert Park Medearis, Jr. v. City of Tahlequah and Mayor Jason Nichols, in his official capacity* Eastern District of Oklahoma Case No CIV-17-0005-JH, as provided in O.S. Title 25, Section 307 (B)(4).
 - ❖ Discussion regarding the City’s future employment contract with the City Administrator Ed Carr, as provided in O.S. Title 25 Section 307 (B)(1).
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35. Mayor Nichols **Reconvened** Regular Meeting at 10:34 pm.

36. Councilor Highers made the motion and Councilor Combs seconded to approve the 2017-2018 **Contract** with the **FOP Lodge 201**.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

37. Councilor Combs made the motion and Councilor Highers seconded to approve the 2017-2018 **Contract** with the **IAFF Local 4099**.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

38. Councilor Long made the motion and Councilor Combs seconded to waive the attorney client privilege between the City and Angela Jones regarding her communications with the City on any occasion prior to February 1, 2016 regarding Park Medearis and his health situation AND regarding her retention as the City Attorney or Acting City Attorney, for the purpose of defending itself in the Medearis lawsuit.

Vote: Ayes: Long, Combs, Highers, Bliss Nays: None Motion Carried

39. No Action Taken on the discussion and possible action regarding the City’s future employment contract with the City Administrator Ed Carr.

40. Councilor Combs made the motion and Councilor Highers seconded to **adjourn at 10:40 pm**.

Vote: Ayes: Long, Combs, Highers Nays: Bliss Motion Carried