

MINUTES
TAHLEQUAH CITY COUNCIL - REGULAR MEETING
MONDAY, MARCH 6, 2017 - 7:00 PM
CITY HALL COUNCIL CHAMBERS – 111 S. CHEROKEE AVE.

1. **MEETING CONVENED**

Meeting **called to order** by Mayor Nichols at 7:01 pm.
The Secretary Paige Budder called **the roll** as follows:

Present:	Councilor Ward I	Bree Long
	Councilor Ward II	Dr. Charles Carroll
	Councilor Ward III	Stephen Highers
	Councilor Ward IV	Joshua Bliss

Others present: City Administrator Ed Carr, City Treasurer Lanny Williams, Street Commissioner Wayne Ryals, Police Chief Nate King, Park Superintendent Charles Poteet, Personnel Director Jessica Petty, Finance Director Marcie Gilliam, Planning and Development Director Clinton Johnson, Solid Waste Services Assistant Superintendent Chris Armstrong, News Media.

Invocation – Executive Pastor Todd Drake from 29Eleven Church.
Flag salute led by Mayor Nichols.

2. **PUBLIC COMMENTS**

There were no comments from the public.

3. **CONSENT AGENDA**

Councilor Highers made the motion and Councilor Long seconded to pull the item as follows: **Transfer** the part-time 999-hour **intern** from Dispatch in the Police Department to the Managerial Department for IT

and approve the rest of the consent agenda as follows:

Approve the **minutes** of the February 6, 2017 City Council Meeting

Acknowledge receipt of the **Financial** Reports from January 2017

Approve the **appointment** of Nick Crittenden, Dylan Hammons and Kyle Willige as **volunteer firefighters**

Approve the **appointment** of Melissa Harris as the Ward I representative to the **Abatement Board**

Approve General Fund Budget **Reallocation** in the amount of \$1,925.46 for the February 2017 step raises

Accept the **resignation** of Johnny Noresworthy as a part-time, 999-hour laborer in the **Street Department**

Accept the **self-demotion** of Johnny Dyson from a part-time 999-hour laborer making \$10.95 an hour to a part-time 999-hour laborer making \$8.95 an hour in the **Rec Department**

Accept the **self-termination** of Joseph Bottoms as a full-time dispatcher in the **Police Dept.**

Declare the following items from Solid Waste Services as **surplus**: 1996 Bobcat Skid Steer, 2006 Bobcat Skid Steer, 2008 Steco Trailer, 1997 Ford F-150 Pick-up, 1999 GMC 1500 Pick-up, 1995 Chevy Z-71 Pick-up, 2000 International 4700 Packer, 2003 Sterling Acterra Packer, 1999 Freightliner Semi Tractor

Vote: Ayes: Carroll, Highers, Bliss, Long Nays: none Motion carried.

4. ANNOUNCEMENTS, PRESENTATIONS AND REPORTS

Recognition of Years of Service for March Employees: Terry Howe from Solid Waste Services – 25 years

Report from Library - written

Report from Tahlequah Convention and Visitors Bureau

Report from Chamber of Commerce

Report from the Tahlequah Main Street Association

Reports from City Departments: Street Department, Solid Waste Services

REGULAR SESSION

5. Councilor Highers made the motion and Councilor Bliss seconded to **transfer** the part-time 999-hour **intern** from Dispatch in the Police Department to the Managerial Department for IT.

Vote: Ayes: Highers, Bliss, Long, Carroll Nays: none Motion carried.

6. City Administrator Ed Carr informed the Council that the plans and some of the equipment for Kaufman Park had changed which made the cost higher than originally expected. He recommended going back out to bid. Councilor Long made the motion and Councilor Carroll seconded to go back out to **bid** on the equipment and improvements to **Kaufman Park**.

Vote: Ayes: Bliss, Long, Carroll, Highers Nays: none Motion carried.

7. Councilor Carroll made the motion and Councilor Highers seconded to solicit **bids** for construction of a new **Skate Park**.

Vote: Ayes: Carroll, Highers, Nichols Nays: Long, Bliss Motion carried.

8. Discussion on the proposed **budget** for the State of **Oklahoma** and its potential **effects** on the municipalities. Mayor Nichols and Councilor Long discussed the effects to the City of Tahlequah.

No action required.

9. Councilor Bliss discussed **terminating** the **agreement** between the City of Tahlequah and NEO Accounting for the 2016 financial compilation for the audit since it was due at the end of October 2016 and hasn't been completed yet. A representative of NEO Accounting was present and informed the Council that she had everything completed and that she would turn

it over to the auditor Wednesday, March 8, 2017 at 4:00 pm. Councilor Bliss said that if she did not complete her task and let the City Finance Officer, Marcie Gilliam, know by the close of business on Wednesday that we would call a special meeting to terminate the contract and select a different entity for the 2016 financial compilation for audit.

Vote: Ayes: Carroll, Highers, Bliss, Long Nays: none Motion carried.

10. No action was taken at to consider a different entity for the 2016 **financial compilation** for audit.

No action taken.

11. Councilor Highers made the motion and Councilor Carroll seconded to **award** the **bid** for concrete on the Vinita Street Project located south of Allen Road to Twin Cities at a cost of \$43,485.00.

Vote: Ayes: Bliss, Long, Carroll, Highers Nays: none Motion carried.

12. Councilor Highers made the motion and Councilor Bliss seconded to accept a **cost** estimate to tear out and resurface the **library parking** lot located in front of the City Library for Arkhola at a cost of \$16,258.28.

Vote: Ayes: Long, Carroll, Highers, Bliss Nays: none Motion carried.

13. Councilor Bliss made the motion and Councilor Long seconded to table the next three items restricting traffic flow to **right turn only** between the hours of 7 am and 7 pm on both sides of the **intersections** of Mimosa Lane and the by-pass, Boone Street and the by-pass and North Cedar and the by-pass until more research can be done for alternate plans on the intersections.

Vote: Ayes: Carroll, Highers, Bliss, Long Nays: none Motion carried.

14. Discussion and possible action to restrict traffic flow to **right turn only** between the hours of 7 am and 7 pm on both sides of the **intersection** of Boone Street and the by-pass.

Action taken in item # 13.

15. Discussion and possible action to restrict traffic flow to **right turn only** between the hours of 7 am and 7 pm on both sides of the **intersection** of North Cedar and the by-pass.

Action taken in item # 13.

16. City Administrator Ed Carr presented a plan of action to complete **sports complex**.

No action required.

17. Councilor Highers made the motion and Councilor Long seconded to **add** 10 part-time 999-hour **laborers** in the **Park** Department.

Vote: Ayes: Long, Carroll, Highers, Bliss Nays: none Motion carried.

18. Councilor Highers made the motion and Councilor Bliss seconded to **appoint** City Attorney Angela Jones, Personnel Director Jessica Petty, and Fire Chief Ray Hammons as the Management **Negotiating Members** and City Administrator Ed Carr as Chief Negotiator for the 2017-2018 Agreement with **IAFF** Local 4099.

Vote: Ayes: Carroll, Highers, Bliss, Long Nays: none Motion carried.

19. Councilor Highers made the motion and Councilor Bliss seconded to **appoint** City Attorney Angela Jones, Personnel Director Jessica Petty, and Police Chief Nate King as the

Management **Negotiating Members** and City Administrator as the Chief Negotiator for the 2017-2018 Agreement with **FOP** Lodge 201.

Vote: Ayes: Highers, Bliss, Long, Carroll Nays: none Motion carried.

20. Councilor Bliss made the motion and Councilor Long seconded to approve providing a **smoking cessation class** for employees during working hours. It will be an 8-week course with one hour classes provided free to the City by Cherokee Nation.

Vote: Ayes: Bliss, Long, Carroll, Highers Nays: none Motion carried.

21. Councilor Highers made the motion and Councilor Bliss seconded to **amend** Section 700 of the **Employee Handbook** of Personnel Policies to add 705 – Cell Phone Policy with the exclusion of the words “for their own and others safety”.

Vote: Ayes: Long, Carroll, Highers, Bliss Nays: none Motion carried.

22. Councilor Highers made the motion and Councilor Bliss seconded to **approve** the **plat** for the R & M Addition located on the southwest corner of the intersection of Basin Avenue and East Fifth Street with the City of Tahlequah.

Vote: Ayes: Carroll, Highers, Bliss, Long Nays: none Motion carried.

23. Councilor Bliss made the motion and Councilor Long seconded to **amend APPENDIX E: Notice of Counseling/Reprimand/Discipline**, in the **Employee Handbook** of Personnel Policies, to revise the form.

Vote: Ayes: Highers, Bliss, Long, Carroll Nays: none Motion carried.

24. After a lengthy discussion there was no action taken to approve the new **Performance Evaluation forms** for Quarterly and Annual Reviews. The Evaluation process and forms will be reviewed for possible changes and brought back to Council at a later date.

No action taken.

25. City Attorney Angela Jones informed the Council that the City could not approve the **expenditure** of funds for the purpose of **classes** for **incoming City Clerk** DeAnna Hammons because she was not yet employed by the City. There was some discussion on reimbursement after she took office and/or possible hiring her as a temporary employee.

Vote: Ayes: Long, Carroll, Highers, Bliss Nays: none Motion carried.

26. Councilor Bliss made the motion and Councilor Long seconded to **grant** a **Special Exception** to Shaun Shepherd for the front building line **setback** requirement for the property located at 3286 Cypress Lane.

Vote: Ayes: Carroll, Highers, Bliss, Long Nays: none Motion carried.

27. There was no action taken to grant a **Special Exception** to Richard Corn for the front building line **setback** requirement (12-233: R-1 AREA REGULATIONS A.1) for the property located at 550 Dale Avenue.

No action taken.

28. There was no action taken to **grant** a **Special Exception** to Richard Corn for the side yard **setback** requirement (12-223: R-1 AREA REGULATIONS B.1) for the property located at 550 Dale Avenue.

No action taken.

29. There was no action taken to **grant** a Special **Exception** to Richard Corn of 18-202:
AQUATIC PROTECTION **BUFFER ZONE** for the property located at 550 Dale Avenue.
No action taken.

30. **PROPOSED EXECUTIVE SESSION** – Councilor Highers made the motion and Councilor Carroll seconded to exit regular session and enter into executive session at 10:09 pm.

Vote: Ayes: Carroll, Highers, Bliss, Long Nays: none Motion carried.

❖ Discussion to **hire** a Storm Water Manager in the **Managerial** Department, as provided in O. S. Title 25, Section 307 (B) (1).

❖ Discussion to **hire** a Public Relations Specialist in the **Managerial** Department, as provided in O. S. Title 25, Section 307 (B) (1).

31. Mayor Nichols **Reconvened** Regular Meeting at 10:35 pm.

No action taken.

32. Councilor Bliss made the motion and Councilor Highers seconded to **hire** Johna Hill as a Storm Water Manager in the **Managerial** Department at Grade 7, Step 1.

Vote: Ayes: Highers, Bliss, Long, Carroll Nays: none Motion carried.

33. Councilor Bliss made the motion and Councilor Highers seconded to **hire** Jami Murphy as a Public Relations Specialist in the **Managerial** Department at Grade 5, Step 11.

Vote: Ayes: Bliss, Long, Carroll, Highers Nays: none Motion carried.

34. The **mid-month** special **meeting** will be on March 20, 2017 at 7:00 pm.

No action taken.

35. Councilor Highers made the motion and Councilor Long seconded to **adjourn** at 10:38 pm.

Vote: Ayes: Long, Carroll, Highers Nays: Bliss Motion carried.