

MINUTES
TAHLEQUAH CITY COUNCIL - REGULAR MEETING
MONDAY AUGUST 5, 2019 - 7:00 PM
CITY HALL COUNCIL CHAMBERS – 111 S. CHEROKEE AVE.

1. MEETING CONVENED

Meeting **called to order** by Mayor Catron at 7:00 pm.
City Clerk DeAnna Hammons 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	Trae Ratliff

OTHERS PRESENT: City Attorney Grant Lloyd, City Administrator Edward Carr, City Treasurer Lanny Williams, Street Commissioner Wayne Ryals, Finance Director Danya Curtis, Fire Chief Ray Hammons, Police Chief Nate King, Planning and Development Director Clinton Johnson, Human Resource Director M'Lynn Pape, Solid Waste Chris Armstrong, Administrative Assistant Tesina O'Field, Public Relations Jami Murphy.

Invocation – Gene Haddock – Cross Roads Ministries
Flag salute.

2. PUBLIC COMMENTS

There were no comments from the public.

- **Brent Been spoke regarding concerns for the condition of the Dream Theater.**
 - **Sandy Fitzgerald with the garden club spoke regarding the bump-outs not being water.**
 - **Cathy Cott asked to keep El Paso, Texas in everyone's thoughts after the shooting.**
 - **Cherline Ruggle spoke regarding concerns of traffic flow around the intersection of Jamestown and Grand ave.**
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3. CONSENT AGENDA

Councilor Combs made the motion and Councilor Long seconded to approve the consent agenda as follows:

- a. Approve the **minutes** of the July 1, 2019 and July 9, 2019 City Council Meetings
- b. **Removed by Councilor Long**

- c. To approve Resolution No. 08-05-19 for the 33rd Supplemental of the City of Tahlequah Code.
- d. **Removed by Councilor Highers**
- e. To hire Gracelyn Ross as a 490 Part-time Lifeguard in the Recreation Department
- f. To hire Torey Snell as a 490 Part-time Lifeguard in the Recreation Department
- g. To hire Mackenzie Jackson as a 490 Part-time Lifeguard in the Recreation Department
- h. To accept the resignation (retirement 15 yrs) from Wally Henry, Laborer/Operator, in the Street Department, effective August 30, 2019
- i. To accept the resignation from Jesse O’Kelly, as Laborer/Operator, in the Street Department, effective July 12, 2019
- j. To accept the self-termination of Jonathan Crow, as Collector, in the Solid Waste Department, effective July 17, 2019
- k. To accept the self-termination of Charles Sam, as Part-time Collector, in the Solid Waste Department, effective July 30, 2019.
- l. To accept a release of a utility easement from Heidi Pitchlynn to the City of Tahlequah approved on May 6, 2019 by the City Council
- m. To accept a utility easement from Heidi Pitchlynn to the City of Tahlequah
- n. To accept the appointment of Don Brock to the Abatement Board.

Vote: Ayes: Long, Combs, Highers, Ratliff Nays: none Motion carried.

4. **ANNOUNCEMENTS, PRESENTATIONS AND REPORTS**

Recognition of Years of Service for August Employees:

Neali Ferrell – 5 years – Recreation Department
 Brooke MacFadden – 5 years – Police Department
 Cory Keele – 10 years – Police Department
 Brandon Vick - 10 years – Police Department
 Steve Garner – 15 years – Police Department
 Loyd Hubbard – 15 years – Street Department
 Mike Underwood – 20 years – Emergency Management Department

Recognition for Volunteer Services:

Scott Pettus – 35 years – Emergency Management Department

Report from Library- Written
 Report from Tahlequah Tourism Council – Written / Verbal
 Report from Chamber of Commerce –none
 Report from the Tahlequah Main Street Association – Written
 Reports from City Departments:
 Street Department – Written

REGULAR SESSION

5. Councilor Long removed item (b) from the consent agenda to be heard in regular session.

- Councilor Highers made a motion and Councilor Long seconded to acknowledge receipt of the **Financial** Reports from June 2019.

Vote: Ayes: Combs, Highers, Ratliff, Long Nays: none Motion carried

Councilor Highers removed item (d) from consent agenda to be heard in regular session.

- No action was taken on the item to approve the transfer of Hangar Site 1 from Scott Henson to Randy Teague per Airport Boards recommendation.

6. Councilor Highers made a motion and Councilor Combs seconded to pay \$4,300 to D&B Rogers for concrete work on the **Veterans Memorial** pending later reallocation and budget amendment.

Vote: Ayes: Highers, Ratliff, Long, Combs Nays: none Motion carried.

7. No action was taken related to the **budget financial plan submitted by Mr. Edward Carr.**

8. Presentation given by **Crafton Tull** of the final draft of the **proposed Comprehensive Plan.**

9. Discussion item only to adopt **My Tahlequah 2040 Comprehensive Plan.**

- **Mayor Catron broke at 8:57 p.m. for a 5 minute recess reconvening at 9:06 p.m.**
- **Mayor Catron moved agenda items number 25, 26, 27 & 28 to be heard before agenda item number 10.**

25. Councilor Long made a motion and Councilor Highers seconded to approve a **variance** which allows a reduction in the minimum **setback requirement by 6 foot** for Lot 1 in **B&W Country Estates South**, being a subdivision of a part of Lot 2 Section 30, Township 17 North, Range 22 East of the Indian Base and Meridian, according to the official recorded plat thereof, Cherokee County, Oklahoma a/k/a 895 Windle Land Tahlequah, OK 74464.

Vote: Ayes: Ratliff, Long, Combs, Highers Nays: none Motion carried.

26. Councilor Ratliff made a motion and Councilor Highers seconded to **“Table”** the

discussion and possible action to approve a **Special Exception** to allow for a reduction of the minimum requirements of the **Commercial Landscape ordinance** for the development located at 101 Mimosa Lane, Tahlequah, OK 74464.

Vote: Ayes: Long, Combs, Ratliff Nays: Highers Motion carried.

27. Councilor Long made a motion and Councilor Ratliff seconded to **amend the City of Tahlequah's contract with Cherokees for Black Indian History Preservation Foundation** to include the additional adjacent property from the vacated portion of right of way from Ozark Avenue as described in Addendum No 1.

Vote: Ayes: Combs, Highers, Ratliff, Long Nays: none Motion carried.

28. Councilor Combs made a motion and Councilor Ratliff seconded to adopt **Ordinance No. 1286-2019, rezoning** the property located at **280 N. Legion Drive**, from Single Family Dwelling District (R-1) to Open Display Commercial District (C-3), for the following real estate to-wit: Beginning at the Southwest corner of the SW/4 of SE/4 of SE/4 of Section 27, Township 17 North, Range 22 East; thence Easterly along the Southerly line of said 10 acres tract a distance of 150 feet; thence Northerly to the South Boundary line of State Highway No. 10 which is also Federal Highway No. 62; thence Southwesterly along said Southerly line of State Highway 10 and Federal Highway No. 62 to the West line of said 10 acre tract, thence Southerly, along the West line of said 10 acre tract, to the Point of Beginning, less highway on South Side of tract; less the South 150 feet thereof, Cherokee County, Oklahoma.

Vote: Ayes: Ratliff, Long, Combs Nays: Highers Motion carried.

10. Councilor Long made a motion and Councilor Ratliff seconded to approve a **Resolution No. 08-05-19-A, supporting participation** in the **2018-2019 Oklahoma Main Street Center**.

Vote: Ayes: Long, Combs, Highers, Ratliff Nays: none Motion carried.

11. Councilor Highers made a motion and Councilor Long seconded to follow the Airport board's recommendation to approve Tom Farmer to **begin construction of and build a private hangar** on site number 37 on the airport layout following the build plans that Mr. Farmer has provided, contingent upon later City Council approval of a corresponding lease within 30 days.

Vote: Ayes: Combs, Highers, Ratliff, Long Nays: none Motion carried.

12. Councilor Long made a motion and Councilor Combs seconded to **"Table"** the discussion and possible approval to the **updated Tahlequah Regional Airport Policy Manual**.

Vote: Ayes: Highers, Ratliff, Long, Combs Nays: none Motion carried.

13. Councilor Long made a motion and Councilor Highers seconded to **promote David Fine** as a Collector in the **Solid Waste Department** at a **T112 Step 2 effective July 26, 2019.**

Vote: Ayes: Ratliff, Long, Combs, Highers Nays: none Motion carried.

14. Councilor Long made a motion and Councilor Highers seconded to **hire Jeffery Wright** as a Collector in the **Solid Waste Department** at a **T111 Step 1.**

Vote: Ayes: Long, Combs, Highers, Ratliff Nays: none Motion carried.

15. Councilor Long made a motion and Councilor Ratliff seconded to **hire Daniel Marshall** as a Collector in the **Solid Waste Department** at a **T111 Step 1.**

Vote: Ayes: Combs, Highers, Ratliff, Long Nays: none Motion carried.

16. Councilor Long made a motion and Councilor Highers seconded to **promote Mason Sherley** as a part-time Laborer **in the Street Department** at a **T112 Step 1.**

Vote: Ayes: Highers, Ratliff, Long, Combs Nays: none Motion carried.

17. Councilor Long made a motion and Councilor Highers seconded to **hire Colin Girdner** as a Laborer/Operator in the **Street Department** at a **T112 Step 1.**

Vote: Ayes: Ratliff, Long, Combs, Highers Nays: none Motion carried.

18. Councilor Long made a motion and Councilor Ratliff seconded to **hire Aaron Nicholson** as a Part-time Laborer in the **Street Department** at \$8.95 an hour.

Vote: Ayes: Long, Combs, Highers, Ratliff Nays: none Motion carried.

19. Councilor Ratliff made a motion and Councilor Combs seconded to **correct a seasonal position title and pay in the Parks and Recreation Department for Maggie Glory to provide back pay in the amount of \$217.43.**

Vote: Ayes: Combs, Highers, Ratliff, Long Nays: none Motion carried.

20. No action was taken to **hire a compilation auditor for fiscal year 2018-2019.**

21. No action was taken to retain a vendor for **banking services** with the contract to run from 10/1/2019 to 6/30/2020.

22. Councilor Ratliff made a motion and Councilor Highers seconded to **approve the 2019-2020 Budget Amendment and Reallocation #08/05/2019 which moves \$275,000 from General Reserve Fund to Capital Improvement Fund (\$25,000 for the College Ave. sidewalk project and \$250,000 for Vinita St. project).**

Vote: Ayes: Long, Combs, Highers, Ratliff Nays: none Motion carried.

23. Councilor Highers made a motion and Councilor Ratliff seconded to **hire Scott Media, L.L.C.** for video services with revised contract terms providing up to a maximum of 5 video's a month at \$200 per video, not to exceed \$1,000 a month, through June 30, 2020.

Vote: Ayes: Combs, Highers, Ratliff Nays: Long Motion carried.

24. No action was taken related to the **2013 Capitol Improvement Bond Projects**, including but not limited to, soliciting bids for the remaining 2013 Capital Improvement Bond Projects.

➤ *Agenda items 25-28 were previously heard before agenda item number 10.*

29. Councilor Long made a motion and Councilor Combs seconded to approve a temporary **moratorium on the approval of permits and/or licenses related to medical marijuana dispensaries, commercial growers, and/or marijuana processors for up to 90 days.**

Vote: Ayes: Long, Combs, Highers Abstained: Ratliff Motion carried.

30. Discussion item only related to adoption of **Ordinance No. 1290-2019**, amending Part 12, Planning, Zoning and Development, Chapter 2, **Zoning, General and District Provisions**, of the Code of Ordinances of the City of Tahlequah, including but not limited to definitions and uses permitted in R-1 Single-Family Dwelling District, R-2 Two-Family Dwelling District, R-3 Multi-Family Dwelling District, C-1 Neighborhood Commercial District, C-2 General Commercial District, I-1 Restricted Light Industrial District, and I-2 Light Industrial District.

31. There will be a mid-month **Special meeting** held August 19, 2019 at 7:00 p.m.

32. **Councilor Highers made a motion and Councilor Long seconded to adjourn meeting at 12:19 a.m. on August 6, 2019.**

Vote: Ayes: Long, Combs, Highers, Ratliff Nays: none Motion carried.