

# MINUTES

## TAHLEQUAH CITY COUNCIL – REGULAR MEETING

Date/Time of City Council Meeting: Monday, May 3, 2021, at 5:30 p.m.  
Place of Meeting: The meeting was held at 111 Cherokee Ave. Tahlequah, OK 74464 and by Videoconference and/or Teleconference. *See* 25 O.S. §307.1(C).

Members of the public, elected official, and City employees were able to attend the meeting in person with appropriate distancing or remotely by Zoom Videoconference and/or Teleconference. Instructions for remote attendance are provided below.

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### 1. MEETING CONVENED

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Meeting **called to order** by Mayor Catron at 5:30 p.m.  
City Clerk DeAnna Hammons Called the **Roll call as follows:**

**Councilors Present:**

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|--------------------|-----------------|
| Councilor Ward I   | Bree Long       |
| Councilor Ward II  | Keith Baker     |
| Councilor Ward III | Stephen Highers |
| Councilor Ward IV  | Trae Ratliff    |

**Others Present:**

Mayor Sue Catron, City Attorney Grant Lloyd, City Clerk DeAnna Hammons, City Administrator Alan Chapman, City Treasurer Marty Hainzinger

**Absent:** none

**Invocation – Mitch Parnell – Grace Baptist Church**

**Flag salute.**

**Public Notice:** A Public Notice of meeting was provided December 8, 2020 at 3:32 p.m. to the Secretary of State of Oklahoma and additional notice was provided April 20, 2021 at 4:57 p.m.

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### 1. PUBLIC INSTRUCTIONS:

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**Videoconference and/or Teleconference Access Instructions for Public Attendance at the Meeting:** the Public may remotely attend this meeting by joining the Zoom meeting via the web or the Zoom app ([www.zoom.us](http://www.zoom.us)) **Access Code 875 0699 4663 Password 884144.** Materials presented electronically to Councilors that attend remotely will be made available

to those Councilors via the Zoom meeting platform and/or or another digital platform. If you wish to receive a copy of any materials that are presented to the City Council via Zoom or otherwise, please submit your request to [cityclerk@cityoftahlequah.com](mailto:cityclerk@cityoftahlequah.com).

**Videoconference and/or Teleconference Notice:** This meeting will include communication by City Staff to the City Council, and those communications may be by auditory communication or by visual and auditory communication. Communication by and between the City Council and/or members of the Public may be limited to auditory only communication.

The Public may ask questions during the discussion of each agenda item by typing the word “question” along with his or her name in the chat bar and waiting to be called on. If communicating via the Zoom Videoconference and/or Teleconference, the Mayor will call upon you to unmute yourself so that you may speak. Only questions spoken out loud are allowed to be responded to. Please do not type out your questions in the chat bar.

Should there be any technical difficulties during the meeting please refer to the City of Tahlequah website and/or City of Tahlequah Facebook page as the City will address any issues and/or provide further instructions.

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## **2. PUBLIC COMMENTS**

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No public comments were made.

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## **3. CONSENT AGENDA**

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

- a) To approve the minutes of the April 5, 2021, & April 19, 2021 Council meetings.
- b) To approve the monthly check register for April 2021.
- c) To approve the transfer of lease of private hangar #2 from Tom Tucker to Brian Berry.
- d) To accept the resignation of Kyle Willige, Volunteer Fireman, in the Fire Department, effective April 18, 2021.
- e) To lift the moratorium and hire the following as Lifeguards in the Parks and Recreation Department at \$9.50 per hour: Linzi Woolard and Benjamin Jackson.
- f) To reappoint Melissa Harris to the Abatement Board for a 5 year term representing Ward I.
- g) To reappoint Suzanne Myers and Johnathan Wells to the Board of Adjustments each for a 3 year term.
- h) To reappoint Suzanne Myers to the Planning Commission for a 3 year term as an at large member.
- i) To reappoint Bree Long to the Tahlequah Public Works Authority Board as the City Council representative and appoint Todd Mutzig to a 5 year term.
- j) To acknowledge receipt of surplus auction results.

*Vote:* Ayes: Baker, Highers, Ratliff, Long

Nays: none Motion carried.

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#### 4. ANNOUNCEMENTS, PRESENTATIONS AND REPORTS

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Recognition of Years of Service for **May** Employees:

- **Brad Hale – Fire Department – 15 years**
- **Bryan Bowin – Waste Management – 5 years**
- **Regina Walker – Waste Management – 5 years**

Recognition of **Terry Howe** as the City of Tahlequah's **Employee of the Month** for May 2021.

Report from Library – Written report provided

Report from Chamber of Commerce – none

Report from Tour Tahlequah a Department of the Tahlequah Area Chamber of Commerce – Verbal report provided

Report from the Tahlequah Main Street Association – Verbal report provided

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#### REGULAR SESSION

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5. There were no items removed from the **consent** agenda.
6. Discussion and **special recognition of Fire Chief Casey Baker from Local 4099 Professional Firefighters** of Tahlequah.
7. Discussion and **special recognition of leadership** within the City of Tahlequah and surrounding area during the **COVID-19 pandemic**.
8. Discussion and **update on Dog Park**.
9. Councilor Ratliff made a motion and Councilor Long seconded to approve the **carnival and amusement ride application** submitted by **Sam's Amusement and Carnivals Inc.** for an event scheduled for May 26<sup>th</sup> through May 31<sup>st</sup> to be located at the parking lot east side of 1223 Park Hill St.

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

10. Councilor Long made a motion and Councilor Ratliff seconded to approve **Resolution No. 05-03-21, a resolution setting the salary, payments, and/or compensation for the Judge of the City of Tahlequah.**

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

11. Presentation and submission in writing of the **Mayor's proposed appointment (Rachel Dallis) for Judge of the City of Tahlequah.**

12. After discussion, no action was taken to **approve a park rental fee waiver** to Awesome Medicine Possums in order to allow for a free **“Street Clinic”** in July at a City park which would include free CPR teaching/training to the public.
13. Councilor Long made a motion and Councilor Ratliff seconded to approve a **Lease Agreement** between the City of Tahlequah and **Charles Poteet** related to the upstairs of 124 North Brookside, Ave. Tahlequah, OK 74464.

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

14. Discussion item only regarding the adoption of **Ordinance No. 1321-2021**, an ordinance changing the zoning from Single-Family Residential (R-1) to Two-Family Residential (R-2) at **208 W. Arden Street** to construct a duplex, more particularly described as follows:

A tract of land in the N2 of the SW4 of the NE4 of the NW4 of Section 28, Township 17 North, Range 22 East, more particularly described as follow, to-wit: Beginning at a point 5.0 feet North and 155 feet West of the Southeast Corner of the N2 of SW4 of NE4 of NW4 of said Section 28; Thence North 140.0 feet; Thence West a distance of 75.0 feet; Thence South 140.0; Thence East 75.0 feet to the point of beginning, according to the United States Survey thereof, Cherokee County, State of Oklahoma.

15. No action was taken to approve the airport board’s recommendation to **raise the yearly tie down fees from \$60.00 per year to \$500.00 per year** at the Tahlequah Municipal Airport.
16. Councilor Long made a motion and Councilor Baker seconded in regard to the **2021-22 Canine Contract** between Tahlequah Public Schools and the City of Tahlequah.

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

17. Councilor Highers made a motion and Councilor Ratliff seconded in regard to the **2021-22 SRO Contract** between Tahlequah Public Schools and the City of Tahlequah.

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

18. Councilor Ratliff made a motion and Councilor Highers seconded to approve extending **accrued leave max balance of Lt. Steve Arnall through September 30, 2021.**

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

19. Councilor Ratliff made a motion and Councilor Highers seconded to **approve and add Policies 328, 339, 343, and 702** to the Police Department Policy Manual.

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

20. Councilor Baker made a motion and Councilor Long seconded to approve entering into a Detention Service Agreement with the **Town of Fort Gibson to house their municipal prisoners in the Tahlequah City Jail.**

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

21. Councilor Ratliff made a motion and Councilor Baker seconded to **TABLE the discussion and possible action to surplus sale of the ice-skating rink, ice skates and Zamboni.**

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

22. Councilor Highers made a motion and Councilor Baker seconded to approve the entry of **FY2021 Memorandum of Understanding between the United Keetoowah Band and the City of Tahlequah related to poly carts**, wherein the City is to accept \$8,000 from the United Keetoowah Band to be used for the purchase of poly carts.

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

23. Mr. Lloyd stated it was of his opinion and recommendation that the Council enter into Executive Session for the referenced agenda item. Councilor Long made a motion and Councilor Ratliff seconded to **exit Regular Session and enter into Executive Session** at 7:06 p.m.

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

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❖ Discussion regarding potential legal issues and/or claims related to the Tahlequah City Hospital Authority d/b/a NHS and correspondingly consider hiring special legal counsel related to the same, as provided for in 25 O.S. § 307B(4) regarding confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest

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24. Councilor Ratliff made a motion and Councilor Long seconded to reconvene Regular Session at 8:41 p.m.

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

25. No action was taken regarding potential legal issues and/or claims related to the Tahlequah City Hospital Authority d/b/a NHS and hiring special legal counsel related to the same.

26. There will be a mid-month Special meeting May 17, 2021 at 5:30 p.m.

27. There was no New Business which had arisen since the posting of the agenda and could not have been anticipated prior to the time of posting.

28. **Councilor Long made a motion and Councilor Ratliff seconded to adjourn meeting at 8:43 p.m.**

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