

MINUTES
TAHLEQUAH CITY COUNCIL - REGULAR MEETING
MONDAY MAY 6, 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:**

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| 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 Ed Carr, Street Commissioner Wayne Ryals, Finance Director Danya Curtis, Fire Chief Ray Hammons, Police Chief Nate King, Emergency Director Mike Underwood, Planning and Development Director Clinton Johnson, Human Resource Director M'Lynn Pape, Solid Waste Chris Armstrong, IT Department Randy Powell, Public Relations Jami Murphy.

Invocation – Ed Blanchard – Zoe Institute
Flag salute.

2. PUBLIC COMMENTS

There were no comments from the public.

3. CONSENT AGENDA

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

- To approve the **minutes** of the April 1, 2019 and April 15, 2019 City Council Meetings.
- To appoint Jeremy Dry as a Volunteer Firefighter in the Fire Department.
- To appoint Edgar Alcantara-Rosales as a Volunteer Firefighter in the Fire Department.
- To accept the self-termination from Macy Baker, as part time labor effective April 15, 2019.
- To accept the resignation from Dallas Huntley, as a dispatcher in the police department effective April 29, 2019.

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

4. ANNOUNCEMENTS, PRESENTATIONS AND REPORTS

Presentation and Introduction of New Mayor and Council

Recognition of Years of Service for May Employees:

Shawn Keys – 5 years – Street Department

Report from the Tahlequah Main Street Association – **Written**

Reports from City Departments:

Police Department – **Meritorious Service Award presentation to Matt Frits**

Street Department – **Written**

REGULAR SESSION

5. **Councilor Combs removed the following from consent:**

To accept a utility easement from Heidi Pitchlynn to the City of Tahlequah.

To acknowledge receipt of the **Financial** Reports from March 2019.

Councilor Combs made the motion and Councilor Long seconded to accept the utility easement from Heidi Pitchlynn to the City of Tahlequah.

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

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

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

- **Mayor Catron moved agenda item # 21 to be heard before agenda item #6.**

16. Discussion item only. Discussion to adopt **Ordinance No. 1284-2019**, approving a Special Use Permit application submitted by CRB Companies LLC on behalf of AT&T for the construction of a 150' monopole cell tower located at 996 S. College Avenue.

6. Councilor Combs made a motion and Councilor Ratliff seconded to deny the **appeal** of the decision of the animal control officer **to ban a vicious dog.**

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

7. Discussion item only. Discussion and update regarding the City of Tahlequah's **2017/2018 Compilation & Audit.**
8. Discussion item only. Discussion to hire **Compilation and Audit firms** for the City of Tahlequah's 2018/2019 Financials.
9. Discussion item only. Discussion regarding the City of Tahlequah's **2019/2020 Budget.**
10. Councilor Highers made a motion and Councilor Ratliff seconded to **approve** City of Tahlequah **Skate Park Reservation & Operating Policy as presented with the amendment of the fee to \$50 for a 6 hour block of time.**

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

11. Councilor Long made a motion and Councilor Ratliff seconded to **renew the Interlocal Agreement** on the handling of **Juvenile Cases** between the District Court, Fifteenth Judicial District, and the City of Tahlequah, effective through June 30, 2020.

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

12. Councilor Highers made a motion and Councilor Combs seconded to **purchase six 3 yard dumpsters, six 6 yard dumpsters, and four 12 yard dumpsters from N.E.O. Fab as recommended and presented by Solid Waste Superintendent Chris Armstrong.**

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

13. Councilor Long made a motion and Councilor Ratliff seconded to **reallocate \$180,000 from 115-65-8700 to the 115-65-7400** Maintenance Contracts for refuse disposal fee.

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

14. Councilor Combs made a motion and Councilor Ratliff seconded to **change Workers Compensation carrier from Compsource to Oklahoma Municipal Assurance Group, OMAG.**

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

15. Councilor Highers made a motion and Councilor Long seconded to **hire Gina Champlain as Deputy Court Clerk** in the Managerial Department at T112 Step 2.

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

16. Councilor Highers made a motion and Councilor Long seconded to **promote Gary Thompson from a Labor/Operator to Forman in the Street Department at a T114 Step 5.**

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

17. Councilor Combs made a motion and Councilor Long seconded to **hire Taylor Bailey as a Dispatcher in the Police Department at a T112 Step 1.**

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

18. Councilor Highers made a motion and Councilor Long seconded to **accept the self-demotion of Encumbrance Clerk Crista Flynn** in the Managerial Department from a T112 Step 1 to a T111 Step 2.

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

19. Councilor Ratliff made a motion and Councilor Long seconded to approve as presented the **Memorandum of Understanding** between Cherokee Nation Entertainment, L.L.C. and the City of Tahlequah and corresponding Acknowledgement of Duty related to additional law enforcement, fire, and emergency services.

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

20. Councilor Long made a motion and Councilor Highers seconded to **Table** discussion and possible adoption of **Ordinance No. 1283-2019**, amending Part 6, Licensing and Business Regulations, Chapter 4, Residential Sales, of the Code of Ordinances of the City of Tahlequah.

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

21. Agenda item was heard before agenda item #6.

22. Discussion item only. Discussion regarding the adoption **Ordinance No. 1285-2019**, vacating or closing part of the street right of way for Ozark Avenue; a tract of land lying in a portion of Ozark Avenue, City of Tahlequah, Oklahoma, more particularly described as follows, to-wit: Beginning at the northwest corner of Lot 1, Block 103 in the City of Tahlequah, thence S52⁰21'23"W, along the northwesterly boundary of said Lot 1, also being the southeasterly boundary of said Ozark Avenue, 160.23 feet to the southwest corner of said Lot 1, thence N68⁰53'00"W, 92.63 feet to the northwesterly boundary of Ozark Avenue, also being the southeasterly boundary of the abandoned rail road right-of-way; thence along said boundary of Ozark Avenue on a curve to the left, having a radius of 3064.93 feet, an arc length of 154.73, the chord being N48⁰48'06"E, 154.71 feet; thence S68⁰53'00"E, 103.85 feet to the Point of Beginning.

23. 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 8th through May 12th to be located at 2450 S. Muskogee Avenue waiving the 15 day application requirement.

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

24. **Councilor Long made a motion and Councilor Combs seconded to exit regular session and enter into executive session at 9:20 p.m.**

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

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- ❖ **Discussion pertaining to the 2019-2020 contract with the FOP Lodge 201**, as provided in 25 O.S. § 307 (B) (2).
 - ❖ **Discussion regarding confidential communications related to *City of Tahlequah v. Springwater Properties, LLC et al.*, Cherokee County Case No. CV-2018-43**, as provided by 25 O.S. § 307 (B)(3), (4), and/or (7).
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- **Mayor Catron Reconvened regular meeting at 11:00 p.m.**

25. No action was taken to **approve the 2019-2020 contract with the FOP Lodge 201.**

26. No action was taken related to *City of Tahlequah v. Springwater Properties, LLC et al.*, Cherokee County Case No. CV-2018-43.

27. There will be a **mid-month special meeting held May 20, 2019 at 7:00 p.m.**

28. **Councilor Highers made a motion and Councilor Long seconded to adjourn meeting at 11:01 p.m.**

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