

MINUTES
TAHLEQUAH CITY COUNCIL
SPECIAL MEETING – MARCH 24, 2014 – 7:00 PM

1. Mayor Nichols called the meeting **to order** at 7:00 pm.
2. City Clerk Deb Corn called the **roll** as follows:

Present:	Councilor Ward I	Diane Weston
	Councilor Ward II	Dr. Charles Carroll
	Councilor Ward III	Maurice Turney
	Councilor Ward IV	Linda Spyres

Others present: City Attorney Park Medearis, Assistant City Administrator Kevin Smith, Administrative Assistant Eileen Crouch, Police Chief Nate King, Street Commissioner Mike Corn, Recreation Director Melissa Harris, Stormwater Manager Clint Johnson, News Media Josh Newton.

3. **PUBLIC COMMENTS:**
There were no comments from the public.

The agenda was suspended to item # 10 because Kevin Wilson was not present to present items # 4 through 9. Kevin Wilson did not show up for the remainder of the meeting so the items were not discussed.

4. **Public Hearing:** A Public Hearing to **Close-out** Contract 14898 **CDBG** 11, City of Tahlequah Senior Center Rehabilitation Phase I. The hearing was not held.
No action required from Council.
5. There was no discussion to **accept** the City of Tahlequah Senior Center Rehabilitation Phase I **project** as **complete**.
No action by Council.
6. **Public Hearing:** A Public Hearing to **Close-out** Contract 15250 **CDBG** 12, City of Tahlequah Senior Center Rehabilitation Phase 2. The public hearing was not held.
No action required by Council.
7. There was no discussion to **accept** the City of Tahlequah Senior Center Rehabilitation Center Phase 2 **project** as **complete**.
No action by Council.
8. **Public Hearing:** A Public Hearing to discuss **changing** the **scope** of the 2013 CDBG Small Cities **grant** from the widening of 4th Street to the rehabilitation of the Green Building at the Tahlequah City Park. The public hearing was not held.
No action required by Council.

9. There was no discussion to **change** the **scope of** work for the 2013 **CDBG** Small Cities **grant** from the widening of 4th Street to the rehabilitation of the Green Building at the Tahlequah City Park.

No action taken by Council.

10. Councilor Spyres made the motion and Councilor Weston seconded to adopt **Ordinance** No. 1216-2014, defining **electronic smoking devices** and prohibiting their use on city owned property.

Vote: Ayes: Weston, Carroll, Turney, Spyres Nays: none Motion carried.

11. Councilor Turney made the motion and Councilor Weston seconded to adopt **Resolution** No. 03-24-14, supporting the use of **trade names** by the Tahlequah City **Hospital**.

Vote: Ayes: Carroll, Turney, Spyres, Weston Nays: none Motion carried.

12. Councilor Weston made the motion and Councilor Spyres seconded to allow Oklahoma licensed wineries to setup, **distribute wine samples** and sell wine on the 100 block of East Morgan Street during the Good Food Festival and **Home & Garden Show** on April 4-5, 2014.

Vote: Ayes: Spyres, Weston, Nichols Nays: Turney, Carroll Motion carried.

13. Councilor Carroll made the motion and Councilor Spyres seconded to approve the **final plat** for Mission Village of Tahlequah **Subdivision**, located at the southeast corner of intersection State Highway 51 By-Pass and Fox Street.

Vote: Ayes: Spyres, Weston, Carroll, Turney Nays: none Motion carried.

City Attorney Park Medearis advised that the Council could combine items 14, 15 and 16 and approve them all with one motion.

14. Councilor Spyres made the motion and Councilor Turney seconded to approve a **contract** with Boys & Girls Club for the use of Phoenix Park for the youth **baseball league**.

15. Council voted to approve a contract with Boys & Girls Club for the use of Phoenix Park for a youth **football league**.

16. Council voted to approve a contract with Cherokee County Girls Softball League for the use of Phoenix Park for the youth **softball league**.

Vote: Ayes: Turney, Spyres, Weston, Carroll Nays: none Motion carried.

17. Councilor Spyres made the motion and Councilor Carroll seconded to table this item but after discussion it was uncertain when it would return to the agenda. They withdrew their motion and second. There was no action taken to **transfer** of all Street Department **assets** and the reallocation of budgeted funds remaining in the **Street Department** less the Salary and Fringe Benefits of the Street Commissioner position **to** a newly created "**Roads Department**". Council recommended that an independent auditor come in and do an audit of the Street Department. Street Commissioner recommended that everybody be audited.

No action taken by Council.

18. Councilor Weston made the motion and Councilor Carroll seconded to approve the **Drug Dog Agreement** with Tahlequah Public Schools.

Vote: Ayes: Weston, Carroll, Turney, Spyres Nays: none Motion carried.

19. Council looked at quotes from Tahlequah Daily Press and The Leader. Councilor Spyres made the motion and Councilor Turney seconded to select Tahlequah Daily Press as our **vendor for legal publications**.

Vote: Ayes: Carroll, Turney, Spyres Nays: Weston Motion carried.

20. Councilor Spyres made the motion and Councilor Carroll seconded to **appoint** Police Chief Nate King, City Attorney Park Medearis, Human Resource Director Sue Stacy and Assistant City Administrator Kevin Smith as the Management Negotiating Members and Kevin Smith as Chief **Negotiator** for the 2014-2015 Agreement with **FOP** Lodge 201.

Vote: Ayes: Turney, Spyres, Weston, Carroll Nays: none Motion carried.

21. Councilor Carroll made the motion and Councilor Spyres seconded to **appoint** Fire Chief Ray Hammons, City Attorney Park Medearis, Human Resource Director Sue Stacy and Assistant City Administrator Kevin Smith as the Management Negotiating Members and Kevin Smith as Chief **Negotiator** for the 2014-2015 Agreement with **IAFF** Local 4099.

Vote: Ayes: Spyres, Weston, Carroll, Turney Nays: none Motion carried.

22. Councilor Spyres made the motion and Councilor Weston seconded to approve the **addition** of **5 lifeguard positions** for the period of May 11, 2014 through June 30, 2014 at 20 hours per week and \$7.90 per hour for a total addition to Rec budget of \$6,648.00 to be reallocated from Operating Reserve.

Vote: Ayes: Weston, Carroll, Turney, Spyres Nays: none Motion carried.

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23. **PROPOSED EXECUTIVE SESSION** – Councilor Turney made the motion and Councilor Spyres seconded to exit regular session and enter into executive session at 8:05 pm.

Vote: Ayes: Carroll, Turney, Spyres, Weston Nays: none Motion carried.

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- ❖ Discussion to **hire** a patrolman in the **Police Department**, as provided in Title 25, Section 307 (B) (1).
 - ❖ Discussion to **hire** a patrolman in the **Police Department**, as provided in Title 25, Section 307 (B) (1).
 - ❖ Discussion to hire, appoint, or promote an **Assistant Street Superintendent** in the **Street Department**, as provided in Title 25, Section 307 (B) (1).
 - ❖ Discussion to **terminate** Jeff Phillips from the **Police Department**, as provided in Title 25, Section 307 (B) (1).

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24. Councilor Spyres made the motion and Councilor Turney seconded to **reconvene regular** meeting at 8:36 pm.

Vote: Ayes: Turney, Spyres, Weston, Carroll Nays: none Motion carried.

25. Councilor Turney made the motion and Councilor Weston seconded to **hire** Tyler Trammel as a patrolman in the **Police Department** with a starting salary of \$34,361.00 for the first six

months and with a positive evaluation \$34,961.00 for the second six months and with a positive evaluation \$35,561.00 after one year, pending passage of physical and drug test.

Vote: Ayes: Spyres, Weston, Carroll, Turney Nays: none Motion carried.

26. Councilor Weston made the motion and Councilor Spyres seconded to **hire** Austin Yates as a patrolman in the **Police Department** with a starting salary of \$34,361.00 for the first six months and with a positive evaluation \$34,961.00 for the second six months and with a positive evaluation \$35,561.00 after one year, pending passage of physical and drug test.

Vote: Ayes: Weston, Carroll, Turney, Spyres Nays: none Motion carried.

27. Councilor Carroll made the motion and Councilor Turney seconded to promote Estel Tidwell to **Assistant Street Superintendent** in the **Street Department** at Grade 5, Step 1 with a salary of \$27,682.03 and a six month probation.

Vote: Ayes: Carroll, Turney, Spyres, Weston Nays: none Motion carried.

28. Councilor Spyres made the motion and Councilor Turney seconded to confirm the previous action and **terminate** Jeff Phillips from the **Police Department**.

Vote: Ayes: Turney, Spyres, Weston, Carroll Nays: none Motion carried.

29. Councilor Weston made the motion and Councilor Carroll seconded to **adjourn** at 8:40 pm.

Vote: Ayes: Spyres, Weston, Carroll Nays: Turney Motion carried.