



MINUTES

TAHLEQUAH City Council - REGULAR MEETING

Date/Time of Meeting Tuesday, September 3, 2024 at 5:30 PM

Place of Meeting The meeting will be held at 111 Cherokee Ave. Tahlequah, OK 74464 (voting members of the public body will be present in person).

1. MEETING CONVENED

a) Meeting Called to Order
at 5:30 p.m.

b) Roll Call
Councilor Perry, Ward 1, Councilor Baker, Ward 2, and Councilor Highers, Ward 3, were all present. Councilor Allen, Ward 4 is absent.

c) Invocation by Pastor Steven Adair, Roots Church

d) Flag Salute led by Mayor Suzanne Myers

e) **Public Notice:** A Public Notice of meeting was provided on November 7, 2023, at 11:00 a.m. to the OK Secretary of State and an additional notice was provided on August 15, 2024, at 1:02 p.m. at 111 S. Cherokee Ave. Tahlequah, OK 74464.

2. PUBLIC INSTRUCTIONS

If you wish to receive a copy of any materials that are presented to the City Council, please submit your request to cityclerk@tahlequah.gov.

3. PUBLIC COMMENTS

Comments will be accepted from the public and individuals will be limited to 3 minutes of speaking time. The total of all comments should not exceed 15 minutes. In compliance with the Oklahoma Open Meeting Act, no action or discussion is permitted by the City Council on any issue or topic raised by a speaker during this public comment period.

Ray Hammons commented on the turnout and involvement in the Cherokee Nation Livestock Show. Daren Staley spoke about the EagleOPS Foundation, its purpose, and location of meetings.

4. CONSENT AGENDA

These items are placed on the Consent Agenda so that members of the City Council, by unanimous consent, can designate routine items to be approved by one motion. Any item proposed on the Consent Agenda not meeting with the approval of all Council members will be removed and heard in Regular Session.

Councilor Highers made a motion and Councilor Baker seconded to approve the Consent Agenda as amended by removing item "g" from the Consent Agenda and moving it to the Regular Session.

a) Approve the minutes from the August 5 and August 14, 2024, City Council meetings.

b) Acknowledge receipt of the July 2024 Financial Statement.

c) Acknowledge receipt of the July 2024 Investment Schedule.

d) Acknowledge receipt of the August 2024 Check Register.

e) Acknowledge receipt of the August 2024 Purchasing Card Statement.

f) Acknowledge receipt of the August 2024 Open PO Report.

g) Acknowledge receipt of the Fiscal Year 2022-2023 audit.

Removed by Councilor Keith Baker and moved to Regular Session.

h) Accept the Tahlequah Area Chamber of Commerce's monthly report for August 2024.

i) Accept the TACC-Tour Tahlequah monthly report for August 2024.

j) Accept the Tahlequah Regional Development Authority's monthly report for August 2024.

k) Acknowledge receipt of the 2023-2024 FY audit from Tahlequah Regional Development Authority.

l) Accept the grant award from PetCo Love in the amount of \$3,000 and amend the budget accordingly, placing the funds in the Restricted Donation Account to be used for the Animal Shelter/ Animal Control Vaccination Clinic.

m) Accept payment from Cherokee Nation in the amount of \$7,500 and amend the budget accordingly, placing the funds in the Restricted Donation Account to be used for the Animal Shelter/Animal Control Vaccination Clinic.

n) Approve the purchase of a 2025 Western Star 49x Semi for Solid Waste on State Contract SW035T for \$172,832.00, using GL#115-65-8701.

- o) Approve the annual contract with Consolidated Communications for FY 24 - 25.
- p) Acknowledge receipt of the Purple Wave Surplus Auction dated July 30, 2024, resulting in a deposit of \$3,025.00.
- q) Approve the 2025 City of Tahlequah Holiday Schedule.
- r) Accept appointment of Ryan Young as Floodplain Administrator, with additional duties, to be paid \$1500.00 annually effective September 2, 2024.
- s) Accept the resignation of Paul Youchum, School Crossing Guard in the Police Department, effective August 3, 2024.
- t) Accept the resignation of Kiarra Dyer, PT Laborer in the Parks and Recreation Department, effective August 14, 2024.
- u) Accept the resignation of Gregory Glenn, Laborer/Operator in the Street Department, effective August 26, 2024.
- v) Transfer Ashtin Hummingbird, Deputy Municipal Court Clerk at \$37,132 annually to Executive Administrative Assistant in the Managerial Department at \$38,600 annually, effective August 19, 2024.
- w) Transfer Hannah Cavin, PT Admin Assistant at \$13.00 per hour in the Managerial Department, to FT Deputy Municipal Court Clerk at \$16.50 per hour, effective August 19, 2024.
- x) Transfer Alex Wisdom PT Laborer in the Cemetery Department to Mechanic in the Solid Waste Department at \$40,000 annually, effective September 9, 2024.
- y) Hire Alex Wisdom, as a PT Laborer at \$11.13 per hour in the Cemetery Department, effective August 15, 2024.
- z) Hire Andrew Scroggins as a Laborer/Operator in the Street Department, at \$35285.94 annually, effective September 3, 2024.
- aa) Terminate Andrew Braddock, Driver in the Solid Waste Department, effective September 4, 2024.

Vote: Ayes: Highers, Baker, Perry Nays: None Motion Carried

5. ANNOUNCEMENTS AND PRESENTATIONS

- a) Recognition for Years of Service Employees: Josh Girdner, Police Dept., 10 years

6. REGULAR SESSION

- a) Discussion and possible action on items removed from the consent agenda.

Item g, "Acknowledge receipt of the Fiscal Year 2022-2023 audit" was removed from the consent agenda by Councilor Keith Baker.

No action was taken.

- b) Discussion on White Ave. Stormwater project. **Councilor Keith Baker**

Discussion Only. No Action Required.

- c) Discussion and possible action to approve or deny looking into a software/app/program(s) that tracks all citizen requests and/or complaints from notification to final resolution that city council and administration can both follow and document citizens' concerns.

Councilor Keith Baker

Discussion Only. No Action Required.

- d) To approve, approve with modifications, or deny the acceptance of Opioid Settlement Funds from the Oklahoma State Attorney General as part of the Opioid Settlement and amend the budget accordingly. **City Administrator Taylor Tannehill**

Councilor Highers made a motion to approve the acceptance of Opioid Settlement Funds and establish an Opioid Task Force to include representatives from the City, County, and City Hospital, and Councilor Baker seconded the motion.

Vote Ayes: Highers, Baker, Perry Nays: None MOTION CARRIED

- e) Discussion and possible action to authorize or deny the Mayor to terminate a lease with the Tahlequah Hospital Authority on property located at 111 Cherokee Avenue. **City Administrator Taylor Tannehill/City Attorney JT Hammons**

Councilor Baker made a motion to approve, and Councilor Perry seconded the motion.

Vote Ayes: Highers, Perry, Baker Nays: None MOTION CARRIED

- f) Discussion and Possible action to approve, approve with modifications, or deny the Health Benefit renewal and offerings for the plan year November 1, 2024, to October 31, 2025. **Director of Human Resources, M'Lynn Pape**

Councilor Highers made a motion to approve, and Councilor Perry seconded the motion.

Vote Ayes: Highers, Perry, Baker Nays: None MOTION CARRIED

- g) Discussion and possible action to approve Change Order #1, in the amount of 96,900.00, for sanitary sewer replacement for 10" SDR 26 in place of 8" SDR 26 Muskogee Avenue Improvements Project. **Special Projects Coordinator Ray Hammons/City Administrator Taylor Tannehill**

Councilor Baker made a motion to approve, and Councilor Highers seconded the motion.

Vote Ayes: Baker, Highers, Perry Nays: None MOTION CARRIED

- h) Discussion and possible action to approve or deny Change Order #2, in the amount of \$34,620.00, for 200 Cubic Yards Controlled Low Strength Material (CLSM) for the Muskogee Avenue Improvements Project. **Special Projects Coordinator Ray Hammons/City Administrator Taylor Tannehill**

Councilor Baker made a motion to approve, and Councilor Highers seconded the motion.

Vote Ayes: Baker, Highers, Perry Nays: None MOTION CARRIED

- i) Discussion and possible motion to approve or deny authorization for the City Administrator to approve future change order requests for the Muskogee Avenue Improvements Project. **City Administrator Taylor Tannehill**

Councilor Baker made a motion to approve authorization for the City Administrator to approve future change order requests, up to \$40,000 for the Muskogee Aves Improvements project, and Councilor Highers seconded the motion.

Vote Ayes: Baker, Highers, Perry Nays: None MOTION CARRIED

- j) **FIRST READING** and possible action to approve, approve with modification, or deny Ordinance 1377-2024, an ordinance of the City of Tahlequah Oklahoma amending the Tahlequah City code Part 17, Utilities; Part 17-5, Solid Waste Department Establishment, and Collection and Disposal of Solid Waste By Adding Section 17-511, Intensive Residential Developments; Providing for Codification, Severability, Repealer, and Declaring An Emergency. **Solid Waste Superintendent Chris Armstrong**

FIRST READING ONLY. No Action Required.

Declare or Deny Ordinance No. 1377-2024 as an Emergency Ordinance; it being immediately necessary for the preservation of public peace, health, safety, welfare, and morals and should take effect immediately after its publication as provided by law.

No Action Required.

- k) **FIRST READING** and possible action to approve, approve with modifications, or deny Ordinance No. 1380-2024, and ordinance of the City of Tahlequah, Oklahoma, amending the Tahlequah City Code, Part 2, Administration and Government; Chapter 2-4, General Provisions Relating to City Officers and Employees; by adding Section 2-413, Controlled Access to the City Facilities; Providing for Codification, Severability, Repealer, and Declaring An Emergency. **City Administrator Taylor Tannehill/City Attorney JT Hammons**

FIRST READING ONLY. No Action Required.

Declare or deny Ordinance No. 1380-2024 as an Emergency Ordinance; it being immediately necessary for the preservation of public peace, health, safety, welfare, and morals and should take effect immediately after its publication as provided by law.

No Action Required.

- l) Discussion and possible action to approve, approve with modification, or deny accepting the bid amount of \$100,528.00 from D & B Rodgers Construction for the Southridge Pickleball Court, Parking Lot, and Sidewalk. **Recreation Superintendent Brian Speake**

Councilor Highers made a motion to approve, and Councilor Perry seconded the motion.

Vote Ayes: Highers, Perry, Baker Nays: None MOTION CARRIED

- m) Discussion and possible action to approve, approve with modification, or deny accepting the bid amount of \$68,800.00 from Next Level Roofing for the Senior Citizen's Building Roof. **Maintenance Superintendent Mark Manship**

Councilor Highers made a motion to approve, and Councilor Perry seconded the motion to approve.

Vote Ayes: Baker, Highers, Perry Nays: None MOTION CARRIED

- n) Discussion and possible action to approve, approve with modifications, or deny the Final Plat Submittal of Cherokee Subdivision at Northwest Corner of N. Cedar Avenue and East Allen Road, Tahlequah, Oklahoma. More particularly described as a tract of land lying in and being a part of the SE/4 of the SE/4 of Section 21, T17N, R22E, Cherokee County, Oklahoma, according to the official plat thereof. **Planning & Development Director Paige Harjo**

Councilor Baker made a motion to approve, and Councilor Perry seconded the motion.

Vote Ayes: Baker, Perry, Highers Nays: None MOTION CARRIED

7. EXECUTIVE SESSION-MOTION AND SECOND TO ENTER INTO EXECUTIVE SESSION

Councilor Perry made a motion to enter into Executive Session at 6:54 and Councilor Highers seconded the motion.

Vote Ayes: Perry, Highers, Baker Nays: None MOTION CARRIED

- a) Pursuant to §25-307(B)(3) discussion pertaining to the purchase of real property located on Guinn Avenue.
- b) Pursuant to §25-307(B)(3) discussion pertaining to the purchase of real property located in the Tahlequah Business and Industrial Park.
- c) Pursuant to §25-307(B)(4) confidential communications related to Case# CIV-24-176, Barry Tucker v. City of Tahlequah.
- d) Pursuant to §25-307(B)(4) confidential communications related to Case# CV-24-271, Eckert v. City of Tahlequah et al.

8. RETURN FROM EXECUTIVE SESSION

Council reconvened at 7:51 p.m.

- a) Discussion and possible action pertaining to the purchase of real property located on Guinn Avenue.

Councilor Highers made the motion to authorize the Mayor to enter into a contract to purchase real property located on Guinn Avenue as discussed in the Executive Session and Councilor Perry seconded the motion.

Vote Ayes: Highers, Perry, Baker Nays: None MOTION CARRIED

- b) Discussion and possible action pertaining to the purchase of real property located in the Tahlequah Business and Industrial Park.

No Action Taken

- c) Discussion and possible action pertaining to confidential communications related to Case# CIV-24-176, Barry v. City of Tahlequah.

No Action Taken

- d) Discussion and possible action pertaining to confidential communications related to Case# CV-24-271.

No Action Taken.

A motion was made by Councilor Highers to reconsider item 6m: Discussion and possible action to approve, approve with modifications, or deny accepting the bid amount of \$68,800.00 from Next Level Roofing for the Senior Citizen's Building Roof. Councilor Baker seconded the motion.

Vote: AYES: Highers, Baker, Perry NAYS: None MOTION CARRIED

A new motion was made by Councilor Highers, regarding item 6m, to rescind and table until the next meeting. Councilor Baker seconded the motion.

Vote: AYES: Highers, Baker, Perry NAYS: None MOTION CARRIED

Meeting adjourned at 7:55 p.m.