

MINUTES
TAHLEQUAH CITY COUNCIL - REGULAR MEETING
MONDAY OCTOBER 1, 2018- 7:00 PM
CITY HALL COUNCIL CHAMBERS – 111 S. CHEROKEE AVE.

1. MEETING CONVENED

Meeting **called to order** by Councilor Stephen Highers at 7:07 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	Joshua Bliss

Absent at roll call: Mayor Nichols

OTHERS PRESENT: City Attorney Grant Lloyd, City Administrator Ed Carr, Fire Chief Ray Hammons, Emergency Director Mike Underwood, Planning and Development Director Clinton Johnson, Human Resource Director M'Lynn Pape, Public Relations Jami Murphy, Recreation Superintendent Jacki Moyes, News Media Tesina Jackson.

Invocation – Pastor John Lee – Park Hill Baptist Church
Flag salute.

PUBLIC COMMENTS

Dr. John Uzzo requested Council to use CD's once they mature.

3. CONSENT AGENDA

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

- Approve the **minutes** of the September 9, 2018 City Council Meetings
- Acknowledge receipt of the **Financial** Reports from August 2018.
- Approve the 2019 Tahlequah City Holiday Calendar.
- To hire Emily Hooper as a 552 Part-time Laborer in the Recreation Department
- To hire Paul Wright as a 999 Part-time laborer in the Recreation Department
- To hire Seth Craig as a 999 Part-time laborer in the Recreation Department

To accept the resignation from Jesse Bulter, as school crossing guard, in the Police Department, effective August 1, 2018
To accept the resignation from Robert Casey McKinney, as patrolman, in the Police Department, effective September 15, 2018
To accept the resignation from Tommy Moore, as Code Enforcement/Compliance Officer, in the Planning and Development Department, effective September 30, 2018
To accept the resignation from Delbert Hinds, as Labor/Operator, in the Street Department, effective September 28, 2018 (retiring)
To accept the resignation from Nico Pugliese, as Laborer, in the Parks Department, effective September 12, 2018
To accept the resignation from Ryan Davis, as part-time Laborer, in the Recreation Department, effective September 14, 2018
To accept the self-termination from Kristin Berry, as part-time Labor, in the Recreation Department, effective August 7, 2018

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

4. ANNOUNCEMENTS, PRESENTATIONS AND REPORTS

Recognition of Years of Service for October Employees:

Jimmy Fort – 5 years – Fire Department

Sean Valdez – 5 years – Fire Department

Samantha Davis – 20 years – Police Department

Keith Guyett – 25 years – Street Department

Glyn Ryals – 40 years – Code enforcement / Animal control

Report from Library- none

Report from Tahlequah Convention and Visitors Bureau – written

Report from Chamber of Commerce - none

Report from the Tahlequah Main Street Association – written

Reports from City Departments:

Parks Department – none

Solid Waste – none

Street Department – none

Fire Department – none

Tahlequah Police Department.- none

911 Department – none

REGULAR SESSION

5. There were no items removed from the Consent Agenda.

6. Councilor Bliss made a motion and Councilor Long seconded to **accept the 2018 Safe**

Oklahoma Grant from the Attorney General's Office and create a budget for said grant in the amount of **\$20,000**.

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

7. Councilor Bliss made a motion and Councilor Long seconded to **accept the FFY 2019**

Oklahoma Highway Safety Grant and create a budget for said grant for the awarded amount of **\$18,800**.

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

8. Councilor Long made a motion and Councilor Combs seconded to **hire Aaron Garrett Assistant at a Step 3 as a Fire Marshal in the Fire Department.**

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

9. Councilor Long made a motion and Councilor Combs seconded to **hire a Gina Champlain** in the Managerial Department.

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

10. Councilor Long made a motion and Councilor Bliss seconded to **offer voluntary vision benefits** to City of Tahlequah employees at no cost to City amending the personnel policy's and procedures as needed.

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

11. Councilor Long made a motion and Councilor Combs seconded to **approve the 2018**

– 2019 Snowflake season calendar and fee schedule.

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

12. Councilor Bliss made a motion and Councilor Combs seconded to enter in to an **agreement** with **Aggreko** to provide **chiller** for **Snowflake Ice Rink**.

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

13. Councilor Combs made a motion and Councilor Long seconded to **adopted Ordinance No. 1265-2018**, amending Parts 12, Planning and Development and 14, Streets and Public Works, and creating Part 12, Chapter 9, **Outdoor Parklets**.

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

14. No action was taken to **adopted Ordinance No. 1267-2018, amending** Part 12, **Planning and Development**, Chapter 2, **Zoning, General and District Provisions**.

• **Mayor Nichols arrived at 8:25 p.m and took over meeting at 8:54 p.m.**

15. Discussion item only regarding the adoption of **Ordinance No. 1268-2018**, rezoning the property located on the northeast corner of the **intersection of W. Choctaw**

Street and S. Seminole Avenue from Single Family Dwelling District, R-1, to Neighborhood Commercial District, C-1, for the following real estate to-wit:

A TRACT OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-TWO (22) EAST OF THE INDIAN BASE AND MERIDIAN, CHEROKEE COUNTY, OKLAHOMA AND ALSO A PART OF LOTS EIGHTEEN (18) AND NINETEEN (19) OF BLOCK TWO (2) RESERVOIR ADDITION TO THE CITY OF TAHLEQUAH, OKLAHOMA AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SE/4); THENCE SOUTH 02°42'45" E ALONG THE WEST LINE THEREOF FOR A DISTANCE OF 320.00 FEET TO THE POINT OF BEGINNING. THENCE NORTH 88°14'17" E FOR A DISTANCE OF 194.56 FEET. THENCE SOUTH 01°45'43" EAST FOR A DISTANCE OF 1.30 FEET. THENCE NORTH 88°14'17" EAST FOR A DISTANCE OF 127.00 FEET. THENCE SOUTH 01°45'43" EAST FOR A DISTANCE OF 225.54 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF WEST CHOCTAW STREET (OLD HIGHWAY 51). THENCE NORTH 70°03'17" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 344.33 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4). THENCE NORTH 02°42'45" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 99.50 FEET TO THE POINT OF BEGINNING.

16. Discussion item only regarding the adoption of **Ordinance No. 1269-2018, rezoning**

the property locate on the southeast corner of the intersection of **E. Shawnee Street and Logan Avenue** from Single Family Dwelling District, R-1, to Two-Family Dwelling District, R-2, for the following real estate to-wit: North 70' of Lots 3&4 of Block 7 in Boone Addition.

17. *Discussion item only regarding the adoption of **Ordinance No. 1270-2018, amending**

and/or repealing Part 3, Alcoholic Beverages, 6-123, Fine and Bail Bond Schedule, 7-209(A), Exemption; Sales Subject to Other Tax, 10-401, Public Intoxication and Drinking Prohibited, 10-402, Possession, Transportation of Nonintoxicating Beverages, 12-1309, Suspension, 16-114, Revocation of Driver's License or Taxicab License.

18. *Discussion item only regarding the adoption of **Ordinance No. 1271-2018**, establishing regulations for retail marijuana establishments, commercial marijuana growth, dispensaries, wholesale marijuana facilities, marijuana storage facilities and any and all other establishments related to the purchase, sale, or consumption/use of marijuana, inspections, permitting, establishing regulations for growing marijuana for personal use, and public nuisance related to the same.

19. *Discussion item only regarding the **adoption of Ordinance No. 1272-2018 amending Ordinance No. 1155-2009 to adopt the 2015 version of the International Fire Code.**

20. * **No action was taken** to approve **Resolution No. 10-01-18**, calling for an **election** to elect Ward III Councilor, Ward IV Councilor and Mayor.

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

21. Councilor Combs made a motion and Councilor Highers seconded to exit regular session and enter into executive session at 9:36 p.m.

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

- **Councilor Long left the Council Meeting at 9:40 p.m. and did not attend Executive Session.**

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- ❖ **Discussion related to the possible purchase and/or appraisal of real property at or around the following locations: 213 Basin Ave., 401 Park Ave., 403 Park Ave., 404 Park Ave., and South Park Street all in Tahlequah, OK 74464, as provided by 25 O.S. § 307 (B)(3).**
 - ❖ **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).**
 - ❖ ***Discussion related to the possible purchase, approval of purchase, and/or appraisal of three adjacent tracts of land totaling approximately 20 acres in in the NE NW of Township 17 North, Range 22 East, Section 22, Cherokee County, OK, according to the United States Survey thereof, also known as Lots 1-3 of E. Diedrick Lane, Tahlequah, OK 74464, according to the United States Survey thereof, as provided by 25 O.S. § 307 (B) (3).**
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22. **Mayor Nichols reconvened regular meeting at 10:42 p.m.**

23. No action was taken to **purchase real property** at or around the following locations: **213 Basin Ave., 401 Park Ave., 403 Park Ave., 404 Park Ave., and South Park Street all in Tahlequah, OK 74464.**

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

25. **Councilor Combs made a motion and Councilor Highers seconded** to approve the real estate purchase contract as presented of three adjacent tracts of land totaling approximately 20 acres in in the NE NW of Township 17 North, Range 22 East, Section 22, Cherokee County, OK, according to the United States Survey thereof, also known as Lots 1-3 of E. Diedrick Lane, Tahlequah, OK 74464, according to the United States Survey thereof.

Vote: Ayes: Highers, Combs Nays: Bliss Motion carried

26. There will be a mid-month special meeting on October 15, 2018 at 7:00 p.m.

27. Councilor Highers made a motion and Councilor Combs seconded to **adjourn** meeting at 10:44 p.m.

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