

MINUTES
TAHLEQUAH CITY COUNCIL - REGULAR MEETING
MONDAY, NOVEMBER 4, 2019 - 7:00 PM
CITY HALL COUNCIL CHAMBERS – 111 S. CHEROKEE AVE.

1. MEETING CONVENED

Meeting **called to order** by Mayor Catron at 7:03 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	Trae Ratliff

OTHERS PRESENT: City Attorney Grant Lloyd, Interim City Administer Alan Chapman, City Treasurer Lanny Williams, Street Commissioner Wayne Ryals, Fire Chief Ray Hammons, Police Chief Nate King, Human Resource Director M'Lynn Pape, Solid Waste Chris Armstrong, Administrative Assistant Tesina O'Field

Invocation – Pastor Garland Thomas – New Life Worship Center
Flag salute.

2. PUBLIC COMMENTS

- **Colonel Hackworth spoke regarding violation of zoning codes.**
 - **Nancy Dyson spoke in support of Colonel Hackworth's comments.**
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3. CONSENT AGENDA

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

- a) To approve the **minutes** of the October 3, October 7, & October 24, 2019 City Council Meetings.
- b) To approve monthly check register from June 2019 – October 2019.
- c) **Removed by Councilor Highers.**
- d) To approve the termination of Jami Murphy effective November 1, 2019.
- e) To approve the reimbursement of \$61.48 to Jami Murphy for travel expenses.
- f) To approve Eastern Oklahoma District Library System 2020 Holiday Schedule for all Branches and Support Service.

- g) **Removed by Councilor Ratliff.**
- h) To acknowledge receipt of reimbursements of overpayments from the Bond Improvement Fund II in the amount of \$87,466.59 from Rossco Construction and \$3,346.43 from Kelly Engineering for total reimbursements of \$90,813.02
- i) **Removed by Councilor Highers.**

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

4. **ANNOUNCEMENTS, PRESENTATIONS AND REPORTS**

Recognition of Years of Service for November Employees:

- **Joe Enlow Jr. – 10 Years – Fire Department**
- **Anthony Margarit – 10 years – Fire Department**
- **John Wofford – 15 years – Fire Department**
- **Gary Cacy – 15 years – Fire Department**
- **Travis Miller – 20 years – Fire Department**
- **Mark Whitmore – 20 years – Fire Department (October)**
- **Billy Dowling – 30 Years – Police Department**

Report from Library- **Verbal**

Report from Chamber of Commerce – **Verbal**

Report from Tour Tahlequah a Department of the Tahlequah Area Chamber of Commerce-
Slide / Verbal / Written

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

Reports from City Departments:

Street Department – **Written**

REGULAR SESSION

5. Councilor Highers removed item (c) from the consent agenda to be heard in regular session.

- Councilor Long made a motion and Councilor Combs seconded to approve the elimination of the Public Relations Specialist position at the City of Tahlequah.

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

Councilor Ratliff removed item (g) from the consent agenda to be heard in regular session.

- Councilor Ratliff made a motion and Councilor Highers seconded to approve the **2020 Meeting Schedules** for the following Boards, Committees, Trusts, etc. Public Nuisance Abatement Board, Airport

Board, Board of Adjustment, Eastern Oklahoma District Library System, Golf Course Advisory Board, Historic Preservation, Industrial Trust Authority, Joint Airport Zoning Board, Park Board, Planning Commission, Recreation Advisory Board, Tahlequah City Council, Tahlequah Education Facilities Authority, and Tahlequah Public Facilities Authority as amended.

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

Councilor Highers removed item (i) from consent to be heard in regular session.

- Councilor Long made a motion and Councilor Ratliff seconded to approve the appointment of Linda Spyres and Bob Girdner to the Board of Adjustment.

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

6. Councilor Combs made a motion and Councilor Long seconded to approve development and production of the **Tahlequah Tiger Street Race Event** proposed by Brandon Kiser and Woolley Booger Street Racing, tentatively scheduled for Spring 2020.

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

7. Discussion and presentation only regarding the **2019 audit for Northeastern Health Systems.**
8. Councilor Long made motion and Councilor Ratliff seconded to **hire** Jeremiah Timmons as a **Driver in the Solid Waste Department** at a T112 Step 2, as an exception to the moratorium.

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

9. Councilor Long made a motion and Councilor Ratliff seconded to **close out CDBG 16 Grant Fund.**

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

10. Councilor Long made a motion and Councilor Highers seconded to **close out Relocate & Rehab Taxiway Grant Fund #355, close associated external bank account CASH IN BANK – COT AIRPORT IMP listed in the general ledger by account number 100-110770 by transferring remaining funds to the general fund and depositing said funds into the general operating bank account CASH IN BANK- BANCFIRST GOA listed in the general ledger by account number 100-110700.**

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

11. Councilor Highers made a motion and Councilor Long seconded to **Close “CDBG14” Grant Fund Return Cash Match of \$2,159.00 to the Bond Improvement Fund.**

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

12. Councilor Long made a motion and Councilor Combs seconded to approve **Resolution 11-04-2019** concerning selection of a **Bridge Inspection Contractor** for the period of April 1, 2020 to March 31, 2022 in order to comply with National Bridge Inspection Standards.

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

13. Councilor Highers made a motion and Councilor Long seconded to **TABLE** the updated Tahlequah Regional **Airport Policy Manual.**

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

14. Councilor Ratliff made a motion and Councilor Long seconded to **accept grant for \$2,475** for the purchase of a **footgolf set** from **American Foot Golf League** to be installed at Tahlequah City Golf Course.

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

15. Councilor Ratliff made a motion and Councilor Long seconded to rebrand Tahlequah City **Golf Course** d/b/a **“Riverlinks”.**

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

16. Councilor Long made a motion and Councilor Ratliff seconded to approve the Exclusive **Authorization Agreement** for **Claims Management: Liquid Aluminum Sulfate Class Action** Action(s) and Authorization to File and Manage Claims and authorize the City Attorney to execute that same.

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

17. Councilor Long made a motion and Councilor Ratliff seconded to enter into a **Sales and Use Tax Engagement Agreement with Lloyd Legal PLLC.**

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

18. Councilor Combs made a motion and Councilor Ratliff seconded to **exit Regular Session** and enter into **Executive Session at 8:44 p.m.**

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

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- ❖ Discussion regarding confidential communications related to ***City of Tahlequah v. Eldee Panell, et al., Cherokee County Case No. CJ-2016-58***, as provided by 25 O.S. § 307 (B) (3), (4), and/or (7).
 - ❖ Discussion regarding confidential communications related to ***Clair Squyres Wells Family 2002 Trust v. Darrel James Williams, et al., Cherokee County Case No. CV-2018-152, Clair Squyres Wells Family 2002 Trust v. Oklahoma Earthbike Fellowship, Inc., et al., Cherokee County Case No. CV-2018-158, and/or Watershed Safety and Preservation Association v. The City of Tahlequah, Cherokee County Case No. CV-2018-163***, as provided by 25 O.S. § 307 (B) (3), (4), and/or (7).
 - ❖ 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 Sue Catron reconvened meeting at 10:07 p.m.

19. **No action was taken** related to ***City of Tahlequah v. Eldee Panell, et al., Cherokee County Case No. CJ-2016-58***.
20. Councilor Combs made a motion and Councilor Long seconded to accept the settlement agreement related to ***Clair Squyres Wells Family 2002 Trust v. Darrel James Williams, et al., Cherokee County Case No. CV-2018-152, Clair Squyres Wells Family 2002 Trust v. Oklahoma Earthbike Fellowship, Inc., et al., Cherokee County Case No. CV-2018-158, and Watershed Safety and Preservation Association v. The City of Tahlequah, Cherokee County Case No. CV-2018-163*** and authorize Mayor Sue Catron to sign the same.

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

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

22. There will be a mid-month Special Meeting November 18, 2019 at 7:00 p.m.

23. **Councilor Ratliff made a motion and Councilor Highers seconded to adjourn meeting at 10:10 p.m.**

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