MINUTES
TAHLEQUAH CITY COUNCIL – REGULAR MEETING

Date/Time of
City Council Meeting: Monday, November 1, 2021, at 5:30 p.m.
Place of Meeting: The meeting was held at 111 Cherokee Ave. Tahlequah, OK 74464 (voting members of the public body were present in person) and by Videoconference and/or Teleconference.

All voting members of the public body attended the meeting in person, any member of the public, nonvoting elected officials, and/or City staff was able to attend the meeting in person with appropriate distancing or remotely by Zoom Videoconference and/or Teleconference. Instructions for remote attendance are provided below.

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1. MEETING CONVENED

Meeting **called to order** by Mayor Catron at 5:31 p.m.
City Clerk DeAnna Hammons Called the **Roll call as follows:**

Councilors Present:

Councilor Ward I	Bree Long
Councilor Ward II	Keith Baker
Councilor Ward III	Stephen Highers
Councilor Ward IV	Trae Ratliff

Others Present:
Mayor Sue Catron, City Attorney Grant Lloyd, City Clerk DeAnna Hammons, City Administrator Alan Chapman, City Treasurer Marty Hainzinger

Absent: none

Invocation – Pastor Joe Tschirhart – Hillside Church
Flag salute.
Public Notice: A Public Notice of meeting was provided December 8, 2020 at 3:32 p.m. to the Secretary of State of Oklahoma and additional notice was provided October 28, 2021 at 3:28 p.m.

2. PUBLIC INSTRUCTIONS:

Videoconference and/or Teleconference Access Instructions for Public Attendance at the Meeting: the Public may remotely attend this meeting by joining the Zoom meeting via the web or the Zoom app (www.zoom.us) **Access Code 882 3617 1798 Password 4560651 Access.** Materials presented electronically to Councilors that attend remotely will be made

available to those Councilors via the Zoom meeting platform and/or or another digital platform. If you wish to receive a copy of any materials that are presented to the City Council via Zoom or otherwise, please submit your request to cityclerk@cityoftahlequah.com.

Videoconference and/or Teleconference Notice: This meeting will include communication by City Staff to the City Council, and those communications may be by auditory communication or by visual and auditory communication. Communication by and between the City Council and/or members of the Public may be limited to auditory only communication.

The Public may ask questions during the discussion of each agenda item by typing the word "question" along with his or her name in the chat bar and waiting to be called on. If communicating via the Zoom Videoconference and/or Teleconference, the Mayor will call upon you to unmute yourself so that you may speak. Only questions spoken out loud are allowed to be responded to. Please do not type out your questions in the chat bar.

Should there be any technical difficulties during the meeting please refer to the City of Tahlequah website and/or City of Tahlequah Facebook page as the City will address any issues and/or provide further instructions.

3. PUBLIC COMMENTS

Ray Hammons spoke regarding the City trick or treat and Tahleqpaws events.
Dr. John Uzzo spoke regarding numerous Hospital concerns.
Brandy James spoke regarding general information related to Job Corp.

4. CONSENT AGENDA

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

a) To approve the minutes of the Special Meeting held October 4, 2021 at 4:30 p.m. & Regular Meeting held October 4, 2021 at 5:30 p.m. City Council meetings.
b) To acknowledge receipt of September 2021 financial statements.
c) To acknowledge receipt of the monthly check register for October 2021.
d) To acknowledge receipt of September **P-Card transactions** list.
e) To acknowledge receipt of the Report of Sales of surplus items from Purple Wave.
f) To approve the appointment of the following as **Volunteer Firefighters** in the Fire Department Logan Hackworth, Jarvis Stroman, Steffon Herd, and Mohamed Bassime.
g) To approve the **2022 Meeting Schedules** for the following Boards, Committees, Trusts, etc. to be submitted to the Oklahoma Secretary of State:
Airport Board, Board of Adjustment, Cemetery Board, Eastern Oklahoma District Library System, Golf Course Advisory Board, Historic Preservation Board, Joint Airport Zoning Board, Park Advisory Board, Planning Commission, Recreation Advisory Board, Public Nuisance Abatement Board, Tahlequah City Council,

Tahlequah Education Facilities Authority , Tahlequah Public Facilities Authority and Tahlequah Regional Development Authority.

h) To accept the resignation from Kaylae Moss, PT Cashier/Court in the Managerial Department, effective October 25, 2021.
i) To accept the resignation from Kelly Crittenden, Airport Manager, effective October 12, 2021.
j) Councilor Long removed item to be heard in regular session.
k) To hire William Tyler, Part Time Laborer (999) in the Parks and Recreation Department at $10.50 hour.
l) Councilor Baker removed item to be heard in regular session.
m) Councilor Baker removed item to be heard in regular session.
n) To promote Jarvis Stroman from Collector to Driver at an annual rate of $33,989.00, in the Solid Waste Department effective November 11, 2021.
o) To promote Tiffany Coones from Part Time Laborer to Full Time Laborer at an annual rate of $27,671.00 in the Parks and Recreation Department effective November 11, 2021.
p) To promote Steve Young from Captain to Assistant Chief of Police at an annual rate of $63,200 in the Police Department effective November 11, 2021.
q) To appointment of Ms. Lisa Presley to the Board of Adjustment, replacing Mr. Jonathan Wells
r) To accept of a $50,000 donation from Steve and Jodeen Worth for construction of a specified portion of the city's trail system
s) To accept a $50,000 donation from Mike and Judy Shade to be used for construction of a portion of the city's trail system south of the 4th street bridge south to Basin Street. This portion of the trail will be designated the Mike and Judy Shade Segment.

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

5. ANNOUNCEMENTS, PRESENTATIONS AND REPORTS

Recognition of Years of Service for **November** Employees:

- **Donnell Thomas – Police Department – 10 years**
- **Rickey Hicks – Fire Department – 25 years**

There was no Tahlequah **Employee of the Month recognized** for November 2021.

Report from Library – None
Report from Chamber of Commerce – Verbal report provided
Report from Tour Tahlequah a Department of the Tahlequah Area Chamber of Commerce – Verbal and written report provided
Report from the Tahlequah Main Street Association – Verbal report provided

REGULAR SESSION

6. Discussion and possible action on items removed from the **consent** agenda.
Councilor Baker had removed items (l) and (m) and Councilor Long had removed (j).

- (j) Councilor Long made a motion and Councilor Highers seconded to accept the resignation (Retirement, 21 years of service) from Steve Garner, Assistant Chief of Police in the Police Department, effective October 29, 2021.

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

- (l) Councilor Baker made a motion and Councilor Ratliff seconded to hire Noah Lyons as a Full Time Collector at an annual rate of $32,671.00, in the Solid Waste Department effective November 8, 2021.

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

- (m) Councilor Baker made a motion and Councilor Ratliff seconded to hire Gregory Glenn as a Full Time Laborer/Operator at an annual rate of $28,989.00, in the Street Department effective November 8, 2021.

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

7. Discussion and update from the Covid-19 Crisis Task Force.

8. Councilor Long made a motion and Councilor Highers seconded to approve the **2022 Holiday Calendar** Exhibit B, which has Christmas Holidays on Friday December 23, 2022 and Monday December 26, 2022.

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

9. Councilor Ratliff made a motion and Councilor Long seconded to deny **appeal** of the violation notice dated October 12, 2021 regarding the decision of the animal control officer **to ban a vicious dog.**

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

10. Councilor Highers made a motion and Councilor Baker seconded to enter into an **agreement with Tahlequah Sports League** to use all City supplies related snowflake ice rink and City employees to assist in set up and tear downs and pavilion from November 2nd to January 2nd as further expressed in the Agreement Between the City of Tahlequah and Tahlequah Sports League for Winter 2021-2022 Ice-Skating Season, with a cap of $25,000 as recommended by the City Administrator.

Vote: Ayes: Long, Baker, Highers Abstained: Ratliff Motion carried.

11. Councilor Highers made a motion and Councilor Long seconded to reopen Winter Wonderland (aka Snowflake) Fund, establish a budget, and transfer cash in the amount of $25,000.

Vote: Ayes: Long, Baker, Highers Abstained: Ratliff Motion carried.

12. Councilor Long made a motion and Councilor Highers seconded to **create a Restricted Donors Fund.**

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

13. Councilor Ratliff made a motion and Councilor Long seconded to **purchase a 2021 8500D Paver**, from Kirby-Smith Machinery, Inc. on State Contract #SW195 in the amount of $160,247.16.

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

14. Councilor Long made a motion and Councilor Highers seconded **to approve S.H.I. to host off-site e-mail service** as presented in the proposal provided in the amount of $24,970.00 for Billing Milestones and $13,482.40 for Microsoft exchange online plan.

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

15. Councilor Long made a motion and Councilor Ratliff seconded to enter into agreement with VIP Technology Solutions Group for the City wide internet phone service solution replacing CST Commercial Telecom System and AT&T service.

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

16. Councilor Ratliff made a motion and Councilor Baker seconded to **temporarily suspend the licenses requirements regarding the medical marijuana industry in the Schedule of Regular Fees found in Ordinance No. 1320-2021, particularly the $1,200 Annual Medical Marijuana Dispensary License, the $1,800 Annual Medical Marijuana Processing License, and the $2,500 Annual Medical Marijuana Grow License, through June 30, 2021**, to allow for more time for a further assessment can be made in light of the current changing medical marijuana laws and guidelines.
    - Councilor Highers excused himself at 7:18 p.m. and returned at 7:19 p.m.

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

17. Councilor Highers made a motion and Councilor Long seconded to approve **Resolution No. 11-01-2021**. A resolution selecting EST, Inc. as the **bridge inspection contractor** from April 1, 2022 to March 31, 2024, in compliance with national bridge inspection standards.

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

18. **No action was taken** to approve the permanent **closure of the low water bridge** located near the intersection of **Spring Street and Seminary** Avenue.

19. **No Action was taken to** fully execute and sign City Addendum to the Deputation Agreement for law enforcement as filed with the Oklahoma Secretary of State on January 23, 2006, within the exterior boundaries of the United Keetoowah Band of Cherokee Indians in Oklahoma and instruct City Clerk to file the same with the Oklahoma Secretary of State.

20. Councilor Long made a motion and Councilor Highers seconded **to exit Regular Session and enter into Executive Session at 7:37 p.m.**

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

- ❖ Discussion regarding confidential communications related to City of Tahlequah v. LG Holdings, LLC, et al., Cherokee County District Court, State of Oklahoma, Case No. CJ-2018-102, as provided by 25 O.S. § 307 (B) (3), (4), and/or (7).
- ❖ Discussion pertaining to the 2021-2022 contract with IAFF Local 4099, as provided in 25 O.S. §307 (B) (2).
- ❖ Discussion related to the possible purchase, approval of purchase, and/or appraisal of real property located at or around 307 Basin Ave., Tahlequah, OK 74464, as provided by 25 O.S. § 307 (B)(3).

- ➢ Councilor Long excused herself at 9:26 p.m.

21. Councilor Highers made a motion and Councilor Ratliff seconded to reconvene Regular Session at 9:30 p.m.

Vote: Ayes: Highers, Ratliff, Baker Nays: none Motion carried.

22. Councilor Ratliff made a motion and Councilor Baker seconded to approve the settlement of ***City of Tahlequah v. LG Holdings, LLC, et al.,*** **Cherokee County District Court, State of Oklahoma, Case No. CJ-2018-102,** thereby acquiring the real property and real property rights in exchange for the total amount of $77,000.00, conditioned upon the Cherokee Nation paying all cost associated with the same.

Vote: Ayes: Ratliff, Baker, Highers Nays: none Motion carried.

23. Councilor Highers made a motion and Councilor Ratliff seconded to authorize the City bargaining committee to accept and close all of the Articles provided in the 2021-2022 contract with IAFF Local 4099 except for Articles 23 and 24, and give the City bargaining committee permission to continue to negotiate the remaining open Articles 23 and 24.

Vote: Ayes: Baker, Highers, Ratliff Nays: none Motion carried.

24. Discussion item only related to the possible purchase, approval of purchase, and/or appraisal of real property located at or around 307 Basin Ave., Tahlequah, OK 74464.

25. Discussion of mid-month special meetings and workshop with notice of plan to hold a special meeting on November 15, 2021 at 5:30 p.m.

26. Councilor Highers made a motion and Councilor Ratliff seconded to adjourn meeting at 9:32 p.m.

Vote: Ayes: Highers, Ratliff, Baker Nays: none Motion carried.