

AMENDED AGENDA

TAHLEQUAH CITY COUNCIL - REGULAR MEETING

Date/Time of City Council Meeting: Monday, **May 1, 2023** at 5:30 p.m.

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).

Official action can only be taken on items which appear on the agenda. The City Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When the City Council desires more information on an item, the City Council may refer the matter to City staff or to a committee for further consideration. Under certain circumstances, items may be deferred to a specific date or stricken from the agenda entirely.

Join “Zoom” Meeting
Meeting ID: 868 0957 4007
Passcode: 4560651

1. MEETING CONVENED

Meeting called to order

Roll call

Invocation – Council Member Josh Allen

Flag Salute

Public Notice: A Public Notice of meeting was provided December 6, 2022 at 4:45 p.m. to the Secretary of State of Oklahoma and additional notice was provided April 27, 2023 at 3:09 p.m. at 111 Cherokee Ave. Tahlequah, OK 74464.

2. PUBLIC INSTRUCTIONS:

Videoconference and/or teleconference access instructions for public attendance at the meeting: the public, nonvoting elected officials, and City staff may remotely attend this meeting by joining the Zoom meeting via the web or the Zoom app (www.zoom.us) **Access Code: 868 0957 4007 Password: 4560651**. 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.

Videoconference and/or teleconference notice: Those attending via the Zoom videoconference 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. Only questions spoken out loud are allowed to be responded to. **Please do not type out your questions in the chat bar.**

3. PUBLIC COMMENTS

Comments will be accepted from the general public concerning topics that are not included in the meeting's agenda. Individuals will be limited to 3 minutes of speaking time and the cumulative total of all comments from the public shall not exceed 15 minutes. Preference will be given to Tahlequah residents. 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. **If you wish to comment type the word "Comment" along with your name in the chat bar and wait to be called on.**

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.

- a) Approve the **minutes** from **April 3, 2023 and April 17, 2023** City Council meetings. **(1-6)**
- b) Acknowledge receipt of the **February 2023 financial statement**. **(7)**
- c) Acknowledge receipt of the **March 2023 financial statement**. **(7)**
- d) Acknowledge receipt of the **March 2023 investment schedule**. **(8)**
- e) Acknowledge receipt of the **April 2023 check register**. **(7)**
- f) Approve the contract of **31 Dynamic Group, LLC** for grant writing services. **(9-10)**
- g) Approve the 2023-2024 contract with **William Marvin Johnson, LLC** for maintaining the **Automated Weather Station** owned/operated by the City. **(11)**
- h) Approve **Legal Services Agreement** with **BJ Baker** for fiscal year 2023-2024. **(12-14)**
- i) Approve **Legal Services Agreement** with **JT Hammons** for fiscal year 2023-2024. **(15-18)**
- j) Approve the **Code Pal renewal Agreement** for fiscal year 2023-2024. **(19-22)**
- k) Approve Compilation Engagement letter with **Crawford & Associates** for year-end June 30, 2023. **(23-27)**
- l) Approve **DBT Transportation** Aviation Support and Maintenance Service for 2023-2024. **(28-30)**
- m) Approve the renewal of the **Contract for Service** for location City Bypass Highways 51, 62, 82 collectively known as Bertha Parker Bypass and location Tahlequah Recycle Drop Off, 1851 N. Douglas Boulevard Tahlequah, OK 74464 for **Fiscal Year 2023-2024** with the **Oklahoma Production Center**. **(31-32, 33-34)**
- n) Approve contract of **Mike Palmer** for **Greens Maintenance** at Riverlinks, Anthis-Brennan, and Phoenix Park for 2023-2024. **(35-42)**
- o) Approve the contract of **Richard Smith** for the opening/closing of cemetery graves at the cost of \$350 per grave. **(43-48)**
- p) Approve the **School Resource Officer** contract with **Tahlequah Public Schools** for 2023-2024 fiscal year. **(49-51)**

- q) Approve the **2023-2024 Disposal Agreement** between **Waste Management of Oklahoma, Inc.** and City of Tahlequah. **(52-58)**
- r) Authorize the Mayor to sign a **lease agreement** with **Northeastern State University/Regional University System of Oklahoma** for future **parking** area located at **113 Spring Street**. **(59-62)**
- s) Approve the **lease transfer** for **Hanger #14** from Trey Pierce to Steven Johnson. **(63-69)**
- t) Approve the **lease transfer** for **Hanger #32** from Larry Stanton to Iuri Galis. **(70-75)**
- u) Approve the **lease transfer** for **Hanger #33** from Ronald Osentowski to Trey Pierce. **(76-81)**
- v) Approve the **lease transfer** for **Hanger #35** from Calvin Taylor to Harold Quantie. **(82-86)**
- w) Approve the promotion of **Eldon Graves** from Sergeant I to **Lieutenant I**.
- x) Approve the **promotion of two (2) Patrolmen** from their current salary to **Sergeant I**.
- y) Accept the **resignation from Hiley Parris and Erin Cook**, Lifeguards in the Parks and Recreation Department, effective April 26 2023.
- z) Accept the **resignation from Tacoma Maples**, Labor/Operator in the Street Department, effective March 27, 2023.
- aa) Accept the **resignation from Ethan Monholland**, Labor/Operator in the Street Department, effective April 19, 2023.
- bb) Hire **Theron Ward, Lifeguard** in the Parks and Recreation Department at \$12.00 per hour effective May 1, 2023.
- cc) Promote **Dana Lee**, Encumbering Clerk in the Managerial Department to **Stormwater Manager** at \$45,000 annually, effective April 17, 2023.
- dd) Hire **Parker Sinclair**, Laborer in the Parks and Recreation Department at \$14.00 per hour, effective May 2, 2023.
- ee) Hire **Gabriella Hall, Elianah Auguston** and **Hayden Parson** as PT Laborers (552) in the Parks and recreation Department at \$10.07 per hour, effective May 1, 2023.
- ff) Hire **Rebecca White, Encumbering Clerk** in the Managerial Department at \$33,000 annually, effective April 17, 2023.
- gg) Accept the **resignation from Cody Chipps**, Driver in the Solid Waste Department, effective April 7, 2023.

5. ANNOUNCEMENTS, PRESENTATIONS, AND REPORTS

Recognition of Years of Service for **April** employees:
Forest Cobb, 5 yrs., Police Department
Mark Manship, 30 yrs., Maintenance

Report from Library
 Report from Chamber of Commerce
 Report from Tour Tahlequah **(87-91)**
 Report from Tahlequah Main Street Association

REGULAR SESSION

6. Discussion and possible action on items removed from the **consent** agenda.
7. **Open discussion** on **subscription based trash service** for Cherokee County residents living outside of City limits. *Solid Waste Superintendent Chris Armstrong (92)*
8. **Open discussion** and appointment of **Council President** from among members of the City Council. *Mayor Suzanne Myers*
9. **Open discussion** of Mayor and Councilor expectations in regard to future agenda items. *Council Keith Baker-Ward 2*
10. Discussion and possible action to approve, approve with modifications, or deny a **waiver** of the **competitive bidding requirement** of the City Purchasing Policy and, in accordance with **City Code 7-105**, accept the quote for a **Hustler Super 104 batwing zero turn mower**. *Parks & Recreation Superintendent Brian Speake (93-95)*
17. Discussion and possible action to approve, approve with modifications, or deny establishing a **school zone along Seminary Avenue** from the 500 block to 1000 block. *Planning and Development Director Taylor Tannehill (96-97)*
18. Discussion and possible action to award or reject bids for **Project No. 6001 - Wayfinding Project** to the lowest responsible bidder and utilize the **capital improvement fund for 50%** of the awarded contract amount and the **hotel/motel fund for the remaining 50%** of the contract amount. *Planning and Development Director Taylor Tannehill (98-100)*
20. Discussion on **Ordinance No. 1351-2023**, an ordinance amending Article 2 District Descriptions and Use Provisions – Section 2.3 Table of Allowed Uses; Article 2 District Descriptions and Use Provisions – Section 2.4 Bulk and Area Requirements; Article 4 Development Standards – Section 4.4 Off-Street Parking and Loading; Article 5 District Specific Standards; and Article 11 Definitions of the City of Tahlequah Zoning Ordinance. *Planning and Development Director Taylor Tannehill (101-115)*
21. Discussion on **Ordinance 1353-2023**, an ordinance of the City of Tahlequah, Oklahoma, amending the Tahlequah City Code, Part 4, Animals; Chapter 4-1, Animal Regulations; Article B, Dog Vaccination, Tags and Tax; Section 4-125, Vicious Animals; Providing for a Hearing Procedure Concerning a Vicious Dog Determination; Providing for Codification, Severability, Repealer, and Setting an Effective Date. *Attorney JT Hammons/Compliance Coordinator Ray Hammons (116-118)*
22. Discussion and possible action to approve, approve with modification, or deny **Ordinance 1354-2023**, an ordinance of the City of Tahlequah, Oklahoma, Amending Part 9, Licensing and Business Regulation; Chapter 9-4, Residential Sales; By Amended Section 9-402, License Required; Providing for Codification, Severability, Repealer, and

Declaring an Emergency. Attorney JT Hammons/Compliance Coordinator Ray Hammons (119-120)

23. Discussion and possible action to approve, approve with modification or deny an immediate necessity for the preservation of the public peace, health, and safety and thereby declaring an **emergency** exists for **Ordinance 1354-2023**. Attorney JT Hammons/Compliance Coordinator Ray Hammons

24. Discussion on Ordinance **1355-2023**, an ordinance to close a portion of Wilcox Circle. Planning and Development Director Taylor Tannehill (121-124)

25. PROPOSED EXECUTIVE SESSION-Motion to exit Regular Session and enter into Executive Session

- ❖ Discussion pertaining to the employment of **Finance Director, Alan Chapman**, as provided in 25 O.S. §307(B) (1)
 - ❖ Discussion pertaining to the appointment and/or hiring of an **Interim City Administrator** as provided in 25 O.S. §307(B) (1).
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26. **Reconvene** into Regular Session.

27. Discussion and possible action pertaining to the **employment of Finance Director**, Alan Chapman.

28. Discussion and possible action pertaining to the **appointment and/or hiring** of an **Interim City Administrator**.

29. Discussion and possible action pertaining to **mid-month** Council meeting.

30. **Adjourn**.