

# AGENDA

## TAHLEQUAH CITY COUNCIL - REGULAR MEETING

Date/Time of City Council Meeting: Monday, June 5, 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.

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### 1. MEETING CONVENED

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Meeting called to order

Roll call

Invocation – Rev. Clifton Loman, First Lutheran

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 May 25, 2023 at 4:34 p.m. at 111 Cherokee Ave. Tahlequah, OK 74464.

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### 2. PUBLIC INSTRUCTIONS:

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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](mailto:cityclerk@tahlequah.gov).

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### 3. PUBLIC COMMENTS

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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.

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### 4. CONSENT AGENDA

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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 the **May 1<sup>st</sup>, 15<sup>th</sup>, 19<sup>th</sup>, and May 23<sup>rd</sup>, 2023** City Council meetings.
- b) Acknowledge receipt of the **April 2023 financial statement**.
- c) Acknowledge receipt of the **April 2023 purchasing card statement**.
- d) Acknowledge receipt of the **April 2023 investment schedule**.
- e) Acknowledge receipt of the **May 2023 check register**.
- f) Approve the Hotel/Motel fund **budget amendment request #652023**.
- g) Accept **donation of 8 signs from TSET Healthy Living Program** for the City of Tahlequah **pickle ball courts**.
- h) Appoint Mrs. Susannah Plumb Scott to the **Tahlequah Regional Development Authority Board**.
- i) Appoint Ms. Amber Wooten for the remaining term of the **At-Large Ward** of the **Tahlequah Planning Commission** with term ending May 2024.
- j) Reappoint Mr. Robert Batson to **Ward III** of the **Tahlequah Planning Commission** with term ending May 2025.
- k) Appoint Mr. Andy Harris to **Ward I** of the **Tahlequah Planning Commission** with term ending May 2026.
- l) Reappoint Ms. Tammy Phillips on the **Historic Preservation Board** with term ending May 2028.
- m) Reappoint Dr. Louis White to **seat IV** of the **Airport Board** with term ending May 2028.
- n) Reappoint Mr. Dower Combs as **at-large member** of the **Airport Board** with term ending May 2028.
- o) Approve **construction of a 48'x48' hangar**, by Mr. Steve Kurtz, on **Lot 40** of the airport, as approved by the Airport Board on May 18, 2023.
- p) Accept **public utility easements** from Edna Bluebird and Kenneth T. Bluebird, Burl Berry, Robert Poor and Julie Poor, and Michele Norman.
- q) Authorize the Mayor to sign the **location release** for a **commercial filmed in Sequoyah Park**.
- r) Authorize the Mayor to sign a **Cherokee Nation Public Safety Partners Grant** for each of the following departments: Fire, Police, and Emergency Management.
- s) Accept **donation** in the amount of **\$3500**, from the **Cherokee Nation**, to the **Tahlequah Fire Dept.** donation account to be used at their discretion.
- t) Authorize the Mayor to sign the **certificate of project completion** for **Project No. SRS-211E(015)ST. State Job No. 31480(08)** and closeout grand fund.
- u) Approve **contract for CivicClerk**, a component of CivicPlus, in the budgeted amount of \$12,442.00, for agenda and meeting management.
- v) Approve the **Interlocal Agreement** on the handling of **Juvenile Cases** between the **District Court** and the City of Tahlequah with a term ending June 30, 2024.
- w) Approve **Resolution No. 06-05-2023(B)**: The City of Tahlequah supports participation in the **2023-2024 Oklahoma Main Street Center** with the specific goal of revitalizing the historic business district using the Main Street 4-Point Approach™ to economic revitalization.
- x) Accept the **resignation of Nathanal Brown**, Driver in the Solid Waste Department, effective May 31, 2023.
- y) Accept the **resignation of Taylor Mootry**, PT Laborer (999) in the Parks and Recreation Department, effective May 31, 2023.

- z) Accept the **resignation of Alayna McAlpine and Anahi Sierra**, Lifeguards in the Parks and Recreation Department, effective May 31, 2023.
- aa) **Promote Kendall Collins**, PT IT Support in the IT Department to Full-time IT Support Specialist at \$35,000 annually, effective May 22, 2023.
- bb) **Increase the rate of pay** for Laborer/Operator Jeffery Titus, Street Department, from \$30,148.00 annually and **pay retro difference** back to hire date of 02/15/2023.
- cc) **Increase the rate of pay** for Laborer/Operator Dalton Tolliver, Street Department, from \$30,148.00 annually and **pay retro difference** back to hire date of 02/16/2023.
- dd) **Increase the rate of pay** for Laborer/Operator Tacoma Maples, Street Department, from \$30,148.00 annually and **pay retro difference** back to hire date of 08/11/2022.
- ee) **Increase the rate of pay** for Laborer/Operator Colin Girdner, Street Department, from \$31, 887.90 annually to \$35,531.10 annually and **pay retro difference** back to 04/28/2023.

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## 5. ANNOUNCEMENTS, PRESENTATIONS, AND REPORTS

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### Recognition of **May Employee of the Month**

- Report from Library
- Report from Chamber of Commerce
- Report from Tour Tahlequah
- Report from Tahlequah Main Street Association

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## REGULAR SESSION

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- 6. Discussion and possible action on items removed from the **consent agenda**.
- 7. Open discussion for clarity and direction from Council and City Attorney as to the **responsibilities of staff** to provide any and all **legal open records request** in a timely and complete manner. *Councilor Keith Baker*
- 8. Presentation and Acknowledge receipt of **Fiscal Year June 30, 2022 audit** from Arledge & Associates. *City Treasurer Marty Hainzinger and Jake Winkler of Arledge & Associates*
- 9. Discussion and possible action to approve, approve with modification, or deny **Resolution No. 06-05-2023**, a resolution adopting the Fiscal Year 2023-2024 City of Tahlequah Budget. *Mayor Suzanne Myers and City Treasurer Marty Hainzinger*
- 10. Discussion and possible action to approve, approve with modification, or deny **Resolution 06-05-2023(A)**, a Resolution relating to the incurring of indebtedness by the Trustees of the Tahlequah Public Facilities Authority and waiving competitive bidding with respect thereto; and approving a Note Purchase Agreement, Security Agreement and other documents as may be necessary or required. *Mayor Suzanne Myers and City Treasurer Marty Hainzinger*

11. Discussion and possible action to approve, approve with modification, or deny entering into an **urban project agreement** with ODOT for **Project No. TAP3-79678(004) TP, State Job No. 37967(04)**. Sidewalk on S. Muskogee Ave. (U.S. 62) from S. Muskogee to SH-51 to the S. Muskogee and Southridge Rd. /Nancy Ward Dr. intersection. Total Project Estimate \$1,498,478.00. ODOT to provide up to \$1,123,858.00 (75%) and City to provide \$374,620.00 (25%). Planning & Development Director Taylor Tannehill
  
12. Discussion and possible action to approve, approve with modification, or deny entering into an **urban project agreement** with ODOT for **Project No. TAP3-8036(004) TP, State Job No. 38036(04)**. Connect to trail near Basin and then North to 1<sup>st</sup> Street. Then on the alley between Muskogee Ave. and Water Ave., North to Grant along Smith Street to the North and Oak to the East. Total Project Estimate \$1,817,045.00. ODOT to provide up to \$1,345,767.00 (75%) and City to provide \$471,278.00 (25%). Planning & Development Director Taylor Tannehill
  
13. Discussion and possible action to approve, approve with modification, or deny Resolution **No. 06-05-2023(C)**, a Resolution changing the zoning from Local Commercial District (C-1) to Regional Commercial District (C-3) on a property located at 1598 Park Hill Rd. Tahlequah, OK more particularly described as follows:  
 Lot 3 through 5 Block 2, Cherokee Hills Addition, City of Tahlequah, Cherokee County, Oklahoma. Planning & Development Director Taylor Tannehill
  
14. Discussion and possible action to approve, approve with modification or deny **Supplemental Agreement for inspection services provided by Lochner Engineering.** Airport Manager Brian Lambert

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

- ❖ Receive confidential information from the City Attorney concerning the tort claim against NHS and the City of Tahlequah and take appropriate action in open session as provided by 25 O.S. 307 (B)(4).

16. Reconvene into Regular Session.
  
17. Discussion and possible action pertaining to **confidential information from the City Attorney concerning tort claim against NHS and the City of Tahlequah.**
  
18. Discussion and possible action regarding **mid-month** meeting.
  
19. **Adjourn**

Whitney Shaw  
 6/11/2023 @ 4:31pm

