

# AGENDA

## TAHLEQUAH CITY COUNCIL - REGULAR MEETING

**Date/Time of Meeting:** Monday, August 7, 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: 896 4230 1135**  
**Passcode: 4560651**

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### 1. MEETING CONVENED

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Meeting called to order

Roll call

Invocation – Father David Medina, St. Brigid’s Catholic Church

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 August 3, 2023 at 3:06 p.m. at 111 Cherokee Ave. Tahlequah, OK 74464.

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### 2. PUBLIC INSTRUCTIONS:

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3. **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](http://www.zoom.us)) **Access Code: 896 4230 1135 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](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 **June 29<sup>th</sup>, 2023** and the **July 3<sup>rd</sup>, 7<sup>th</sup>, and 17<sup>th</sup>, 2023** City Council meetings.
- b) Acknowledge receipt of the **June 2023 check register**.
- c) Acknowledge receipt of the **June 2023 purchasing card statement**.
- d) Acknowledge receipt of the **June 2023 investment schedule**.
- e) Acknowledge receipt of the **Tahlequah Hospital Authority** monthly report for July 2023.
- f) Acknowledge receipt of the **Eastern OK Library System** pre fiscal year 24 Operating Budget and the pre fiscal year 24 Branch Budget.
- g) Approve Mayor's appointment of **Josh Allen** to **TRDA Board**.
- h) Approve the purchase for Solid Waste of a **Western Star 47X with GalFab large roll-off truck** under **State contract #SW035T**, in the amount of \$220,196.00 from Premier Truck Group.
- i) Approve the purchase for Parks & Recreation of a **Kubota Skid Steer SVL75-3HWVC** under **State Contract #SW0196NE**, in the amount of \$67,955.38 from Stewart Martin Kubota.
- j) Authorize the Mayor to sign a **public utility easement** granted by D and R Tahlequah, LLC.
- k) Authorize the Mayor to sign a **public utility easement** granted by Alan & Kimberly Johnson and David Cross and Elizabeth Nielson.
- l) To accept the resignation from Brian Jordan, Dispatcher in the Police Department effective July 31, 2023.
- m) To accept the resignation from Tabor Robinson, Lifeguard in the Parks and Recreation Department effective August 1, 2023.
- n) To accept the resignation from Ryan Dark, PT Laborer in the Parks and Recreation Department effective August 1, 2023.
- o) To increase the rate of pay from \$11.13 per hour to \$12.25 per hour for PT Laborers Grant Webb and Jack Clark, in the Parks and Recreation Department effective August 7, 2023.
- p) To approve Tahlequah Fire Chief Casey Baker's recommendation to promote, due to a budget increase by the Mayor and Council, Volunteer Firefighter, Jesus Nava, to Firefighter/Driver in the Tahlequah Fire Dept.

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#### 5. ANNOUNCEMENTS, PRESENTATIONS, AND REPORTS

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

<b>M'Lynn Pape, 5yrs.</b>	<b>Human Resource Director</b>
<b>Vicky Green, 5 yrs.</b>	<b>Animal Control</b>
<b>Larry Blackman, 15 yrs.</b>	<b>City Cemetery</b>
<b>Pamela Bell, 15 yrs.</b>	<b>Police Dept.</b>

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#### REGULAR SESSION

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6. Discussion and possible action on items removed from the **consent agenda**.

7. Discussion related to construction on **Ross Street**. Councilman Keith Baker
8. **First Reading Only: Ordinance No. 1363-2023**, an Ordinance updating the International Building Codes from 2015 to 2018. Compliance Coordinator Ray Hammons
9. Discussion and possible action to approve, approve with modification, or deny authorization for the Mayor to enter into an agreement with **Kelly Engineering & Associates, Inc.** for engineering services for the **White Avenue Project** in the amount of \$59,000 for roadway design and \$9,300 for Stormwater detention design. City Administrator Taylor Tannehill
10. Discussion and possible action to approve, approve with modifications, or deny **Ordinance No. 1362-2023**, an Ordinance of the City of Tahlequah, Oklahoma, amending the Tahlequah City Code, Part 7, Finance and Taxation; Chapter 7-2, Sales Tax; Section 7-207, Purpose of Revenues; Chapter 7-4, Use Tax; Section 7-403, Excise Tax on Storage, Use or Other Consumption of Intangible, Personal Property Levied; Section 7-404, Purpose of Revenues; Chapter 7-7, Excise (Sales and Use) Tax; Section 7-701, Citations and Codifications; Providing Codification, Repealer, Severability, and Setting and Effective Date. City Attorney John Tyler Hammons

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

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- ❖ Pursuant to 25 OS 307(B)(2), discussion related to negotiations with the **Fraternal Order of Police Lodge No. 201**, and if necessary, take appropriate action in Open Session.
- ❖ Pursuant to 25 OS 307 B(3),(4), discussion regarding confidential communications related to City of Tahlequah v. Springwater, LLC, et al., Cherokee County District Court, State of Oklahoma, Case Nos. **CV-2018-43** and **CJ-2020-56**, and if necessary, take appropriate action in Open Session.
- ❖ Pursuant to 25 OS 307 (B)(3), discussion related to purchase and/or appraisal of real property located in **Wood Ridge Addition**, and if necessary, take appropriate action in Open Session.
- ❖ Pursuant to 25 OS 307 (B)(1), discussion related to employment of the **Planning & Development Director**, and if necessary, take appropriate action in Open Session.

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12. Possible action related to the discussion of negotiations with the **Fraternal Order of Police Lodge No. 201**. City Attorney John Tyler Hammons

13. Possible action related to City of Tahlequah v. Springwater, LLC, et al., Cherokee County District Court, State of Oklahoma; Case Nos. **CV-2018-43** and **CJ-2020-56**. City Attorney John Tyler Hammons

14. Possible action related to the purchase and/or appraisal of real property located in **Wood Ridge Addition**. City Attorney John Tyler Hammons

15. Possible action related to the employment of the **Planning & Development Director**. City Attorney John Tyler Hammons

16. Adjourn.



*Whitney Shaw 8-3-2023*  
3:06pm