

AGENDA

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 will be held at 111 Cherokee Ave. Tahlequah, OK
74464 (voting members of the public body will be present in person)
and by Videoconference and/or Teleconference.

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

Join “Zoom” Meeting
Meeting ID: 882 3617 1798
Passcode: 4560651

1. MEETING CONVENED

Meeting called to order

Roll call

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 18, 2021 at 1:50 p.m.

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 882 3617 1798 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@cityoftahlequah.com.

Videoconference and/or Teleconference Notice: This meeting may include communication by members of the public, nonvoting elected officials, and/or City staff to the City Council, and those communications may be by auditory communication or by visual and auditory communication.

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. 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

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) 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. (Pgs 1-7)
- b) To acknowledge receipt of September 2021 financial statements.
- c) To acknowledge receipt of the monthly check register for October 2021. (Pgs 8-13)
- d) To acknowledge receipt of September **P-Card transactions** list. (Pgs 14-40)
- e) To acknowledge receipt of the Report of Sales of surplus items from Purple Wave. (Pgs 41-43)
- f) To approve the appointment of the following as **Volunteer Firefighters** in the Fire Department Logan Hackworth, Jarvis Stroman, Steffon Herd, and Mohamed Bassime. (Pg 44)
- 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. (Pgs 45-59)
- 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) To accept the resignation (Retirement, 21 years of service) from Steve Garner, Assistant Chief of Police in the Police Department, effective October 29, 2021.
- k) To hire William Tyler, Part Time Laborer (999) in the Parks and Recreation Department at \$10.50 hour.
- l) To hire Noah Lyons as a Full Time Collector at an annual hourly rate of \$32,671.00, in the Solid Waste Department effective November 8, 2021.
- m) To hire Gregory Glenn as a Full Time Laborer/Operator at an annual of hourly rate of \$28,989.00, in the Street Department effective November 8, 2021. (Pgs 60)
- 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.

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**

Recognition of the City of Tahlequah's **Employee of the Month, November 2021** Presented by
Director of Human Resources M'Lynn Pape

Report from Library

Report from Chamber of Commerce

Report from Tour Tahlequah a Department of the Tahlequah Area Chamber of Commerce

Report from the Tahlequah Main Street Association

REGULAR SESSION

- 6. Discussion and possible action on items removed from the **consent** agenda.
- 7. Discussion and update from the Covid-19 Crisis Task Force.
- 8. Discussion and possible action to approve the **2022 Holiday Calendar** Exhibit A including Juneteenth, or 2022 Holiday Calendar Exhibit B, or another modified 2022 Holiday Calendar as directed by City Council. Human Resource Director M'Lynn Pape (Pgs 61-62)
- 9. Discussion and possible action to **appeal** the violation notice dated October 12, 2021 regarding the decision of the animal control officer **to ban a vicious dog**. Compliance Coordinator Ray Hammons (Pgs 63-68)
- 10. Discussion and possible action 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. City Administrator Alan Chapman (Pgs 69-72)
- 11. Discussion and possible action to reopen Winter Wonderland (aka Snowflake) Fund, establish a budget, and transfer cash in the amount of \$25,000. City Administrator Alan Chapman
- 12. Discussion and possible action to **create a Restricted Donors Fund**. City Treasurer Marty Hainzinger

13. Discussion and possible action to **purchase a 2021 8500D Paver**, State Contract #SW195. Street Commissioner Kevin Smith (Pgs 73-76)
 14. **Discussion and possible action to approve a vendor to host off-site e-mail service.** Director of Information and Technology Randy Powell / City Administrator Alan Chapman (Pgs 77-103)
 15. Discussion and possible action 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. Director of Information and Technology Randy Powell / City Administrator Alan Chapman (Pgs 104-114)
 16. Discussion and possible action for the city council to **temporarily suspend the fee ordinance** or part thereof regarding **medical marijuana industry** allowing more time for an assessment to be made as to what impact fees and taxes for the remainder of physical year listed as # 126, 127, 128 until further assessment in light of the current changing medical marijuana laws and guidelines. Councilor Keith Baker
 17. Discussion and possible action to approve **Resolution No. 11-01-2021**. A resolution selecting a **bridge inspection contractor** from April 1, 2022 to March 31, 2024, in compliance with national bridge inspection standards. Planning and Development Director Taylor Tannehill (Pgs 115-116)
 18. Discussion and possible action to approve the permanent **closure of the low water bridge** located near the intersection of **Spring Street and Seminary Avenue**. Planning and Development Director Taylor Tannehill
 19. Discussion and possible action 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.** Mayor Sue Catron and Chief of Police Nate King (Pgs 117-138)
 20. **PROPOSED EXECUTIVE SESSION – Motion to exit Regular Session and enter into Executive Session.**
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- ❖ 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).
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21. Reconvene Regular Session.
22. Discussion and possible action on and possible action related to **City of Tahlequah v. LG Holdings, LLC, et al., Cherokee County District Court, State of Oklahoma, Case No. CJ-2018-102.**

23. Discussion and possible action regarding the 2021-2022 contract with IAFF Local 4099.
24. 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.
25. Discussion of mid-month special meetings and workshops.
26. **Adjourn.**