CITY OF STILWELL

CITY COUNCIL MINUTES

Regular meeting – Monday July 6, 2020

Stilwell Community Building – 6th & Poplar

5:00 P.M.

City of Stilwell Mission Statement:

“The City of Stilwell is committed to providing an attractive, sustainable and secure environment for the enjoyment of residents and visitors. Fulfilling this commitment requires an open approach to business, a cooperative atmosphere in government, and a concern for the health and safety of all our citizens. Our constant goal is realistic innovation coupled with intelligent planning and quality action resulting in a positive and progressive city both now and in the future.”

REGULAR MEETING

Call to Order

Flag Salute

Invocation

Roll Call Time: 5:04 p.m.: Coye Nettles – Present, Debbie Johnson – Present, Joe Adair – Present, Jim Spray – Present, Lane Kindle – Present, Jeff Jones City Attorney – Present, Larry Nettles City Clerk – Present

Guests: Chad Smith, Steven Roberts, Isaac Merchant, Charley Coombes, Jess Sims, Martin Lopez, Dillon Martin, Willis Hothouse, Shawn Noel, Ralph Keen, Tracy Sims, Tilden Martin, Crystal Chuculate, Phil Van Dyke, Alan Starr, Shawn Grant.

Mayor’s Comments: We all hate masks but they seem to be necessary, Covid-19 is increasing in the county and the state and protection is imperative for us all. Also, the city workers helped give out 1000 boxes of food two weeks ago and their volunteer help is noticed and deeply appreciated.

Consent Agenda

1. Approval of minutes of Regular Meeting June 1, 2020, and Special Meeting June 22, 2020.
2. Approval of blanket purchase orders in the sum of $59,750.00
3. Approval of payment of claims for:
   1. $157,442.58 from Fund 10 – General Fund
   2. $78,768.55 from Fund 30 – Street and Alley
4. Approval of June, 2020, payroll in the sum of $200,115.65.

Motion to approve: Jim Second: Debbie

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

Departmental Reports

Police – 73 reports. 7 accidents, $8500 in fines collected.

Animal Control – new software for animal control is making a tremendous difference in efficiency and effectiveness.

Fire – no report

Streets/Sanitation – noticing a big difference in city neatness since passage of latest trash policy update. Street has worked on Section Line Road/Hickory Street intersection drainage and has been helping with Fletcher Park.

Parks – tournament coming up so dressing ball fields, mowing, improved ditches.

Code Enforcement – 19 open cases, 17 pending cases, 1 scheduled Admin hearing, and 5 cases awaiting contractor teardown.

Utility – no report

Regular Agenda

1. Discussion with possible decision concerning trailer placement/usage by Shawn Grant at 406 North 3rd Street.

Motion to allow 7 days for Mr. Grant to correct situation: Debbie Second: Lane

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision concerning the city Health Care Plan for August 1, 2020, through July 31, 2021.

NO ACTION

1. Discussion with possible decision to adopt Ordinance No. 405-A: An Ordinance Amending the Legal Description in Ordinance 405.

NO ACTION

1. Discussion with possible decision to adopt, for the immediate preservation of the public peace, health and safety, an emergency clause by reason whereof the provisions of “Ordinance #405-A” adopted above shall become effective immediately upon passage and approval, all as required by Law.

NO ACTION

1. Discussion with possible decision to adopt Ordinance 406: An Ordinance Providing Specific Rules and Regulations Concerning Animals Within the City of Stilwell.

NO ACTION

# Discussion with possible decision to adopt, for the immediate preservation of the public peace, health and safety, an emergency clause by reason whereof the provisions of “Ordinance #406” adopted above shall become effective immediately upon passage and approval, all as required by Law.

NO ACTION

1. Discussion with possible decision to adopt Ordinance 407: An Ordinance Creating the Department of Animal Control and Establishing Guidelines for Such for The City of Stilwell.

NO ACTION

# Discussion with possible decision to adopt, for the immediate preservation of the public peace, health and safety, an emergency clause by reason whereof the provisions of “Ordinance #407” adopted above shall become effective immediately upon passage and approval, all as required by Law.

NO ACTION

1. Discussion with possible decision to approve pay application from Ground Zero Construction, Inc. in the amount of $188,693.89 for work on Wingfield Crossing Access Road from Street and Alley Fund Account 30-12-645301 requiring a budget adjustment of equal amount to the above named account and payment to be made upon receipt of grant funds.

Motion to approve: Jim Second: Debbie

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision regarding hiring Mike Green as auditor for FY 2020-2021 audit.

Motion to approve: Debbie Second: Jim

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to approve payment of $16,800.00 to the Stilwell Improvement Authority from Capital Improvement Fund Account 20-09-800100 for FY 2020-2021 loan payments for Stilwell Police Department building loan.

Motion to approve: Jim Second: Debbie

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to approve payment of $39,810 to the Stilwell Improvement Authority from Capital Improvement Fund Account 20-06-800500 for FY 2020-2021 loan payments for Stilwell Fire Department equipment loan.

Motion to approve: Coye Second: Jim

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision on Pest Control for City Hall, Street Department, Community Building, Police Department, Armory, Library, and Dog Pound for the 2020-21 Fiscal Year.

NO ACTION

1. Discussion with possible decision to approve entering into an agreement with Stilwell Public Schools District for a school resource officer.

Motion to approve at assigned officer’s rate of pay: Jim Second: Debbie

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to approve the following addition to the City of Stilwell Policy Manual effective immediately:

*“ARTICLE TWENTY-ONE – VOLUNTEER FIREFIGHTERS*

*A. CITY EMPLOYMENT POLICY FOR VOLUNTEER FIREFIGHTERS*

*1. Stilwell City firefighters who are employed by the City of Stilwell, Oklahoma shall conform to the following regulations:*

*2. Firefighters may respond to a fire in progress call during city employment shift hours only when manpower needs of the city employment dictate as per shift supervisor.*

*3. Firefighters may remain on a fire call only until an adequate number of firefighters are present. Once the manpower needs are met firefighters shall be excused by the Fire Chief or other fire official supervising so that they may resume normal city employment duties.*

*4. If a fire call is after hours or extends lo after shift hours a firefighter may be eligible for the fire response stipend. Firefighters employed by the city will not be docked for time spent firefighting.*

*5. If an employee is under discipline proceedings through the city their firefighting privileges may be suspended during regular work hours.*

*6. Those firefighters who drive city employment vehicles other than fire equipment may not remove a city vehicle beyond city limits, unless directed by a supervisor, and said vehicles may not exceed the posted speed limits or other traffic regulations when responding to or returning from a fire.”*

Motion to approve: Debbie Second: Lane

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to provide a stipend of $4200 to the Stilwell Volunteer Fire Department for performing annual hose testing to be evenly divided among those who participated from General Fund Account 10-06-660400 requiring a budget adjustment of equal amount to the above named account.

Motion to approve: Jim Second: Lane

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to approve allowing Oklahoma DHS access to the Community Building for Staff Meetings waiving all fees.

NO ACTION

1. Discussion and possible decision concerning ruling from Code Enforcement Administrative Hearing on 05/14/2020 concerning Rutherford Property at a projected cost of less than $5,500 from account 10-15-660000 requiring a budget adjustment of equal amount to the above named account.

Motion to approve: Debbie Second: Coye

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion and possible decision concerning appeal by the Tiny Hill Estate represented by Ralph Keen on ruling from Code Enforcement Administrative Hearing on 05/14/2020 concerning 115 and 117 West Division Street.

NO ACTION

1. Discussion with possible decision to approve repair of Trash Truck #2 at a cost of no more than $7500 from Account 10-11-610100 requiring a budget adjustment of equal amount to the above named account.

Motion to approve: Lane Second: Jim

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

Possible Executive Session for discussion of Items 21 through 30 as per Title 25 O.S. 307(B)(1)(2)(3)(4).

Motion to ENTER EXECUTIVE SESSION at 6:57 p.m.: Jim

Second: Debbie

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

MOTION CARRIED

Possible Return from Executive Session as per Title 25 O.S. 307(B)(1).

Motion to RETURN FROM EXECUTIVE SESSION at 8:31 p.m.: Debbie

Second: Jim

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

MOTION CARRIED

Public Statement of Executive Session Minutes by City Clerk.

*Items 21 through 30* were *discussed in Executive Session. No other items were discussed and no action was taken.*

1. Discussion with possible decision to approve contract renewal for City Attorney.

Motion to approve: Debbie Second: Jim

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to approve contract renewal for City Judge.

NO ACTION

1. Discussion with possible decision to assign safety officer duties to Jennifer Brown, Chad Smith, Shawn Noel, and Dale Dandridge with compensation of $2600 each from General Fund Administration effective July 1, 2020.

Motion to approve: Lane Second: Jim

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to increase salary for Street Department Head by ~3% ($1500) for a total of $51,500 effective July 1, 2020.

Motion to approve: Jim Second: Lane

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to increase salary for Parks and Recreation Director by ~3% ($1225) for a total of $41,725 effective July 1, 2020.

Motion to approve: Lane Second: Coye

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to increase salary for Chief of Police by ~3% ($2100) for a total of $72,100 effective July 1, 2020.

Motion to approve: Jim Second: Joe

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to approve changing compensation for Code Enforcement Officer/City Inspector/Animal Control Head to annual salary of $40,000 effective July 1, 2020.

Motion to approve: Jim Second: Lane

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to increase salary for all hourly employees by $0.50 per hour effective July 1, 2020.

Motion to approve: Jim Second: Coye

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision concerning settlement offer from David Glenn.

Motion to authorize Jeff Jones to act on behalf of the City and to report to

Mayor Wright: Lane Second: Debbie

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with City Attorney and possible decision concerning any claims and/or arbitrations.

DISCUSSION ONLY

Public Comments (5-minute limit – Please sign in prior to start of meeting)

Alan Starr – spoke to the council about having to keep rental property up while not collecting rent because of the Covid-19 pandemic. Set meeting with Code Enforcement to reach a viable solution.

New Business: Consideration, discussion and possible approval regarding any matter not known about or which could have not reasonably been foreseen prior to the time of posting (Title 25, O.S. Sec. 311.)

1. MOA with Cherokee Nation for Wingfield Crossing

Motion to approve with wording change to reflect actual amount of funds committed

by the city: Lane Second: Debbie

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane - Yes

Motion Carried

2. Waiving Payment in Lieu of Taxes by The Stilwell Housing Authority to The City of Stilwell

NO ACTION

Adjournment

Motion to ADJOURN: Debbie Second: Lane

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – Yes, Lane – Yes

MEETING ADJOURNED at 8:38 p.m.

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jean Ann Wright, Mayor Larry A, Nettles, City Clerk-Treasurer

\*(Any tabled business, presentations or committee reports previously requested or required)

Posted: Thursday, July 2, 2020 at 4:00 p.m.

Stilwell Community Building, 6th & Poplar

Stilwell City Hall, 503 W. Division

www.cityofstilwell.com