CITY OF STILWELL

CITY COUNCIL MINUTES

Regular meeting – Monday August 3, 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: 5:00 p.m.: Coye Nettles – Present, Debbie Johnson – Present (arrived a 5:04), Joe Adair – Present, Jim Spray – Present, Lane Kindle – Present, Jeff Jones City Attorney – Present, Larry Nettles City Clerk – Present

Guests: Willis Hothouse, Dale Dandridge, Shelldon Miggletto, Tilden Martin, Shawn Noel, Chad Smith, Danny Lee Brown, Ralph Keen, Larry Rowan.

Mayor’s Comments: I encourage everyone to wear masks. The number of infections has more than doubled from 137 to 305 since the 16th of July. There are now over 190 cases in town with 75 active. All city property requires masks for three or more people and for two people if not social distancing.

FYI

1. Work has begun on Chestnut Street Project.

Consent Agenda

1. Approval of minutes of Regular Meeting July 6, 2020, and Special Meeting July 16, 2020.
2. Approval of blanket purchase orders in the sum of $59,750.00
3. Approval of payment of claims for:
   1. $172,465.32 from Fund 10 – General Fund
   2. $63,624.27 from Fund 20 – Capital Improvement Fund
   3. $3,990.00 from Fund 30 – Street and Alley
4. Approval of July, 2020, payroll in the sum of $280,561.56.

Motion to approve: Jim Second: Lane

Coye – Yes, Debbie – Yes - with exception of special meeting minutes, Joe – Yes - with exception of special meeting minutes, Jim – Yes, Lane - Yes

Motion Carried

Departmental Reports

Police – 70+ reports, 5 accidents

Animal Control – Training for two weeks for staff. Pound repair is done and the street department did an excellent job.

Fire – hose tests are done with very few problems discovered.

Streets/Sanitation – Dog pound finished, started on Chestnut Street, lots of brush and timber hauled off, keeping up with mowing, weed eating, etc.

Parks – mowing, top dressing for ballfields.

Code Enforcement – over half of occupancy taxes paid, report included in council book.

Utility - no report

Old Business\*

1. Discussion with possible decision on West Termite Contract for Pest Control for City Hall, Street Department, Community Building, Police Department, Armory, Library, and Dog Pound for the 2020-21 Fiscal Year at a cost of $455 monthly.

Motion to approve: Jim Second: Debbie

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.

Motion to grant 30 days for contract and some action on correction: Joe Second: Jim

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

Motion Carried

Regular Agenda

1. Discussion with possible decision to allow the use of mortar/fireworks after touchdowns or victories at Stilwell High School Home Football Games for the 2020 season to be used exclusively by members of CC Camp, a non-profit community organization.

Motion to approve: Joe Second: Debbie

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

Motion Carried

1. Discussion with possible decision to approve new language in mowing contracts for next year (2021-2022) concerning contract extensions on an annual basis as follows:

*“Except to the extent otherwise provided in this Agreement, the term of this Agreement shall be automatically extended for successive one-year periods on the same terms and conditions as herein stated, unless either party gives the other notice of non-extension at least 90 days before the then-current expiration date.”*

Motion to approve: Debbie Second: Coye

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

Motion Carried

1. Discussion with possible decision to allow placement of a camping trailer in Doyle’s Trailer Park by Danny Brown.

Motion to approve: Joe Second: Jim

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

Motion Carried

1. Discussion and possible approval to declare the following as surplus and open for sale by sealed bid, with a required minimum bid of $5,750 (or different amount if Council wishes), as described below:

Legal Description: 414 Hickory Street

Lot 3 – Bloc 3 Ross McAlester Addition (City of Stilwell)

(0203-00-002-003-0-000-00 Parcel)

Bid opening to be held at in the Mayor’s Office City Hall at 9:00 a.m. on Monday, August 24, 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 approve closing West Division Street from 2nd to 3rd and 2nd street between West Division and the alley south of Fletcher Park on August 20, 2020, from 5:30 p.m. until 8:30 p.m. for the OSU Extension Awards Ceremony on the Kiwanis stage.

Motion to approve with addition of closing 2nd Street from W Division south to Oak   
Street: Debbie Second: Jim

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

Motion Carried

1. Discussion with possible decision to adopt Ordinance No. 408: “An Ordinance Annexing Certain Territory into The Corporate Limits of the City of Stilwell, Oklahoma, To Be Known as The Cherokee Nation Annex-1 Addition, As More Particularly Described Herein, Providing for Severability and Providing an Effective Date.”

Motion to approve subject to receipt of survey and plat: Lane Second: Debbie

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

Motion Carried

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 408” adopted above shall become effective immediately upon passage and approval, all as required by Law.

Motion to approve: Jim Second: Lane

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

Motion Carried

1. Discussion with possible decision to rescind the Special Event License for the Kiwanis Club Strawberry Festival scheduled for September 19, 2020.

Motion to rescind license: Debbie Second: Lane

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

Motion Carried

1. Discussion with possible decision to approve replacement and repair of garage doors at Fire Station #1 from Robertson Overhead Doors at a cost of $8493.96 to be paid from General Fund Account 10-06-640100 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 pay application from Ground Zero Construction, Inc. in the amount of $62,066.81 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.

Motion to approve up to the amount of previously approved city funds for this project: Joe Second: Lane

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

Motion Carried

Possible Executive Session for discussion of Items 11 & 12 as per Title 25 O.S. 307(B)(1)(2)(3)(4).

Motion to ENTER EXECUTIVE SESSION at 5:59 p.m.: Lane

Second: Jim

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 6:47 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 11 & 12 were discussed in Executive Session. No other items were discussed and no action was taken.*

1. Discussion with Sheldon Miggletto concerning possible legal transactions in relation to city property.

Discussion Only

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)

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.)

Discussion with possible decision to adopt Ordinance No. 404-A: “An Amendment to Ordinance 404 Amending Section 6 (1) Repeal and Severability”

Motion to approve: Debbie Second: Coye

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

Motion Carried

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 404-A” adopted above shall become effective immediately upon passage and approval, all as required by Law.

Motion to approve: Jim Second: Coye

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

Motion Carried

Adjournment

Motion to ADJOURN: Debbie Second: Jim

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

MEETING ADJOURNED at 6:56 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: Friday, July 31, 2020 at 3:30 p.m.

Stilwell Community Building, 6th & Poplar

Stilwell City Hall, 503 W. Division

www.cityofstilwell.com