CITY OF STILWELL

CITY COUNCIL MINUTES

Regular meeting – Tuesday, September 8, 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, Joe Adair – Present, Jim Spray – Present, Lane Kindle – Present, Jeff Jones City Attorney – Present, Larry Nettles City Clerk – Present

Guests: Tracy Sims, Anna Shamblin, Matthew Ford, Chad Smith, Tilden Martin, Dale Dandridge, Shawn Noel, John Roberts, Shelldon Miggletto, Kayla Phelps, Willis Hothouse.

Mayor’s Comments – COVID-19 is still very active with 505 cases as of today, we are in Red with 130 active cases. Please be vigilant.

FYI

1. Annual OML Business Meeting on at 9:00 a.m. on September 30, 2020.

Consent Agenda

1. Approval of minutes of Regular Meeting August 3, 2020, Special Meeting August 13, 2020, and Special Meeting August 27, 2020.
2. Approval of blanket purchase orders in the sum of $59,750.00
3. Approval of payment of claims for:
	1. $191,162.98 from Fund 10 – General Fund
	2. $71,435.3 – from Fund 30 – Street and Alley
4. Approval of August, 2020, payroll in the sum of $194,558.63.

Motion to approve: Lane Second: Jim

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

Motion Carried

Departmental Reports

Police – 65 reports, all but one officer range qualified, big drug bust, Lexipol is up and running.

Animal Control – doing pretty well, after the improvements aided by the street department, the pound is much cleaner and better all round.

Fire – doors in, some calls, all seems to be going well, had to make some medical calls.

Streets/Sanitation – lots of clean-up, Chestnut Street is going well, lots of mowing.

Parks – mowing going well, repair issues, splash pad ended Labor Day.

Code Enforcement – in booklet, progressing well.

Utility – have meeting tonight.

Old Business\*

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 TABLE: Jim Second: Lane

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

Motion TABLED

Regular Agenda

1. Discussion with possible decision to approve use of Community Building for Keetoowah Band election on November 2, 2020.

Motion to approve: Coye Second: Debbie

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

Motion Carried

1. Discussion with possible decision to approve Resolution: REAP2020 authorizing application for financial assistance from the Rural Economic Action Plan (REAP) Fund through EODD.

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 final pay application from Ground Zero Construction, Inc. in the amount of $36,279.25 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: Joe Second: Lane

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

Motion Carried

1. Discussion with possible decision to adopt Ordinance 400-A: An Ordinance Amending Ordinance 400 Concerning Trash Placement and Dumpster Usage Within the City of Stilwell.

Motion to approve: 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 #400-A” adopted above shall become effective immediately upon passage and approval, all as required by Law.

Motion to approve: Coye Second: Jim

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

Motion Carried

1. Discussion with possible decision to adopt Ordinance 406-A: An Ordinance Establishing Additional Rules and Regulations Concerning Animals Within the City of Stilwell.

Motion to approve: Lane Second: Jim

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 #406-A” 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 adopt Ordinance 407-A: An Ordinance Establishing Additional Guidelines for Trapping and Chemical Immobilization of Animals Within the City of Stilwell.

Motion to approve: Lane Second: Joe

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – NO, Lane - Yes

Motion Carried (4-1)

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

Motion to approve: Lane Second: Joe

Coye – Yes, Debbie – Yes, Joe – Yes, Jim – NO, Lane - Yes

Motion Carried (4-1)

1. Discussion with possible decision to adopt Ordinance 409: An Ordinance Providing Specific Rules and Regulations Concerning Signs Placed Within the City of Stilwell and Repealing Ordinance 299.

Motion to approve: Lane Second: Jim

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

Motion to approve: Lane Second: Debbie

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

Motion Carried

1. Discussion with possible decision to adopt Ordinance 410: An Ordinance Providing Specific Rules and Regulations Concerning Telecommunication Towers Within the City of Stilwell.

Motion to approve: Debbie Second: Jim

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 #410” 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

1. Discussion with possible decision to adopt Ordinance 385-2020-A: An Ordinance Providing Changes to Ordinance 385-2020 and Repealing Ordinance 375.

Motion to approve: Debbie Second: Coye

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 #385-2020-A” adopted above shall become effective immediately upon passage and approval, all as required by Law.

Motion to approve: Jim Second: Debbie

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

Motion Carried

1. Discussion with possible decision to adopt Resolution CARES 09-08-2020: “A Resolution Concerning Funding Pursuant to the Cares Act and the Coronavirus Relief Fund, confirming that it is the Policy of the City that All Public Safety Personnel Costs are “Substantially Dedicated” to the Covid-19 Response Efforts of the City Of Stilwell throughout the ongoing State of Emergency.”

Motion to approve: Jim Second: Lane

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

Motion Carried

1. Discussion with possible decision to adopt Resolution OMAG 09-2020: “A Resolution to Amend the Agreement Establishing OMAG.”

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 purchase of new server, related software and installation from QDP at a projected cost of less than $10,000.

Motion to approve: Joe Second: Lane

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

Motion Carried

1. Discussion with possible decision to approve closing West Division Street from 1st Street thru 4th Street for Trunk-0-Ween on Friday, October 30, 2020, from 4:30 p.m. until 6:00 p.m.

Motion to approve with wavier of special event fee and street closure of West Division from alley between Bypass and 1st Street to 3rd Street and from Oak to Olive on 1st, 2nd, and 3rd street: Lane Second: Joe

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

Motion Carried

1. Discussion with possible decision to approve installation of speed bumps as needed in Stonebrook Addition of the City of Stilwell.

Motion to approve at less than $20,000 from Capital Improvement: Lane Second: Debbie

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

Motion Carried

1. Discussion with possible decision to approve contract with Oklahoma Juvenile Affairs for use of the central offices area in the Community Center in Stilwell.

Motion to approve subject to attorney approval: Jim Second: Debbie

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

Motion Carried

1. Discussion with possible decision to accept donation of land and dedication of easement from BG, LLC with an appraised value of $52,850.

Motion to approve: Jim Second: Debbie

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

Motion Carried

1. Discussion with possible decision to accept donation of land and dedication of easement from Kundysek Family Investment, LP and Miggletto Enterprise Trust with an appraised value of $77.500.

Motion to approve: Jim Second: Coye

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

Motion Carried

1. Discussion with possible decision to adopt Resolution Wingfield 09-2020: “A Resolution Officially naming the Walmart Access Road from Highway 100 as Wingfield Crossing.”

Motion to approve: Jim Second: Debbie

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

Motion Carried

Possible Executive Session for discussion of Items 25 & 26 as per Title 25 O.S. 307(B)(1)(2)(3)(4).

Motion to ENTER EXECUTIVE SESSION at 6:26 p.m.: Debbie

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 7:02 p.m.:

Second: Debbie

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

MOTION CARRIED

Public Statement of Executive Session Minutes by City Clerk.

*Items 25 & 26* *were discussed in Executive Session. No other items were discussed and no action was taken.*

1. Discussion with possible decision concerning the Tavarez Building in downtown Stilwell.

NO ACTION

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 and decision to accept donation of 10% of mineral rights of certain lands from Scott Drawn strictly for use with the Stilwell FFA.

Motion to approve donation and conditions of acceptance: Jim Second: Debbie

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

Motion Carried

Adjournment

Motion to ADJOURN: Joe Second: Coye

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

MEETING ADJOURNED at 7:08 p.m.

ATTEST:

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

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

Posted: Friday, September 4, 2020 at 3:30 p.m.

 Stilwell Community Building, 6th & Poplar

 Stilwell City Hall, 503 W. Division

 www.cityofstilwell.com