SPECIAL MEETING NOTICE

POSTED 10/21/2020

REVISED AGENDA ON 10/22/2020

PREVIOUS #2 NOW #6 IN EXECUTIVE SESSION

CITY OF STILWELL

CITY COUNCIL MINUTES

Special Meeting – Friday October 23, 2020

Stilwell Community Building – 6th & Poplar

5:00 P.M.

Purpose of Meeting is to consider the attached agenda items.

Call to Order, Flag Salute, Invocation

Roll Call Time: 5:03 p.m.: Coye Nettles – Present, Debbie Johnson – Absent (joined at 5:19), Joe Adair – Absent, Jim Spray – Present, Lane Kindle – Present, Jeff Jones City Attorney – Absent, Larry Nettles City Clerk – Present

QUORUM IS PRESENT

Guests: Shawn Noel, Drew Carson, Mary Adair, Shelldon Miggletto, Matt Ford, C. Dean Jackson, Brenda Madden.

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

Special Agenda

1. Discussion and possible decision concerning possible extension on ruling of Code Enforcement Administrative Hearing on 05/14/2020 concerning 115 and 117 West Division Street (Tiny Hill Estate).

Motion to TABLE until December Regular Meeting: Jim Second: Lane

Coye – Yes, Jim – Yes, Lane - Yes

Motion Carried

1. Discussion with possible decision to adopt Ordinance 385-2020-B: An Ordinance Adding Plan Review to Permits and Inspection Fees.

Motion to approve: Lane Second: Jim

Coye – 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-B” 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 approve the following addition to the City of Stilwell Policy Manual (additional verbiage in italics):

ARTICLE THIRTEEN

ALCOHOL AND DRUG-FREE WORKPLACE POLICY

D. DISCIPLINARY ACTIONS:

1. The City may discipline an employee, up to and including termination, for:
   1. a confirmed positive test result *subject to the following:*
      1. *if an applicant or employee tests positive for marijuana, no action will be taken upon proof of possession of a Medical Marijuana License; or*
      2. *the position is “*[*safety-sensitive*](https://www.omag.org/news/2018/7/2/medical-marijuana-and-the-hiring-process/#hiring-safety)*”: or*
      3. *if possession of a license would legally preclude the applicant from obtaining some required certification or license or otherwise preclude them from fulfilling the requirements of their employment (e.g. CDL drivers).*

E. DEFINITIONS:

(Addition as #11)

*"Safety-sensitive" means any job that includes tasks or duties that the employer reasonably believes could affect the safety and health of the employee performing the task or others including, but not limited to, any of the following:*

* 1. *the handling, packaging, processing, storage, disposal or transport of hazardous materials,*
  2. *the operation of a motor vehicle, other vehicle, equipment, machinery or power tools,*
  3. *repairing, maintaining or monitoring the performance or operation of any equipment, machinery or manufacturing process, the malfunction or disruption of which could result in injury or property damage,*
  4. *performing firefighting duties,*
  5. *the operation, maintenance or oversight of critical services and infrastructure including, but not limited to, electric, gas, and water utilities, power generation or distribution,*
  6. *the extraction, compression, processing, manufacturing, handling, packaging, storage, disposal, treatment or transport of potentially volatile, flammable, combustible materials, elements, chemicals or any other highly regulated component.*

F. VIOLATION OF THIS POLICY:

1. Employees who violate any aspect of this policy (including receiving a confirmed positive test result *(see D-1 above)* or the refusal to submit to testing) may be subject to disciplinary action, up to and including possible termination.

G. TYPES OF TESTING:

(Addition as #6)

*“random Testing” means a method of testing for drug use by employees through a process of random selection. These tests are conducted without prior notice to the employee and a systematic selection process is used to assure that each employee has an equal chance of being chosen for testing.*

Motion to approve: Jim Second: Lane

Coye – Yes, Jim – Yes, Lane - Yes

Motion Carried

Possible Executive Session for discussion of Items 5, 6 & 7 as per Title 25 O.S. 307(B)(1)(2)(3)(4).

Motion to ENTER EXECUTIVE SESSION at 5:19 p.m.: Lane

Second: Jim

Coye – Yes, Debbie – 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 6:46 p.m.: Jim

Second: Lane

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

MOTION CARRIED

Public Statement of Executive Session Minutes by City Clerk.

*Items 5, 6 & 7 were discussed in Executive Session. No other items were discussed and no action was taken.*

1. Discussion with possible decision to fill position of Director of Economic Development for the City of Stilwell – by offer of employment to Shelldon Miggletto or Mary Adair – effective October 26, 2020, with an annual salary of $75,000 plus 5% of any grants written with a total compensation cap of $120,000 total per fiscal year (July 1 –June 30).

Motion to employ Shelldon Miggletto with shared salary as previously agreed by City and Utility Board to begin between November 2nd and 15th (to be determined by Mayor Wright): Jim Second: Lane

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

Motion Carried

1. Discussion with possible decision to offer to purchase 18 South First Street (Joe’s TV Building) from Carson Community Bank for $90,000 to be funded by SIA or make a counter offer for said property.

Motion to approve Mayor and City Clerk to negotiate with Carson Community Bank on possible purchase price: Jim Second: Lane

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

Motion Carried

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

NONE

Adjournment

Adjourned by Mayor at 6:52 p.m.

ATTEST:

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

Posted:

Public Notice & Agenda: Wednesday, October 21, 2020 at 4:00 p.m.

Stilwell Community Building, 6th & Poplar

Stilwell City Hall, 503 W. Division

www.cityofstilwell.com