

CITY OF STILWELL CITY COUNCIL MINUTES

Regular meeting – Monday October 3, 2022
Stilwell Community Building – 6th & Poplar
5:30 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.”

PUBLIC HEARING PROPOSED ANNEXATION OF PROPERTY TO BE KNOWN AS THE 2022 ADDITION TO THE CITY OF STILWELL.

Open Meeting at 5:33 p.m. ---- Q & A: Must the street be hard-surfaced? Yes, by ordinance.
Close Meeting at 5:35 p.m.

PUBLIC HEARING PROPOSED ANNEXATION OF PROPERTY TO BE KNOWN AS THE CHEROKEE NATION WELLNESS CENTER ADDITION TO THE CITY OF STILWELL.

Open Meeting at 5:35 p.m. ---- Q & A: NONE ---- Close Meeting at 5:36 p.m.

PUBLIC HEARING PROPOSED ANNEXATION OF PROPERTY TO BE KNOWN AS THE R & D JOHNSON ADDITION TO THE CITY OF STILWELL.

Open Meeting at 5:36 p.m. ---- Q & A: NONE ---- Close Meeting at 5:37 p.m.

Public Comments – Comments will be accepted at this time from the general public.

- individuals must sign in with both name and address before discussion on agenda items begins on the sign-in sheet provided for that purpose
- Moderator will call upon each speaker in order of signing until the 15-minute time limit is expired; however, preference will be given to Stilwell residents
- Each speaker will be limited to 3 minutes of speaking time
- The cumulative total of all comments from the public shall not exceed 15 minutes.
- 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 unless on the currently published agenda.

- Comments related to a specific agenda item may be allowed at the time the agenda item is addressed.

Call to Order

Roll Call: Time: 5:37 p.m.: Coye Nettles – Present, Debbie Johnson – Present, Jim Spray – Present, Lane Kindle – Present, Mayor Jean Ann Wright – Present, Jeff Jones City Attorney – Present, Larry Nettles City Clerk – Present

Guests: Shawn Noel, Chad Smith, Mark Capron, Rob Shofner, Dale Dandridge, Shelldon, Miggetto, Jonathan Asbill, David Bruner, Renee Fite, John Bankel

Consent Agenda

1. Approval of minutes of Regular Meeting September 6, 2022, and Special Meeting September 22, 2022.
2. Approval of blanket purchase orders in the sum of \$64,020.00
3. Approval of payment of claims for:
 - a. \$241,381.97 from Fund 10 – General Fund
 - b. \$3,375.00 from Fund 20 – Capital Improvement Fund
 - c. \$479.23 from Fund 30 – Street and Alley
 - d. \$1,150.00 from Fund 60 – Federal Grant 2 (ARPA)
 - e. \$15,132.45 from Fund 90 – Federal Grant 1 (Safe Routes)
4. Approval of September 2022 payroll in the sum of \$225,940.32.

Motion to approve: Jim Second: Debbie

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

Motion Carried

Departmental Reports

- Police – 86 reports, 5 MV accidents, \$16,189 in fines, warrant balance \$315,737.58, 11,507 miles driven, 678 calls, 58 arrested, 4 agency assists, 121 citations.
- Fire – house fires – city 3 & county 1, grass fires –city 2 & county 9, MV accidents – city 2 & county 3, Lift assist with EMS – city 4 & county, Vehicle fires – city 1 & county 1, fire/smoke alarms – county 1, dumpster fires – 4, community duty – 1.
- Community Center – no report.
- Municipal Works – in book.
- Sports Facilities – tournament with 22 teams with 522 paid attendees, another tournament is planned for the end of October.
- Community Development – in book.

Old Business

1. Discussion with possible decision to adopt Ordinance 422: An Ordinance Annexing Property to The City to Be Known as The 2022 Addition to The City of Stilwell with Legal Description as Follows:

A tract of land containing .893 acres, more or less, located in the NE¹/₄ SW¹/₄ of Section 3, Township 15 North, Range 25 East, I. B. & M, described as: Beginning at the SE corner of Lot 13 of Southern Estates No. III; Thence East along the South line of the N¹/₂ SW¹/₄ 205 feet; thence N 00°01'00" E 189.78 feet; thence S 89°39'10" W 205 feet; thence S 00°01'00" W 189.78 feet to Point of Beginning; all being a part of NE¹/₄ SW¹/₄ of Section 3, Township 15 North, Range 25 East.

NO ACTION

2. 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 422" adopted above shall become effective immediately upon passage and approval, all as required by Law.

NO ACTION

3. Discussion and possible decision to publish and distribute updated Personnel Policy Handbooks, effective October 4, 2022, requiring new signed paperwork from all employees.

Motion to approve: Lane **Second:** Debbie

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

Motion Carried

Regular Agenda

1. Discussion with possible decision to adopt Ordinance 424: An Ordinance Annexing Property to The City to Be Known as The CHEROKEE NATION WELLNESS CENTER ADDITION to The City of Stilwell with Legal Description as Follows:

Township 16 North, Range 25 East, I.B.&M., Adair, Oklahoma, Section 35 W¹/₂ NW¹/₄ NE⁴ NE¹/₄

Motion to approve: Lane **Second:** Coye

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

Motion Carried

2. 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 424" adopted above shall become effective immediately upon passage and approval, all as required by Law.

Motion to approve: Lane **Second:** Coye

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

Motion Carried

3. Discussion with possible decision to adopt Ordinance 425: An Ordinance Annexing Property to The City to Be Known as The R & D JOHNSON ADDITION to The City of Stilwell with Legal Description as Follows:

NW NE NW & E 208.75' OF NE NW NW

Motion to approve: Jim **Second:** Coye

Coye – Yes, Debbie – Abstain, Jim – Yes, Lane – Yes

Motion Carried

4. 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 422” adopted above shall become effective immediately upon passage and approval, all as required by Law.

Motion to approve: Lane **Second:** Jim

Coye – Yes, Debbie – Abstain, Jim – Yes, Lane – Yes

Motion Carried

5. Discussion with possible decision to approve contract with ABERDEEN ENTERPRISES II in Tulsa for the collection of past due fines and fees at no cost to the city.

Motion to approve: Debbie **Second:** Lane

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

Motion Carried

6. Discussion with possible decision to approve Resolution 10-03-2022 declaring City support for the Great American Smoke Out event on November 17, 2022.

Motion to approve: Jim Debbie **Second:**

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

Motion Carried

7. Discussion and possible decision regarding the Adair County Fair Board and proposed construction of a Show Arena. **NO ACTION**

8. Discussion and possible decision to direct the city attorney to meet and negotiate with the Adair County Fair Board for a possible lease agreement for usage of city property adjoining the County Fairgrounds.

Motion to approve: Lane **Second:** Coye

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

Motion Carried

9. Discussion and possible decision to approve an Evaluation Form for use by the City.

NO ACTION

10. Discussion and possible decision to approve a Memorandum of Understanding between FOP Lodge #106 and the City adopting an Evaluation Form to fulfill the process requirements for salary and rank in the current FOP Contract.

NO ACTION

11. Discussion and possible decision to accept a Fiscal Year 2023 Fire Grant in the amount of \$10,052.67 to be budgeted in the fire Department in General Fund – Fire – Equipment Account # 10-06-645300.

Motion to approve: Lane **Second:** Debbie

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

Motion Carried

12. Discussion and possible decision to approve purchase of 20 Kenwood VHF, 5W, 260 CH – Digital Upgrade and extra battery – from Smith Two-Way Radio, Inc. for \$9,324.00 from General Fund – Fire – Equipment Account #10-06-645300 not requiring a budget adjustment.

Motion to approve: Coye **Second:** Debbie

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

Motion Carried

13. Discussion with possible decision to approve for FY 22-23 the (previously approved in FY 21-22 (July 6, 2021)) purchase of 10 bunker sets of fire gear from AFD Fire and Rescue for \$30,000 from General Fund Account #10-06-621000 requiring a budget adjustment of equal amount to the above named account.

Motion to approve: Jim **Second:** Debbie

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

Motion Carried

Possible Executive Session for discussion of Items 14 & 15 as per Title 25 O.S. 307(B)(1)(2)(3)(4) and (E)(1)(2)(3).

Motion to ENTER EXECUTIVE SESSION at 6:28 p.m.: Lane

Second: Debbie

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

Motion Carried

Possible Return from Executive Session as per Title 25 O.S. 307(B)(1)(2)(3)(4) and (E)(1)(2)(3).

Motion to RETURN FROM EXECUTIVE SESSION at 7:30 p.m.: Debbie

Second: Lane

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

Motion Carried

Public Statement of Executive Session Minutes by City Clerk as per Title 25 O.S. 312(A).

Items 14 & 15 were discussed in Executive Session. No other items were discussed and no action was taken.

14. Discussion with possible decision to confirm promotion of Kevin Fletcher to Lieutenant for second shift effective October 3, 2022.

Motion to approve: Jim **Second:** Coye

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

Motion Carried

15. Discussion with City Attorney and possible action concerning any claims and/or arbitrations.

DISCUSSION ONLY

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.)

NONE

Adjournment

Motion to adjourn: Lane **Second:** Debbie

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

Meeting adjourned at 7:44 p.m.

ATTEST:

Jean Ann Wright – Mayor

Larry A, Nettles – City Clerk-Treasurer

Posted: **Friday, September 30, 2022, at 3:30 p.m. – www.cityofstilwell.com
Stilwell Community Bldg. 6th & Poplar – Stilwell City Hall, 503 W. Division**