

# CITY OF STILWELL

## CITY COUNCIL MINUTES

Regular meeting – Tuesday September 5, 2023

Stilwell Community Building – 6<sup>th</sup> & Poplar

5:30 P.M.

### PUBLIC HEARING REGARDING THE 2023-24 APPLICATION FOR CDBG-EDIF FUNDS FOR WASTEWATER IMPROVEMENTS

Open Meeting at 5:31 p.m.

Q & A: Opening remarks by Shelldon Miggetto.

Question: Is there a cost to the city. Ans. No.

Question: Where are the funds coming from? Ans. Schwan's.

Question: What is the time frame? Ans. Should be done with the applications by end of this year.

Question: When will the Utility Board address this? Ans. Hopefully at their next meeting on the 12<sup>th</sup> of this month.

Close Meeting at 5:42 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.”

#### **Call to Order, Flag Salute, Invocation**

**Roll Call: Time: 5:43 p.m.:** Coye Nettles – Present, Barrett Harris – 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:** Steven Shoup, Taryn King, Shawn Noel, Chad Smith, Tilden Martin, Troy Littledeer, Shelldon Miggetto, Steve Garrett

**Mayor's Comments:** Very busy week, County Fee Fair is going on now, Thanks to Darrel Dugger for his quick response to the emergency at City Hall last Thursday.

**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.

**FYI**

1. We have received our \$9,999 reimbursement for Police vests from the Justice Assistance Grant (JAG-LLE) program.
2. The Mayor and City Clerk will be attending the OML Conference in Oklahoma City on the 19<sup>th</sup> through the 22<sup>nd</sup>.
3. We have received \$9,993.53 from USDA Food & Forestry for the Fire Department.

**Consent Agenda**

1. Approval of minutes of Regular Meeting August 7, 2023, and Special Meeting on August 21, 2023.
2. Approval of blanket purchase orders in the sum of \$67,205.00
3. Approval of payment of claims for:
  - a. \$228,060.55 from Fund 10 – General Fund
  - b. \$40,207.60 from Fund 20 – Capital Improvement Fund
  - c. \$10,011.27 from Fund 30 – Street and Alley
  - d. \$1,111.63 from Fund 90 – Federal Grant 2 (Safe Routes)
4. Approval of August 2023 payroll in the sum of \$236,237.79.

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

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

**Motion Carried**

**Departmental Reports**

- Police
- Fire
- Municipal Works
- Sports Facilities
- Community Development
- Ambulance

**Old Business:**

1. Discussion with possible decision to approve Ordinance 431: An Ordinance Establishing Rates For Fire Department Services.

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

Coye – Yes, Barrett – 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 431” adopted above shall become effective immediately upon passage and approval, all as required by Law.

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

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

**Motion Carried**

**Agenda:**

1. Presentation and discussion with Taryn King concerning the Adair County Fair Board and their plans for future growth and improvement.

**DISCUSSION ONLY**

2. Discussion with possible decision to adopt Resolution 09-05-2023-A; a resolution authorizing the application for 2023 CDBG-EDIF.

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

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

**Motion Carried**

3. Discussion with possible decision to adopt 2023 Citizens Participation Plan for CDBG grant application.

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

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

**Motion Carried**

4. Discussion with possible decision to commit and confirm up to \$6,500,000 in matching funds for CDBG 2023 grant application to be provided by CJ Schwan Food Company.

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

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

**Motion Carried**

5. Discussion with possible decision to adopt Resolution 09-05-2023-B; a resolution in support of fair housing practices within the city.

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

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

**Motion Carried**

6. Discussion with possible decision to approve bid from NOVALCO, INC of Oklahoma City to repair library doors with new ADA controllers at a cost of \$8,750 with \$7,250 from General Fund – Library – Maintenance Buildings/Grounds Account #10 – 07 – 640100 requiring a budget adjustment of equal amount to the above-named account and \$1500 from Library Fund – Library – Improvements not requiring a budget adjustment.

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

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

**Motion Carried**

7. Discussion with possible decision to approve placement of a mobile home into the city at 206 S 4<sup>th</sup> Street by Maria Ramirez.

**NO ACTION**

8. Discussion with possible decision to approve the allocation of responsibility for the Community/Senior Citizen Center to the Community Development Director.

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

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

**Motion Carried**

9. Discussion with possible decision to approve Ordinance 385-2023-A: An Ordinance Amending Ordinance 385-2023 – Article 8 – Park Fees – Adair Park – Camping.

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

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

**Motion Carried**

10. 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 385-2023-A” adopted above shall become effective immediately upon passage and approval, all as required by Law.

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

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

**Motion Carried**

11. Discussion with possible decision to approve Ordinance 419-B: An Ordinance Amending Ordinance 419 – Section 4.

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

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

**Motion Carried**

12. 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 419-B” adopted above shall become effective immediately upon passage and approval, all as required by Law.

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

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

**Motion Carried**

13. Discussion with possible decision to approve annual Fire Department insurance payment of \$5,934.38 from General Fund – Fire – Insurance Account #10-06-630500 to the Office of Management and Enterprise Services – Risk Management – Fire District Program not requiring a budget adjustment.

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

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

**Motion Carried**

14. Discussion with possible decision to approve budget adjustments to Code Enforcement by adding a grand total of \$27,750 to the following accounts:

General Fund:

Animal Control Supplies	#560000	\$1,200
Vehicle Maintenance	#610100	\$1,400
Gas & Oil	#610200	\$5,500
Telephone	#620100	\$600
Uniforms	#621000	\$250
Equipment	#645300	\$4,000

Training	#650100	\$1,500
Travel	#650200	\$300
Abatements	#660401	\$10,000

TOTAL GENERAL FUND \$24,750

Street & Alley:

Patch/Asph't/Sand&Gravel	#650600	\$3,000
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TOTAL STREET & ALLEY \$3,000

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

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

**Motion Carried**

15. Discussion with possible decision to approve Promissory Note Agreements specifically for Basic Academy, Bridge Academy, and Dispatch Training reflecting intent of language in Article Twenty-Two – Training & Reimbursement Agreement in the Personnel Policy Handbook.

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

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

**Motion Carried**

16. Discussion with possible decision to approve a change to the Personnel Policy Handbook with the addition to ARTICLE 22 of the following:

*F. EXCEPTIONS:*

*In lieu of the above, employees of the Stilwell Police Department employed after September 5, 2023, shall be held to Promissory Note obligations adopted by the City Council for Basic Academy, Bridge Academy, and Dispatch.*

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

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

**Motion Carried**

17. Discussion with possible decision to approve a change for clarification to the Personnel Policy Handbook in ARTICLE 3-A-DEPARTMENT HEADS – (B)- COMPENSATION – (3) which shall now read:

1. Salaried with increase requiring council approval. *(no change)*
2. Not eligible for overtime or compensatory time. *(no change)*
3. ~~Provided with 200 hours of annual vacation time, all other guidelines of Article 8 (D) (1-12) shall apply.~~ *Provided with 200 hours of annual vacation time to be*

*awarded on July 1 of each year (or pro-rated from first day of employment as Department Head) replacing, for above listed positions, Article 8(D)(1).*

4. *Shall not be subject to Article 8(D)(12).*
5. *Shall receive Sick Leave as per Article 8(F). (no change)*
6. *Provided with a vehicle for city business under the policies of Article 10 (B)(2). (no change)*

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

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

**Motion Carried**

18. Discussion with possible decision to approve a change for clarification to the Personnel Policy Handbook in ARTICLE 7-COMPENSATION PLAN – (F)- COMP TIME, OVERTIME, OR FLEXTIME – (6) which shall now read:

6. *Salaried “exempt” employees are not eligible for over-time or comp time and are required to work the number of hours required to fulfill the duties of the position. Flexitime must be approved in advance by the employee’s supervisor in a manner designed to provide the least impact to their normal working schedule and duties.*

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

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

**Motion Carried**

19. Discussion with possible decision to renew contract with VelocityEHS dba MSDSONline for compliance with OSHA 29 CFR 1910.1200 concerning Hazard Communication Safety Data Sheets as per attached contract.

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

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

**Motion Carried**

20. Discussion with possible decision on request from the Chamber of Commerce to close Division Street from 2nd Street to 4th Street and Third Street from Olive Street to Oak Street for Trunk-O-Ween on Tuesday October 31 from 4:00 p.m. until 6:00 p.m.

**Motion to approve:** Debbie    **Second:** Barrett

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

**Motion Carried**

21. Discussion with possible decision to apply for a \$10,000 Justice Assistance Grant for the Police Department contingent upon grant award to be followed by possible council approval.

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

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

**Motion Carried**

22. Discussion with possible decision to approve budget adjustment to Federal Grant Two – ARPA – Contingencies Account #60-01-660400 of \$23,503.89 to allow for small items less than \$5,000 each for the new city hall.

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

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

**Motion Carried**

23. Discussion with possible decision to approve bid to remove and replace all ceiling tiles in the Community Building by RMC, Inc. for \$23,800 from Capital Improvement – Community Building – Improvements Account #20-08-645301 to be reimbursed by previously awarded 2023 REAP Grant funds not requiring a budget adjustment.

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

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

**Motion Carried**

24. Discussion with possible decision to approve bid to install new LED light fixtures throughout entire Community Building for \$13,862.20 from Wheeler Electric, LLC from Capital Improvement – Community Building – Improvements Account #20-08-645301 to be reimbursed by previously awarded 2023 REAP Grant funds not requiring a budget adjustment.

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

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

**Motion Carried**

25. Discussion with possible decision to approve renewal of 49 Samsara License for \$11,760 from General Fund – City Clerk – Software Account #10-04-630700 not requiring a budget adjustment.

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

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

**Motion Carried**

26. Discussion with possible decision to approve use of OKIE SAFETY CONSULTING as a third-party Plan Review and Inspection Service at no cost to the city.

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



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

**Motion Carried**

**Possible Executive Session for discussion of Item 27 as per Title 25 O.S. 307(B)(1)(2)(3)(4) and (E)(1)(2)(3).**

**Motion to ENTER EXECUTIVE SESSION at 7:44 p.m.:** Land

**Second:** Debbie

Coye – Yes, Barrett – 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 7:40 p.m.:** Debbie

**Second:** Barrett

Coye – Yes, Barrett – 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).**

*Item 27 was discussed in Executive Session. No other items were discussed, and no action was taken.*

27. 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 not have reasonably been foreseen prior to the time of posting (Title 25, O.S. Sec. 311.)

### **Adjournment**

**Motion to adjourn:** Barrett      **Second:** Jim

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

**Meeting adjourned at 7:41 p.m.**

**ATTEST:**

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Jean Ann Wright, Mayor

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Larry Nettles, City Clerk-Treasurer

**Posted:**

**Friday, September 1, 2023, at 3:30 p.m.  
Stilwell Community Building, 6<sup>th</sup> & Poplar  
Stilwell City Hall, 503 W. Division  
[www.cityofstilwell.com](http://www.cityofstilwell.com)**