

CITY OF STILWELL

CITY COUNCIL MINUTES

Regular meeting – Monday November 6, 2023

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.”

Call to Order, Flag Salute, Invocation

Roll Call: Time: 5:36 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: Tilden Martin, Dale Dandridge, Chad Smith, Grace Farris, Steve Garrett, William Carson

Mayor’s Comments: The Christmas Decorating Contest will end on December 20th with awards being given on the 21st. The City’s Employee & Family Christmas Dinner will be the evening of December 8 at 6:00 p.m. in the Community Building.

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. Attached is a general summary of the proposed changes to the Fair Labor Standards Act.

Consent Agenda

1. Approval of minutes of Regular Meeting October 2, 2023.
2. Approval of blanket purchase orders in the sum of \$67,905.00.
3. Approval of payment of claims for:
 - a. \$330,610.73 from Fund 10 – General Fund
 - b. \$68,734.76 from Fund 20 – Capital Improvement Fund
 - c. \$2,987.75 from Fund 30 – Street and Alley
 - d. \$389,378.00 from Fund 60 – Federal Grant Two (ARPA)
 - e. \$ from Fund 90 – Federal Grant One (Safe Routes)
4. Approval of October 2023 payroll in the sum of \$235,889.90.

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

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

Motion Carried

Departmental Reports

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

Agenda:

1. Discussion with possible decision to approve Resolution 11-06-2023: A Resolution Notifying the Residents of the City of Stilwell of the Adoption of a Newly Compiled "Code of Ordinances" for Said City of Stilwell, Oklahoma, in Compliance with the Laws of the State of Oklahoma.

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

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

Motion Carried

2. Discussion with possible decision to approve Ordinance 434: An Ordinance of the City of Stilwell, Oklahoma, Adopting and Enacting the September 2023 "Stilwell Code of Ordinances"; Compiled, Revised and Published by the Authority of the Council for the City of Stilwell, Oklahoma, Containing the Permanent and General Ordinances of the City of Stilwell; Also Repealing All Ordinances of a Permanent

and General Nature Approved Previous to August 1, 2023, Not Included in the Code; Providing for Additions and Amendments to the Code.

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

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

Motion Carried

3. 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 434” 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

4. Discussion with possible decision to approve, reject and/or amend proposed Lease Agreement for the Armory by the Adair County Boys and Girls Club for the current Fiscal year.

NO ACTION

5. Discussion with possible decision to approve, reject and/or amend Resolution 11-6-2023 Native Heritage Month: A Resolution Of The City Of Stilwell, Oklahoma, Notifying The Residents Of Said City Of The Designation Of November 2023 As “American Indian And Alaska Native Heritage Month”

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, reject and/or amend Resolution 2023 SMOKE OUT: A Resolution of the City Of Stilwell, Oklahoma, Notifying the Residents of Said City of Adoption and Support for the National Great American Smoke Out on November 16, 2023.

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

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

Motion Carried

7. Discussion with possible decision to approve, reject and/or amend Resolution 11-06-2023 CHRISTMAS: “A Resolution of the City of Stilwell, Oklahoma, Notifying The Residents and Business Operators of Said City of Support and Encouragement for Window and Building Decoration for The Christmas Season During December of 2023.”

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

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

Motion Carried

8. Discussion with possible decision to approve, reject and/or amend request to submit an application for a T-SET Grant.

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

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

Motion Carried

9. Discussion with possible decision to approve, reject and/or amend request to file a letter of intent to apply for a State of Oklahoma Opioid Abatement Grant.

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

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

Motion Carried

10. Discussion with possible decision to approve, reject and/or amend request to authorize a three-month extension with no change in interest rate of the temporary construction financing with Carson Community Bank.

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

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

Motion Carried

11. Discussion with possible decision to approve, reject and/or amend proposed purchase of blinds/shades for the windows in City Hall from Budget Blinds on Northwest Arkansas for \$20,968 from Federal Grant Two ARPA – Administration – Materials & Supplies Acct. # 60-01-600100 not requiring a budget adjustment.

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

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

Motion Carried

12. Discussion with possible decision to approve, reject and/or amend an increase of \$117,000 to General Fund – Police Department – Salaries Account #10-09-501000 and a reduction of \$117,000 from General Fund – Ambulance – 911 Dispatch Cost Account #10-20-660002 due to delay in opening of the new 911 center.

Motion to approve: Barrett **Second:** Lane

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

Motion Carried

13. Discussion with possible decision to approve, reject and/or amend request for 34 Kenwood Nexedge Mobile radios with antenna, cable, and vehicle mount from Smith Two-Way Radio, Inc., for \$16,426.76 from Restricted Funds (Revenue – 10-06-301094) through General Fund – Fire – Grant Expense-Fire Account #10-06-615200 requiring a budget adjustment of equal amount to the above-named account.

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

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

Motion Carried

14. Discussion with possible decision to approve, reject and/or amend proposed purchase of 15 TASER 7 Certification Bundles from AXON for \$11,923.20 per year (for a projected 5-year total cost of \$59,616.00) from General Fund Account 10-09-640200 requiring a budget adjustment of \$11,923.20 to the above-named account.

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

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

Motion Carried

15. Discussion with possible decision to approve, reject and/or amend Schedule of Holidays and Council Meeting Dates for calendar year 2024.

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

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

Motion Carried

16. Discussion with possible decision to approve, reject and/or amend Municipal Liability Protection Plan with Oklahoma Municipal Assurance Group (OMAG) for \$52,741.00 from General Fund – Administration – Insurance Account # 10-01-630500 not requiring a budget adjustment.

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

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

Motion Carried

17. Discussion with possible decision to approve, reject and/or amend possible action concerning proposed safety course under the following guidelines:

7. Required for all employees excluding elected or contract personnel.
8. Those who successfully complete the course and pass an appropriate test, will earn as compensation:
 - i. \$650.00 for full-time employees,
 - ii. \$600.00 for volunteer fire fighters (who are not full-time employees of the city) and

- iii. \$250.00 for part-time employees who have worked 24 hours a week for the last 90 days.
- 9. Payment to be made by separate check with taxes and retirement withheld as appropriate.
- 10. Payment to be available on December 1, 2023.

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

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

Motion Carried

18. Discussion with possible decision to approve, reject and/or amend proposed changes to the ARMORY/COMMUNITY BUILDING RENTAL AGREEMENT with the addition of the following to the existing agreement:

- 7. *The building will be inspected after the event for damage and cleanliness. The cost for any repairs or cleaning will be the responsibility of the person and/or organization renting the facility. Based on the damage or lack of cleanliness, the cost may exceed the deposit requiring additional payment by the renter.*

NO ACTION

19. Discussion with possible decision to approve, reject and/or amend proposed changes to the Personnel Policy Handbook as follows:

ARTICLE EIGHT – ABSENCES

G. EMERGENCY LEAVE shall now read as follows:

- 1. For the purposes of this policy, “immediate family” is defined as:

<ul style="list-style-type: none"> a. <i>Spouse or domestic partner</i> b. child, c. brother, d. sister, e. self f. parents or foster parents (not both), g. grandparents, h. grandchildren, i. <i>aunts and uncles</i> j. <i>nieces and nephews</i> 	<ul style="list-style-type: none"> k. mother-in-law, l. father-in-law, m. brother-in-law, n. sister-in-law o. any of the above as a step-relative p. <i>guardian</i> q. <i>individuals with whom the employee had an extended close relationship</i>
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- (no change in #2 and #3 – addition of #4)
- 4. *For the purposes of this policy, “Bereavement Leave” shall be considered “Emergency Leave”.*

Motion to approve with exception of (1) (q): Lane **Second:** Debbie

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

Motion Carried

20. Discussion with possible decision to approve, reject and/or amend request by the Stilwell Chamber of Commerce to close Second Street from 610 North Second south to Stilwell Pharmacy from 4:30 p.m. until 6:00 p.m. on December 2, 2023, for the Annual Stilwell Christmas Parade.

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

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

Motion Carried

Possible Executive Session for discussion of Items 21-23 as per Title 25 O.S. 307(B)(1)(2)(3)(4) and (E)(1)(2)(3).

Motion to ENTER EXECUTIVE SESSION at 6:17 p.m.: Jim

Second: Barrett

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 7:16 p.m.: Coye

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).

Items 21, 22, and 23 were discussed in Executive Session. No other items were discussed, and no action was taken.

21. Discussion and possible decision to approve, reject, and/or amend a proposed transfer of city property at the current Adair County Fair Location by lease, sale, or other means to the county.

Motion to approve transfer of deed of property for a new facility at the Adair County fairgrounds to Adair County with provision for return if not used for that purpose: Barrett **Second:** Debbie

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

Motion Carried

22. Discussion only with City Clerk concerning possible individual salary changes resulting from proposed new rules under the Fair Labor Standards Act.

DISCUSSION ONLY

23. Discussion with City Attorney concerning any claims, arbitrations, or other legal matters.

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.)

NONE

Adjournment

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

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

Meeting adjourned at 7:18 p.m.

ATTEST:

Jean Ann Wright, Mayor

Larry Nettles, City Clerk-Treasurer

Posted:

**Friday, November 3, 2023, at 3:30 p.m.
Stilwell Community Building, 6th & Poplar
Stilwell City Hall, 503 W. Division
www.cityofstilwell.com**