

CITY OF STILWELL
CITY COUNCIL
REGULAR MEETING MINUTES

Monday August 5, 2024 – 5:30 p.m.
City Hall – 20 South First Street

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 APPLICATION FOR THE
2024 CDBG EDIF Grant Program

Open Meeting at 5:32 p.m.

Q & A: Explanation by Shelldon Miggetto. There were no questions.

Close Meeting at 5.35 p.m.

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, City Attorney Jeff Jones – Present, City Clerk-Treasurer Larry Nettles – Present

Guests: Shawn Noel, Chad smith, Tilden Martin, Amber Eubanks, Rpc Perez, Rhea Toney, Eddie Rich, Shelldon Miggetto, Charley Coombs, Lakin Girdner, Dale Dandridge, Ellen Workman

Mayor’s Comments: Heat is oppressive, City Hall will be closed next Friday for maintenance issues.

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. Community Narcan Training at the Stilwell Public Library on August 20, 2024 at 5:30 p.m. in the Community Room. There will be free Narcan, snacks, refreshments, swag and an opportunity for hands-on training.

Reports

- | | |
|---|--------------------------------------|
| • Police – Chad Smith | • Municipal Works – Dale Dandridge |
| • Fire – Tilden Martin | • Community Development – Shawn Noel |
| • Court Youth Liaison – Rhea Terrapin-Toney | |

Consent Agenda

1. Approval of minutes of Regular Meeting July 1, 2024.
2. Approval of blanket purchase orders in the sum of \$68,350.
3. Approval of budget increase to Police Department account #10-09-660400 of \$0.00 which equals the monthly received School Resource Officer reimbursement.
4. Approval of payment of claims for:
 - a. \$217,179.79 from Fund 10 – General Fund
 - b. \$155,609.28 from Fund 20 – Capital Improvement Fund
 - c. \$5,149.61 from Fund 30 – Street & Alley Fund
 - d. \$6,748.12 from Fund 90 – Safe Routes
5. Approval of July 2024 payroll in the sum of \$257,683.51.
6. Approval of payment of \$5,000 to the SIA – Capital Asset Replacement Fund from Capital Improvement – Administration – Capital Asset Replacement Account #20-01-800600 for FY 2024-2025.
7. Approval of a request for a Special Event Permit and waiving vendor permit and special event fees for Beyond the Trail Cultural District to hold a celebration at Carson Park on Saturday, October 12, 2024, in recognition of Indigenous Peoples Day from 3:00 p.m. until 8:00 p.m.
8. Approval of a request for the use of mortar/fireworks after touchdowns or victories at Stilwell High School Home Football Games for the 2024 season to be used exclusively by members of CC Camp, a non-profit community organization.
9. Approval of Pest Control for the Depot for FY 2024-2025 from West Termite and Pest Management for an annual cost of \$741.00.

10. Approval of a request to close Second Street from Oak Street to Olive Street and Division Street from Second Street to Third Street for the Annual "Meet the Indians" sponsored by the Stilwell High School Athletic Booster Club on Tuesday, August 27, 2024, at 7:00 p.m.
11. Approval of update to Personnel Policy Handbook Article Seven – B-a (City Pay Schedule) to reflect current year approved compensation.
- ~~12. Approval of School Resource Officer Contract for FY 2025.~~

Motion to approve items 1 through 11: Debbie **Second:** Lane

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

Motion Carried

Agenda:

1. Discussion with possible decision to approve, reject and/or amend individually any consent item(s) discussed, requiring a separate vote.

#12 – Approval of School Resource Officer Contract for FY 2025.

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

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

Motion Carried

2. Discussion with possible decision to adopt Resolution 08-05-2024-A; a resolution authorizing the application for 2024 CDBG-EDIF.

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

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

Motion Carried

3. Discussion with possible decision to adopt 2024 Citizens Participation Plan for CDBG grant application.

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

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 2024 grant application provided by CJ Schwan Food Company.

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

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

Motion Carried

5. Discussion with possible decision to award or reject competitive bid(s) for CDBG-CR-22-Stilwell-CI-00066- South Second Street & Drainage in an amount not to exceed \$1,398,424.27 to Cook's Consulting, LLC; contingent on concurrence by the Oklahoma Department of Commerce and a Notice to Proceed.

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

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

Motion Carried

6. Discussion with possible decision to increase leverage funds for CDBG-CR-2022-Stilwell-CI-00066 from \$609,000.00 to a total of \$1,098,424.27.

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

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

Motion Carried

7. Discussion with possible decision to approve, reject and/or amend a Special Event Permit for the “Teal and Purple Picnic” on September 13th at the courthouse bandstand – waiving vendor permit and special event fees – as requested by Lakin Girdner closing Division Street from 2nd Street to 3rd Street and Second Street from Division Street to Oak Street from 3:00 p.m. until 8:00 p.m. such closing to be subject to change as deemed necessary by the Chief of Police.

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 a Special Event Permit for “Pride in the Park” on October 5th at Adair Park to be hosted by Adair County Pride.

NO ACTION

9. Discussion with possible decision to approve, reject and/or amend request by Eddie Rich for a Special Event Permit for a swap meet on a date in August to be determined.

Motion to approve with date amended to September 14, 2024: Lane **Second:** Coye

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

Motion Carried

10. Discussion with possible decision to approve, reject and/or amend proposal for a cruise night on September 14, 2024.

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

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

Motion Carried

11. Discussion with possible decision to approve, reject and/or amend proposal to allow burnouts on private property during cruise night on September 14, 2024.

Motion to TABLE: Barrett **Second:** Jim

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

Motion TABLED

12. Discussion with possible decision to approve, reject and/or amend request for CDL Training for two Street Department employees under the Employee Training and Reimbursement provision of the Personnel Policy handbook at a cost of \$9,600 to Heavy Metal Training Institute of Vinita, Oklahoma, with training to occur in Pryor, Oklahoma.

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

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

Motion Carried

13. Discussion with possible decision to approve, reject and/or amend change in health insurance rates for the current fiscal year.

Motion to approve: Jim **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 request to accept a thoroughfare in the Dogwood II Addition as a Public Municipal Street to be named “Dogwood Blossom Street” upon approval by the Street Department Head.

Motion to approve: Debbie **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 request to accept a thoroughfare in the Crittenden Addition as a Public Municipal Street to be named “Joe Street” upon approval by the Street Department Head.

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

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

Motion Carried

16. Discussion with possible decision to approve, reject and/or amend Ordinance 422: An Ordinance Establishing Approval Limits for Encumbrance and Payment of Expenditures for the City of Stilwell and Repealing All Other Ordinances in Conflict Herewith.

Motion to approve: Jim **Second:** Barrett

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

Motion Carried

17. 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: 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 Ordinance 385-2024-A: An Ordinance Amending Ordinance 385-2024 – Article 5 – Occupational License Fee to Include Penalties for Late Payment.

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

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

Motion Carried

19. 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 385-2024-A” adopted above shall become effective immediately upon passage and approval, all as required by Law.

Motion to approve: Coye **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 Ordinance 400-E: An Ordinance Providing Specific Rules and Regulations Concerning Trash Placement and Pick Up Within the City of Stilwell, Repealing Ordinances 31, 376, 394, 400, 400-A, 400-B, 400-C, and 400-D.

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

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

Motion Carried

21. 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-E” 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

22. Discussion with possible decision to approve Holloway Updike & Bellen, Inc. for balance of engineering for Second Street Project begun last fiscal year from Capital Improvement – Street – Construction Account #20-12-645303 requiring a budget adjustment of \$14,000 to the above-named account.

Motion to approve: **Second:**

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

Motion Carried

23. Discussion with possible decision to approve, reject and/or amend Resolution #OMRF 08-2024: A Resolution of the City of Stilwell Casting a Vote for Trustee of the Oklahoma Municipal Retirement Fund (OkMRF) to Fill the Expiring Term of AT-LARGE Trustee Representing the Entire Membership.

Motion to approve casting vote for Kamie Brookshire: Lane **Second:** Debbie

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

Motion Carried

24. Discussion with possible decision to approve, reject and/or amend a proposal to allow Mayoral approval of certain city events without prior approval by the council.

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

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

Motion Carried

25. Discussion with possible decision to approve, reject and/or amend Resolution 08-05-2024 REAP: Authorizing Application for Financial Assistance from the Rural Economic Action Plan Fund.

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

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

Motion Carried

26. Discussion with possible decision to approve, reject and/or amend a request to add \$10,000 to Street & Alley – Street Department – Patch/Asphalt/Sand & Gravel Account #30-12-650600 for various small street repairs within the city.

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

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

Motion Carried

27. Discussion with possible decision to approve, reject and/or amend a request to purchase two Hustler 52 Inch X-1 mowers for the Street Department from WT Equipment Sales for \$11,815 each for a total of \$23,630 from Capital Improvement – Street Department – Equipment Account 20-12-645300.

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

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

Motion Carried

28. Discussion with possible decision to approve, reject and/or amend a request to purchase a Pickup Plow and Salt Spreader for the Street Department from Industrial Truck Equipment, Inc. for of \$25,908.60 from Capital Improvement – Street Department – Equipment Account 20-12-645300.

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

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

Motion Carried

29. Discussion with possible decision to approve, reject and/or amend a purchase request for a Grasshopper Model 335 mower for Carson Park from Morige Mfg. Inc. for \$12,714.70 from Capital Improvement – Sports Facilities – Park Equipment Acct # 20-16-645300.

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

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

Motion Carried

30. Discussion with possible decision to approve, reject and/or amend a request to approve surplus and sale of the following Carson Park equipment:

- Gator – John Deere 4 x 2
- Toro SandPro, Tiller – Red
- Weedeater FS 110R
- 2007 Chevrolet Silverado Vin# ***10594

Motion to approve to sell via purple Wave: Lane **Second:** Jim

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

Motion Carried

31. Discussion with possible decision to clarify and confirm the purpose and intent of the previous approval on December 4, 2023, of a request to amend Ordinance 428 concerning the zoning of a residential area at N Flint St, Hwy 59 and Hwy 51.

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

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

Motion Carried

32. Discussion with possible decision to approve, reject and/or amend request to approve a Job Description for a Community Development Assistant/Code Enforcement Position to replace the current Code Enforcement position due to a transfer of position/duties within the department and to advertise for such according to the procedures given in the Personnel Policy handbook.

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

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

Motion Carried

The following was moved to before Executive Session:

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.)

Discussion on providing a variance to ordinance for a 911 Radio Tower at the new Adair County 911 center inside the city.

NO ACTION

Councilmember Coye Nettles left the meeting prior to the vote to enter executive session at 7:20 p.m.

Possible Executive Session for discussion of Items 33-35 as per Title 25 O.S. 307(B)(1)(2)(3)(4) and (E)(1)(2)(3).

Motion to ENTER EXECUTIVE SESSION at 7:20 p.m.: Debbie

Second: Barrett

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 8:16 p.m.: Jim

Second: Barrett

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

Motion Carried

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

Items 33-35 were discussed in Executive Session. No other items were discussed, and no action was taken.

33. Discussion with possible decision to approve, reject and/or amend Ordinance 438: An Ordinance Providing for Additional Duties with Compensation for the Person Holding the Office of City Clerk-Treasurer for the City of Stilwell Repealing All Other Ordinances in Conflict Herewith.

NO ACTION

34. 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 438” adopted above shall become effective immediately upon passage and approval, all as required by Law.

NO ACTION

35. Discussion with City Attorney with possible decision to approve, reject and/or amend recommended response to any claims, arbitrations, or other legal actions.

DISCUSSION ONLY

Adjournment

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

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

Meeting adjourned at 8:17 p.m.

ATTEST:

Jean Ann Wright, Mayor

Larry Nettles, City Clerk-Treasurer

Agenda Posted: **Friday, August 2, 2024, at 3:30 p.m.**
Stilwell City Hall, 20 South First
www.cityofstilwell.com