

**CITY OF CATOOSA  
CITY COUNCIL  
MINUTES OF OCTOBER 14, 2019  
REGULAR MEETING**

**I. Meeting Convened**

**A. Call to Order:** A regular meeting of the City Council of the City of Catoosa was held and called to order by Mayor Brenda Conley at 6:03 p.m. on Monday, the 14th day of October, 2019 at Catoosa City Hall, 214 S. Cherokee, Catoosa, Oklahoma. The meeting was held in compliance with the Oklahoma Open Meeting Act and was posted in accordance therewith at least 24 hours in advance at City Hall for the purpose of discussion, consideration and possible action on the following agenda items.

**B. Invocation:** Councilor Greg Williams

**C. Pledge of Allegiance:** Mayor Brenda Conley

**D. Roll Call:** The following council members were **present** for this meeting: Ward #6, Councilor and Vice Mayor Russ White; Ward #5, Councilor Kyle Gibson; Ward #4, Councilor Fred Williams; Ward #3, Councilor Greg Williams; Ward #2, Councilor Thomas Sweet; and Ward #1 and Mayor Brenda Conley.

The following council members were **absent** for this meeting: Member at Large Councilor Jonnie Mott.

The following staff members were present for this meeting: John Blish, City Manager; Vicky Sutton, City Clerk; Ronnie Benight, Police Chief; Andy Wimberley, Assistant Police Chief; Terry Whiteley, City Planner; Eddie Faulkner, Assistant City Planner; Denus Benton, Fire Chief; Jesse Payne, PWA Maintenance Director and City Attorney Eric Wade, of Rosenstein, Fist & Ringold.

**E. Public Comments:** NONE

## **II. Consent Agenda:**

**Information:** Consideration and appropriate action relating to a request for City Council approval of the Consent Agenda:

- 1) Approval of Minutes of the **September 23, 2019** Regular Meeting
- 2) Approval of Regular and Prepaid Claims
- 3) Reappointment of CEDA Board Members for a Term Expiring October 31, 2022
  - Brenda Conley
  - Fred Williams
  - Evan Hudson

A motion was made by **Thomas Sweet** and seconded by **Greg Williams** to approve the consent agenda. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**III. Items Removed from Consent Agenda:** There were no items removed from the consent agenda.

## **IV. Agenda Items:**

### **Item #1: Ordinance No. 2019-370-Z Rezoning**

A discussion was held regarding Ordinance No. 2019-370-Z, an Ordinance of the City of Catoosa changing the zoning of property described herein from (RS-25) Residential Single-Family Low Intensity District to (CG) General Commercial with an overlying Planned Unit Development (PUD 2019-01) associated with this zoning change for Jake Schellenburg of Green Park Properties, LLC located at the Northeast Corner of Pine and State Highway 167. No action was taken.

### **Item #2: Accepting Advanced Metering Infrastructure Bid from Utility Supply Company**

A motion was made by **Thomas Sweet** and seconded by **Greg Williams** to approve accepting the Advanced Metering Infrastructure bid from Utility Supply Company in the amount of \$380,682.56 to be purchased out of the PWA Capital Outlay. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #3: ODOT Maintenance Agreement for the Installation of Traffic Signals at the Interchange of 165<sup>th</sup> East Avenue and I-44**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to approve the Project Maintenance Agreement No. NHPPI-0044-2(422)238, Job Piece No. 20315 (04) between the City of Catoosa and the Oklahoma Department of Transportation for the installation of traffic signals at the interchange of 165<sup>th</sup> East Avenue and I-44. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #4: Change Order Request No. 1-MJM Construction & Application LLC. Cherokee Fire Station Driveway Project**

A motion was made by **Thomas Sweet** and seconded by **Kyle Gibson** to approve Change Order No.1 to MJM Construction & Application, LLC, in the amount of \$508.20 for additional concrete on the Cherokee Fire Station Driveway Project. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #5: Final Pay Request No. 1-MJM Construction & Application, LLC. Cherokee Fire Station Driveway Project**

A motion was made by **Thomas Sweet** and seconded by **Greg Williams** to approve Pay Request No.1 – Final Pay Request from MJM Construction & Application, LLC, for work completed on the Cherokee Fire Station Driveway Project in the amount of \$14,908.20. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #6: Change Order Request No. 1-MJM Construction & Application LLC. Eastpark Road Project**

A motion was made by **Thomas Sweet** and seconded by **Greg Williams** to approve Change Order No. 1 to MJM Construction & Application, LLC, in the amount of (\$24,720.50) for the construction of the Eastpark Road Project. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #7: Final Pay Request No. 5-MJM Construction & Application, LLC. Eastpark Road Project**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to approve Pay Request No. 5 – Final Pay Request from MJM Construction & Application, LLC,

for work completed on the Eastpark Road Project in the amount of \$24,296.00. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #8: Marketing Agreement with Service Line Warranties of America**

The item died for lack of a motion.

**Item #9: Resolution No. 2019-559**

The item died for lack of a motion.

**Item #10: Parking Space Lease Agreement with Francis EVC, LLC**

A motion was made by **Thomas Sweet** and seconded by **Kyle Gibson** to approve the concept of installing and operating an electric vehicle charging station at the City of Catoosa Library/Community building parking lot. If the concept is approved, then an agreement with Francis EVC, LLC will be on the next agenda for approval by the City Council. The motion **failed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-no
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-no	Vice-Mayor Russ White-no

**Item #11: Ordinance No. 2019-414-C Employment Retirement System for the Position of Police Chief**

A motion was made by **Thomas Sweet** and seconded by **Kyle Gibson** to adopt Ordinance No. 2019-414-C, an ordinance adopting an Employee Retirement System, Defined Contribution Plan for the position of Police Chief for the City of Catoosa, Oklahoma from OMRF. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #12: Emergency Clause for Ordinance No. 2019-414-C**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to approve an emergency clause for Ordinance No. 2019-414-C. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #13: Purchase of Police Vehicles**

A motion was made by **Thomas Sweet** and seconded by **Greg Williams** to approve the purchase of two new 2020 Ford Explorers from Bob Moore Ford in the amount of \$33,593.00 per vehicle, State Contract 25101702 to be taken from the Police Department Capital Outlay.

The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #14: Purchase of Two Police Storage Containers**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to approve the purchase of two 40' dry cargo containers in the amount of \$2,900.00 each including delivery. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #15: Request Permission to Create Library Logo**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to approve the creation of a library logo that would promote our mission to the community and be easily recognizable. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #16: General Liability and Auto Insurance Renewal**

A motion was made by **Thomas Sweet** and seconded by **Greg Williams** to approve renewing the City's General Liability and Auto Insurance Policy with a term of November 1, 2019 through November 1, 2020 with Oklahoma Municipal Assurance Group (OMAG) in the amount of \$49,438.00. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #17: Property Insurance Renewal**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to approve renewing the City's Property Insurance Policy with a term of November 1, 2019 through November 1, 2020 with Oklahoma Municipal Assurance Group (OMAG) in the amount of \$34,206.00. The motion **passed** with the following votes:

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

**Item #18: Proposed Executive Session**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to enter into Executive Session. The motion **passed** with the following votes: **(7:26 PM) Russ White** stepped out of the Executive Session at **(7:40 PM)**

Mayor Brenda Conley-aye  
Thomas Sweet-aye  
Greg Williams-aye

Fred Williams-aye  
Kyle Gibson-aye  
Vice-Mayor Russ White-aye

**Statement of Executive Session Minutes:**

Mayor Brenda Conley acknowledged the City Council returned to open session at 8:12 P.M. During executive session, the City Council held confidential communications regarding the matters listed under Agenda Item #18 on the agenda for this meeting. The acting City attorney was present for the purposes of (A) discussing confidential communications between the City Council and its attorney concerning pending litigation, to wit: *John Rogne v. City of Catoosa*, Oklahoma Supreme Court Case No. DF-116769, the Council having been advised by its attorney that disclosure will seriously impair the ability of the City to process or conduct litigation in the public interest, pursuant to Title 25, Section 307(B)(4) of the Oklahoma Statutes; and (B) the purchase or appraisal of certain real properties located in the City of Catoosa, pursuant to Title 25, Section 307(B)(3) of the Oklahoma Statutes.

- a. Vote to convene in executive session.
- b. Acknowledge return to open session.
- c. Statement of executive session minutes.

**No other matters were discussed and no votes were taken.**

**Item #19: Purchase of Certain Real Property**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to approve the City Council entering into the Purchase and Sale Agreement with The Belt Family Revocable Trust and Virgle Belt for the City to purchase certain real property described in detail on Exhibit A to the Purchase and Sale Agreement, and generally described as Part of the Southwest Quarter of the Southeast Quarter, Section 20, Township 20 North, Range 15 East, Rogers County, Oklahoma, consisting of approximately 22.85 acres of real property and improvements thereon at 2845 South State Highway 66 in Catoosa, Oklahoma, for an amount not to exceed \$2,000,000. The motion **passed** with the following votes:

Mayor Brenda Conley-aye  
Thomas Sweet-aye  
Greg Williams-aye

Fred Williams-aye  
Kyle Gibson-aye  
Vice-Mayor Russ White-aye

**V: New Business:** There was no new business.

**VI: City Manager Report:** John Blish, City Manager informed the City Council of the following:

- I would like to get some proposed dates for a City Council Retreat to discuss future events and agenda items. Mayor Brenda Conley is not available October 30<sup>th</sup> – November 8<sup>th</sup>.
- We closed the Splash Pad today.
- Eddie is looking into getting us a carnival for our 4<sup>th</sup> of July event.
- First Step Pavement map is available, I will have individual maps that I will be sending out to the Council.
- Shadow Valley repair assessments have come back; we had allotted \$750,000.00 in our budget for this project. Brian is asking for \$795,000.00 to do a total rebuild instead of patching due to drainage problems. This item will come back to the Council at a future date.
- Hometown Halloween is coming up; please come out to participate in this event.
- The First Light/PSO initiative has already replaced lights and completed 2 buildings.

**VII: Council Comments:**

- Councilor Thomas Sweet thanked everyone that helped and accommodated the Route 66 Burn Out over the weekend.
- Mayor Brenda Conley has received phone calls regarding the pot holes on Muskogee, between Mrs. Lynch and Mrs. Conley and the one by Bank of The Lakes and the Dry Cleaners.
- Councilor Thomas Sweet has asked about the software modules; Vicky is working on one and Robert is working on the other.

**VIII: Adjourn:**

A motion was made by **Thomas Sweet** and seconded by **Fred Williams** to adjourn.  
The motion passed with the following votes: **(8:26 PM)**

Mayor Brenda Conley-aye	Fred Williams-aye
Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Vice-Mayor Russ White-aye

Approved on this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Vicky Sutton, City Clerk

\_\_\_\_\_  
Brenda Conley, Mayor