

Posted at City Hall, 64 Memorial Drive, Eufaula, OK 74432 September 6, 2018 at 5:00 p.m.

## **CITY OF EUFAULA, OK**

Community Center  
First & High Street  
Eufaula, OK 74432



**MINUTES**  
**Monday**  
**September 10, 2018**  
**5:00 p.m.**

City Council and Eufaula Public Works Authority

The City of Eufaula encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28CFR/36).

Council Rules of Decorum limit citizen comments on agenda items, non-agenda items, and public hearings to five (5) minutes. Any person desiring to address the Council during such period is required to sign in with the City Clerk, provide their name, address and specify the agenda item they wish to address. Remarks shall be directed to the matter being considered and the speaker is allowed to speak only one time. If written materials are to be submitted ten (10) copies should be made available, and may not be returned. Under Oklahoma Law, the Council Members are prohibited from discussing or taking any action on items not on today's agenda.

City Council

Mayor James Duty  
Vice Mayor Donald Berryhill  
Council Member Roger Barton  
Council Member Frank Davis  
Council Member Nick Pendley

AGENDA  
EUFAULA CITY COUNCIL  
September 10, 2018  
5:00 p.m.

- |                          |                         |
|--------------------------|-------------------------|
| 1. CALL TO ORDER         | MAYOR JAMES DUTY        |
| 2. INVOCATION            | VALARIE COX             |
| 3. PLEDGE OF ALLEGIANCE  | MAYOR JAMES DUTY        |
| 4. ROLL CALL /ATTENDANCE | CITY CLERK, VALARIE COX |

Council Members in attendance: Davis, Pendley, Barton, Berryhill and Duty.

5. PRESENT PROCLAMATION TO RETIRED ASSISTANT FIRE CHIEF STEVE JONES.

Proclamation issued to Retired Assistant Fire Chief Steve Jones.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately. The item will then be placed in its proper order on the regular meeting and will be considered at that time.

6. APPROVAL OF MINUTES.
- A. REGULAR COUNCIL MEETING AUGUST 6, 2018.
  - B. SPECIAL MEETING AUGUST 20, 2018.
7. APPROVAL OF THE TREASURER'S REPORT.

8. APPROVAL OF THE AUGUST 2018 PAYROLL FIGURES FOR THE GENERAL FUND IN THE AMOUNT OF \$49285.12.
9. RECEIPT OF CLAIMS: CITY OF EUFAULA.
10. Authorize the City Manager to sign a one year Inter-Local Agreement between the City of Eufaula and the McIntosh County 911 Trust to assign addresses within the City of Eufaula.

Motion to approve the Consent Agenda by Donald Berryhill, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

#### ITEMS REMOVED FROM CONSENT AGENDA

11. Discuss the WPA Pool/Building, with presentation by Glenna McBride and Roger Otis, and take any necessary action.

Presentation by Glenna McBride

12. Discuss and consider for approval Ordinance 18-09-01, providing for the annulment, vacation and discontinuance of a 0.98 acre tract, located at 710 S. Main Street, City of Eufaula, more particularly located in the S ½ of Section 2, T-9-N, R-16-E of I.B.M., McIntosh County, Oklahoma, as specifically described in the ordinance.

Motion to approve Ordinance 18-09-01 by Donald Berryhill, 2<sup>nd</sup> by Roger Barton. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

13. Discuss and consider for approval authorizing the City Manager to take necessary action for the remediation of mold in City Hall.

Discussion. Motion to authorize the City Manager to take necessary action for the remediation of mold in City Hall with the City Manager to call a special council meeting if the amount goes over \$25,000.00 by Donald Berryhill, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

14. Discuss and consider for approval Resolution 18-09-01, amending the number to designate Ordinance #11-6-3 titled "Ordinance Designated Camping Areas and Camping Permits and Fees"; and amending the number to designate Ordinance #11-6-3 titled "Repealing Existing 15-305, Authority to Impound Vehicles of City of Eufaula Codes and Establishing New Provisions."

Discussion. Motion to approve Resolution 18-09-01 amending the number to designate Ordinance #11-6-3 titled "Ordinance Designated Camping Areas and Camping Permits and Fees"; and amending the number to designate Ordinance #11-6-3 titled "Repealing

Existing 15-305, Authority to Impound Vehicles of City of Eufaula Codes and Establishing New Provisions.” By Donald Berryhill, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

15. Discuss and consider for approval Resolution 18-09-02 to clean property which formerly housed the building and land occupied by the Public Works Authority.

Discussion. Motion to approve Resolution 18-09-02 to clean property which formerly housed the building and land occupied by the Public Works Authority by Roger Barton, 2<sup>nd</sup> by Donald Berryhill. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

16. Discuss and Consider for approval Resolution 18-09-03, amending the Fee Schedule for medical marijuana permits.

Discussion. Steve Avent presented. Motion to approve Resolution 18-09-3, amending the Fee Schedule for medical Marijuana permits by Frank Davis, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

17. Discuss and Consider for approval Resolution 18-09-05 authorizing application for financial assistance from the Rural Economic Action Plan Fund.

Discussion. Motion to approve Resolution 18-09-05 authorizing application for financial assistance from the Rural Economic Action Plan Fund by Nicholas Pendley, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

18. RECOGNIZE CITIZENS WISHING TO SPEAK TO THE MAYOR AND COUNCIL.

**Note: Under Oklahoma Law, the Council Members are prohibited from discussing or taking any action on items not on today’s agenda.**

Wilson Bear  
John Tiger  
Brittany Moore  
Laura Huffman  
James Rowland  
Kristi Hall  
Russell Reeb  
Pam Rossi

19. REMARKS AND INQUIRIES BY CITY COUNCIL.

Davis- Labor Day Music to loud

Pendley- List to City Manager. Why will Sue not help with locking dumpsters?

Barton- Ordinance for people using people's dumpsters?

Berryhill- Bathrooms at the ramp are locked in the morning.

Duty- Thank you to the Chamber of Commerce.

20. ANNOUNCEMENTS.

21. ADJOURNMENT.

Motion to adjourn by Donald Berryhill, 2<sup>nd</sup> by Roger Barton. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

AGENDA  
EUFAULA PUBLIC WORKS AUTHORITY  
September 10, 2018  
5:00 p.m.

1. ROLL CALL / ATTENDANCE                      CITY CLERK, VALARIE COX

Council Members in attendance: Davis, Pendley, Barton, Berryhill and Duty.

CONSENT AGENDA

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2. APPROVAL OF THE JULY 2018 PAYROLL FIGURES FOR THE EUFAULA PUBLIC WORKS AUTHORITY IN THE AMOUNT OF \$22,787.36.
3. RECEIPT OF CLAIMS: EUFAULA PUBLIC WORKS AUTHORITY.

Motion to approve the consent agenda by Donald Berryhill, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

ITEMS REMOVED FROM CONSENT AGENDA

4. Discuss and consider for approval Resolution 18-09-04 amending the Fee Schedule for water and sewer rates.

Discussion. Motion to approve Resolution 18-09-04, as orally amended to \$1.00 per additional 1000 gallons of water instead of \$.50 per additional 1000 gallons of water over the minimum, amending the Fee Schedule for water and sewer rates by Donald Berryhill, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.

5. ADJOURNMENT.

Motion to adjourn by Donald Berryhill, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Frank Davis, Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty.