

Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 March 29, 2019 at 5:00 p.m.

## **CITY OF EUFAULA, OK**

Community Center  
First & High Street  
Eufaula, OK 74432



**MINUTES**  
**Monday**  
**APRIL 1, 2019**  
**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 28CRF/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  
April 1, 2019  
5:00 p.m.

- |                          |                         |
|--------------------------|-------------------------|
| 1. CALL TO ORDER         | MAYOR JAMES DUTY        |
| 2. INVOCATION            | ROGER BARTON            |
| 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. Special Presentations and Awards

Timothy Mark Goodwin sworn in as Chief of Police. Presentation to Council Member Roger Barton.

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 MARCH 4, 2019.
7. APPROVAL OF THE TREASURER'S REPORT.
8. APPROVAL OF THE MARCH 2019 PAYROLL FIGURES FOR THE GENERAL FUND IN THE AMOUNT OF \$57,020.61 OF CLAIMS: CITY OF EUFAULA.

9. Discuss and consider for approval declaring surplus the south 120 feet of Lot 3 in Block 6, City of Eufaula, McIntosh County.
10. Discuss and consider for approval selecting Layman's Lawn Care and Tree Service as the lowest qualified bid for nuisance abatement services.

Motion to approve the consent agenda 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.

ITEMS REMOVED FROM CONSENT AGENDA

11. Discuss and consider for approval Ordinance 19-4-1, adopting and enacting a code of ordinances of the City of Eufaula, Oklahoma; providing for the repeal of certain ordinances not included therein, except as hereafter provided; providing when this ordinance shall become effective; providing for sale and copies in the Clerk's Office; providing for supplements or changes to code; and declaring an emergency.

Motion to approve Ordinance 19-4-1, adopting and enacting a code of ordinances of the City of Eufaula, Oklahoma, providing for the repeal of certain ordinances not included therein, except as hereafter provided; providing when this ordinance shall become effective, providing for sale and copies in the Clerk's Office; providing for supplements or changes to code 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.

- a. Motion to approve or disapprove attaching emergency clause to Ordinance 19-4-1.

Motion to approve attaching emergency clause to Ordinance 19-4-1 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.

12. Discuss and consider for approval Ordinance 19-4-2, modifying Eufaula City Code Part 11, Chapter 3, Section 11-303 regarding designated camping areas, permits and fees; and declaring an emergency.

Motion to approve Ordinance 19-4-2, modifying Eufaula City Code Part 11, Chapter 3, Section 11-303 regarding designated camping areas, permits and fees 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.

- a. Motion to approve or disapprove attaching emergency clause to Ordinance 19-4-2.

Motion to approve attaching emergency clause to Ordinance 19-4-2 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.

13. Discuss and consider for approval Resolution 19-4-1, amending the fee schedule to include the rate for daily and overnight camping.

Motion to approve Resolution 19-4-1, amending the fee schedule to include the rate for daily and overnight camping 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.

14. Discuss and consider for approval nominating Councilmember Frank Davis to serve on the Eastern Oklahoma Development District Board of Directors for another three year term beginning July 1, 2019.

Motion to approve nominating Councilmember Frank Davis to serve on the Eastern Oklahoma Development District Board of Directors for another three year term beginning July 1, 2019, by Donald Berryhill, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Nicholas Pendley, Roger Barton, Donald Berryhill and James Duty. Frank Davis abstains.

15. 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.**

16. REMARKS AND INQUIRIES BY CITY COUNCIL.

Berryhill: Fishing off of Bunny Creek Bridge.

17. ADJOURNMENT.

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

AGENDA  
EUFAULA PUBLIC WORKS AUTHORITY  
APRIL 1, 2019  
5:00 p.m.

1. ROLL CALL / ATTENDANCE                      CITY CLERK, VALARIE COX

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

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.

2. APPROVAL OF MINUTES.  
    A. REGULAR MEETING MARCH 4, 2019.
3. APPROVAL OF THE MARCH 2019 PAYROLL FIGURES FOR THE EUFAULA PUBLIC WORKS AUTHORITY IN THE AMOUNT OF \$23,354.60.
4. RECEIPT OF CLAIMS: EUFAULA PUBLIC WORKS AUTHORITY.

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

ITEMS REMOVED FROM CONSENT AGENDA

5. Discuss and take any necessary action regarding update on the water system projects funded from the Oklahoma Water Resource Board loan program.

Presentation by City Manager Jacob Foss and Jeb Jones.

6. ADJOURNMENT.

Motion to adjourn 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.