

Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 May 2, 2019 at 5:00 p.m.

## **CITY OF EUFAULA, OK**

Community Center  
First & High Street  
Eufaula, OK 74432



### **MINUTES**

**Monday**  
**May 6, 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 Vacant  
Council Member Frank Davis  
Council Member Nancy Mouser  
Council Member Nick Pendley

AGENDA  
EUFAULA CITY COUNCIL  
May 6, 2019  
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: Mouser, Pendley, Davis and Duty.

5. Oath of Office ceremony for Councilmember Frank Davis.

Councilmember Frank Davis sworn in by Judge Teresa Pratt.

6. Oath of Office ceremony for Councilmember Nancy Mouser.

Councilmember Nancy Mouser sworn in by Judge Teresa Pratt.

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.

7. APPROVAL OF MINUTES.  
A. REGULAR COUNCIL MEETING APRIL 1, 2019.
8. APPROVAL OF THE TREASURER'S REPORT.

9. APPROVAL OF THE APRIL 2019 PAYROLL FIGURES FOR THE GENERAL FUND IN THE AMOUNT OF \$66,774.30.
10. RECEIPT OF CLAIMS: CITY OF EUFAULA.
11. Authorize the City Manager to sign engagement letter with Crawford & Associates, P.C., to provide professional financial services to the City of Eufaula.
12. Approval of Resolution 19-5-1 granting a Quit Claim Deed to the highest sealed bid made by Dusty and Kaci Burns, for the south 120 feet of Lot 3 in Block 6, City of Eufaula, McIntosh County, Oklahoma, in exchange for \$10,101.
13. Approval of ballot submission for the Oklahoma Municipal Assurance Group Trustee election voting for Justin Battles and Jeremy Frazier.
14. Approval of a Memorandum of Agreement with the Department of Human Services for the continuing lease of office space to DHS.
15. Acknowledge resignation from the City Council by Mr. Don Berryhill.
16. Authorize the City Manager to renew the annual lease agreement with Sequoyah Adair Cherokee County Nutrition.
17. Authorize the City Manager to purchase a hot asphalt trailer through the Capital Improvement Program Fund for \$41,646.52 from J & R Equipment LLC.

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

ITEMS REMOVED FROM CONSENT AGENDA

18. Discuss and consider for approval the appointment of a member of the City Council to the role of Mayor.

Motion to nominate James Duty for the role of Mayor by Nicholas Pendley, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes-Nancy Mouser, Nicholas Pendley and Frank Davis. James Duty abstains.

19. Discuss and consider for approval the appointment of a member of the City Council to the role of Vice-Mayor.

Motion to nominate Frank Davis for the role of Vice-Mayor by Nicholas Pendley, 2<sup>nd</sup> by Nancy Mouser. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, and James Duty. Frank Davis abstains.

20. Discuss and consider for approval selection process to fill the City Council vacancy of the Free-Holder position.

Discussion. Motion to approve selection process to fill the City Council vacancy of the Free-Holder position by James Duty, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

21. Discuss and consider for approval recessing the Eufaula City Council meeting to conduct a Public Hearing.

Motion to recessing the Eufaula City Council meeting to conduct a Public Hearing by Nicholas Pendley, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

22. Open Public Hearing to provide the public the opportunity to comment on the Fiscal Year 2019-2020 proposed budgets for the City of Eufaula, Eufaula Public Works Authority, and Eufaula Economic Development Authority.

Public Hearing Held

23. Discuss and consider for approval reconvening the Eufaula City Council meeting.

Motion to approve reconvening the Eufaula City Council meeting by Frank Davis, 2<sup>nd</sup> by Nancy Mouser. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

24. Discuss and take any necessary action on the Proposed Budget for Fiscal Year 2019-2020.

No action taken.

25. Discuss and consider for approval selection of contractor for cemetery mowing services.

Discussion. Motion to accept Layman's Lawn Services bid for cemetery mowing services by Nancy Mouser, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Nancy Mouser, Frank Davis and James Duty. No- Nicholas Pendley.

26. Discuss and consider for approval declaring the WPA pool property as surplus and approval of Resolution 19-5-2 granting a Quit Claim Deed to Eufaula Public Schools District No. I-1, McIntosh County, Oklahoma, for the property of Lot 4 of Section 2, Township 9 North, Range 16 East of the I.B.M, McIntosh County, Oklahoma, commonly referred to as the WPA Pool, in exchange for \$10.

Discussion. Motion to approve declaring the WPA pool property as surplus and approval of Resolution 19-5-2 granting a Quit Claim Deed to Eufaula Public Schools District No. I-1, McIntosh County, Oklahoma, for the property of Lot 4 of Section 2, Township 9 North, Range 16 East of the I.B.M, McIntosh County, Oklahoma, commonly referred to as the WPA Pool, in exchange for \$10 by Frank Davis, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

27. Discuss and consider for approval Ordinance 19-5-1 Replacing Eufaula City Code Part 12, Chapter 6, Flood Hazard Prevention in its entirety.

Discussion. Motion to approve Ordinance 19-5-1 Replacing Eufaula City Code Part 12, Chapter 6, Flood Hazard Prevention in its entirety by Nicholas Pendley, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

- a. Motion to approve or disapprove attaching emergency clause to Ordinance 19-5-1.

Motion to approve attaching emergency clause to Ordinance 19-5-1 by Nicholas Pendley, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

28. 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.**

29. REMARKS AND INQUIRIES BY CITY COUNCIL.

Davis: Thank you to the City Manager and PWA Director for all the man hours at Breckenridge.

Pendley: Thank you for going above and beyond call of duty. Mark Cole is doing an excellent job on Main Street. Patty Daniels for the flowers and congratulations on the mayor's term.

Mouser: Glad to be on the Council. Be watchful for people stealing water.

Duty: PWA has done an excellent job. Police has been doing great. Mark Cole was digging dirt from between cracks to get rid of weeds. Planters look nice on Main Street. Museum has moved to Kelsoe Building. Thank you citizens on Public Hearing.

30. ADJOURNMENT.

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

AGENDA  
EUFAULA PUBLIC WORKS AUTHORITY  
MAY 6, 2019  
5:00 p.m.

1. ROLL CALL / ATTENDANCE                      CITY CLERK, VALARIE COX

Council members in attendance: Mouser, Pendley, Davis 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 APRIL 1, 2019.
3. APPROVAL OF THE APRIL 2019 PAYROLL FIGURES FOR THE EUFAULA PUBLIC WORKS AUTHORITY IN THE AMOUNT OF \$25,058.09.
4. RECEIPT OF CLAIMS: EUFAULA PUBLIC WORKS AUTHORITY.

Motion to approve the Consent Agenda by Frank Davis, 2<sup>nd</sup> by Nancy Mouser. Roll Call Vote Yes – Nancy Mouser, Nicholas Pendley, Frank Davis 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.

Discussion.

6. Discuss and consider for approval Resolution 19-5-3 amending the Fee Schedule for water meter taps outside city limits.

Discussion. Motion to approve Resolution 19-5-3 amending the Fee Schedule for water meter taps outside city limits by Frank Davis, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

7. Discussion and training by Oklahoma Municipal Assurance Group.

Training held.

8. ADJOURNMENT.

Motion for adjournment by Nicholas Pendley, 2<sup>nd</sup> by Nancy Mouser. Roll Call Vote  
Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.