

Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 September 6, 2019 at 5:00 p.m.

CITY OF EUFAULA, OK

Community Center
First & High Street
Eufaula, OK 74432



MINUTES
Monday
SEPTEMBER 9, 2019
5:00 p.m.

City Council, Eufaula Public Works Authority and Eufaula Industrial 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 Frank Davis
Council Member Nancy Mouser
Council Member Nick Pendley
Council Member Todd Warren

AGENDA
EUFAULA CITY COUNCIL
September 9, 2019
5:00 p.m.

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

Council Members in attendance: Warren, 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.

5. APPROVAL OF MINUTES.
 - A. REGULAR COUNCIL MEETING AUGUST 5, 2019.
 - B. SPECIAL COUNCIL MEETING AUGUST 23, 2019.
 - C. SPECIAL COUNCIL MEETING SEPTEMBER 3, 2019.
6. APPROVAL OF THE TREASURER'S REPORT.
7. APPROVAL OF THE AUGUST 2019 PAYROLL FIGURES FOR THE GENERAL FUND IN THE AMOUNT OF \$42,420.59.
8. RECEIPT OF CLAIMS: CITY OF EUFAULA.

Motion to approve the consent agenda by Frank Davis, 2nd by Nicholas Pendley. Roll Call Vote Yes: Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

ITEMS REMOVED FROM CONSENT AGENDA

9. Discuss and consider for approval Resolution 19-09-01 authorizing application for financial assistance from the Rural Economic Action Plain Fund.

Discussion. Motion to approve Resolution 19-09-01 authorizing application for financial assistance from the Rural Economic Action Plain Fund by Todd Warren, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

10. Discuss and Consider for Approval Resolution 19-09-02 granting a Quit Claim Deed to the highest sealed bid, made by James Michael Burrows Jr., for the property as described in the Resolution, in exchange for \$600.

Discussion. Motion to approve Resolution 19-09-02 granting a Quit Claim Deed to the highest sealed bid, made by James Michael Burrows Jr., for the property as described in the Resolution, in exchange for \$600 with the buyer to tear down the house within 20 days or pay fine of \$100 per day it is not down by Nicholas Pendley, 2nd by Nancy Mouser. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

11. Discuss and Consider for Approval Resolution 19-09-03 granting a Quit Claim Deed to the highest sealed bid, made by James Michael Burrows Jr., for the property as described in the Resolution, in exchange for \$100.

Discussion. Motion to approve Resolution 19-09-03 granting a Quit Claim Deed to the highest sealed bid, made by James Michael Burrows Jr., for the property as described in the Resolution, in exchange for \$100 by Nicholas Pendley, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

12. Discuss and Consider for Approval Resolution 19-09-04 granting a Quit Claim Deed to the highest sealed bid, made by James Michael Burrows Jr., for the property as described in the Resolution, in exchange for \$300.

Discussion. Motion to approve Resolution 19-09-04 granting a Quit Claim Deed to the highest sealed bid, made by James Michael Burrows Jr., for the property as described in the Resolution, in exchange for \$300 by Nicholas Pendley, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

13. Discuss and Consider for Approval Resolution 19-09-05 granting a Quit Claim Deed to the highest sealed bid, made by Michael Pendley, for the property as described in the Resolution, in exchange for \$2,551.

Discussion. Motion to approve Resolution 19-09-05 granting a Quit Claim Deed to the highest sealed bid, made by Michael Pendley, for the property as described in the Resolution, in exchange for \$2,551 by Frank Davis, 2nd by Todd Warren. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Frank Davis and James Duty. Nicholas Pendley abstains.

14. Discuss and consider for approval the adoption of the City Council's Strategic Plan.

Discussion. Motion to approve the adoption of the City Council's Strategic Plan by Nancy Mouser, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

15. Discuss and consider for approval the formation of an ad-hoc committee to pursue the creation of a hospital and other health care facilities in Eufaula.

Discussion. Motion to form an ad hoc committee comprised of 5 members by Nancy Mouser, 2nd by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

16. Discuss and consider for approval the 2019-2020 School Resource Officer Memorandum of Understanding with the Eufaula School District.

Mark Goodwin. Discussion. Motion to approve the 2019-2020 School Resource Officer Memorandum of Understanding with the Eufaula School District by Frank Davis, 2nd by Todd Warren. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

17. Discuss and consider for approval Ordinance 19-09-01 modifying Eufaula City Code Part 8: Chapter 1 – Weeds and Trash, Chapter 3 – Abandoned or Junked Vehicles, and Chapter 5 – Nuisances, and Chapter 7- Deteriorated Buildings.

Jill Dew. John Burdine. Discussion. Motion to approve Ordinance 19-09-01 modifying Eufaula City Code Part 8: Chapter 1 – Weeds and Trash, Chapter 3 – Abandoned or Junked Vehicles, and Chapter 5 – Nuisances, and Chapter 7- Deteriorated Buildings by Nicholas Pendley, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

- a. Motion to approve or disapprove attaching emergency clause to Ordinance 19-09-1.

Motion to approve attaching emergency clause to Ordinance 19-09-1 by Nancy Mouser, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

18. Discuss and take any necessary action relating to animal control efforts.

Discussion. Staff is directed to look at costs of animal control.

19. 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.

Carol Albro

Pam Rossi

20. REMARKS AND INQUIRIES BY CITY COUNCIL.

Warren: None

Mouser: None

Pendley: 911 System

Davis: None

Duty: Labor Day

21. ADJOURNMENT.

Motion to adjourn by Nancy Mouser, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

AGENDA
EUFAULA INDUSTRIAL AUTHORITY
SEPTEMBER 9 2019
5:00 p.m.

1. ROLL CALL /ATTENDANCE CITY CLERK, VALARIE COX

Council Members in attendance: Warren, Mouser, Pendley, Davis and Duty.

2. APPROVAL OF MINUTES.

A. REGULAR MEETING AUGUST 5, 2019.

Motion to approve minutes by Nancy Mouser, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

3. Discuss and consider for approval a contract for sale with McQuay Construction, LLC for approximately seven acres located in Section 35 of T10N, R16E, McIntosh County, known as 400 Industrial Drive, Eufaula, for \$300,000.

Discussion. Motion to approve a contract for sale with McQuay Construction, LLC for approximately seven acres located in Section 35 of T10N, R16E, McIntosh County, known as 400 Industrial Drive, Eufaula, for \$300,000 by Frank Davis, 2nd by Nancy Mouser. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

4. Discuss and consider for approval Resolution 19-09-07 authorizing warranty deed pursuant to contract terms, upon satisfaction of title requirements, with McQuay Construction, LLC for sale of approximately seven acres located in Section 35 of T10N, R16E, McIntosh County, known as 400 Industrial Drive.

Motion to approve Resolution 19-09-07 authorizing warranty deed pursuant to contract terms, upon satisfaction of title requirements, with McQuay Construction, LLC for sale of approximately seven acres located in Section 35 of T10N, R16E, McIntosh County, known as 400 Industrial Drive by Frank Davis, 2nd by Todd Warren. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

5. Adjournment.

Motion to adjourn by Frank Davis, 2nd by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

AGENDA
EUFAULA PUBLIC WORKS AUTHORITY
SEPTEMBER 9, 2019
5:00 p.m.

1. ROLL CALL / ATTENDANCE CITY CLERK, VALARIE COX

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.
 B. REGULAR MEETING AUGUST 5, 2019.
 C. SPECIAL MEETING AUGUST 23, 2019.
 D. SPECIAL MEETING SEPTEMBER 3, 2019.
3. APPROVAL OF THE AUGUST 2019 PAYROLL FIGURES FOR THE EUFAULA PUBLIC WORKS AUTHORITY IN THE AMOUNT OF \$31,925.71
4. RECEIPT OF CLAIMS: EUFAULA PUBLIC WORKS AUTHORITY.

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

ITEMS REMOVED FROM CONSENT AGENDA

5. Discuss and consider for approval the purchase of a combination sewer cleaner from the lowest responsible bidder J&R Equipment for \$80,000.
- Jeb Jones. Motion to approve the purchase of a combination sewer cleaner from the lowest responsible bidder J&R Equipment for \$80,000 by Nancy Mouser, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Frank Davis and James Duty. Nicholas Pendley abstains.
6. Discuss and consider for approval Resolution 19-09-06 amending the Fee Schedule to establish water rates for water districts/authorities registered with Oklahoma Department of Environmental Quality.

Motion to approve Resolution 19-09-06 amending the Fee Schedule to establish water rates for water districts/authorities registered with Oklahoma Department of

Environmental Quality by Frank Davis, 2nd by Nancy Mouser. Roll Call Vote Yes- Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty. Todd Warren abstains.

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

Discussion.

8. Enter into executive session on advice of the City Attorney to receive confidential communications from its attorney concerning pending litigation by Coon Creek Trailer Park Water Authority as authorized by 25 O.S. (2018 Supp.) §307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the ending litigation in the public interest.

Motion to enter into executive session on advice of the City Attorney to receive confidential communications from its attorney concerning pending litigation by Coon Creek Trailer Park Water Authority as authorized by 25 O.S. (2018 Supp.) §307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the ending litigation in the public interest by Todd Warren, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

Motion to return to open session by Nancy Mouser, 2nd by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

9. ADJOURNMENT.

Motion to adjourn by Frank Davis, 2nd by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.