

REVISED 1/1/20: Erroneous text was removed from the PWA Item 7. Agenda was re-posted on January 1, 2020 at 5:00 p.m.

Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 December 27, 2019 at 5:00 p.m.

CITY OF EUFAULA, OK

Community Center
First & High Street
Eufaula, OK 74432



MINUTES
Monday
JANUARY 6, 2020
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.

The complete packet of information for the agenda items is available online at
CityofEufaulaOK.com

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
JANUARY 6, 2020
5:00 p.m.

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

COUNCIL MEMBERS PRESENT WERE 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. SPECIAL COUNCIL MEETING DECEMBER 2, 2019.
6. APPROVAL OF THE TREASURER'S REPORT.
7. APPROVAL OF THE DECEMBER 2019 PAYROLL FIGURES FOR THE GENERAL FUND IN THE AMOUNT OF \$55,095.94.
8. RECEIPT OF CLAIMS: CITY OF EUFAULA.

Motion to approve the consent agenda by Frank Davis, 2nd by Nancy Mouser. 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 the acceptance of the Annual Financial Statement and Independent Auditor's Report for the Fiscal Year ending June 30, 2019.

Presented by Kelly Schwarz. Discussion. Motion to approve the acceptance of the Annual Financial Statement and Independent Auditor's Report for the Fiscal Year ending June 30, 2019, by Frank Davis, 2nd by Todd Warren. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

10. Discuss and take any necessary action on the renovation and use of the former city hall building at 64 Memorial Drive.

Presentation by Barry Goldstein. Discussion. Motion to proceed with presented plan to return to the City Hall Building at 64 Memorial Drive and to look at financing options/funding by James Duty, 2nd by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

11. Discuss and consider for approval increasing Concession Agreement with Thomas Marine Dockside LLC, Wake & Skate, to \$1,500 per year for the five-year period beginning January 6, 2020.

Discussion. Motion to approve increasing Concession Agreement with Thomas Marine Dockside LLC, Wake & Skate, to \$1,500 per year for the five-year period beginning January 6, 2020, by Nancy Mouser, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

12. Discuss and take any necessary action on ordinances relating to the storage and sale of fireworks.

Pat Notaro. Discussion. Motion to strike for staff to do research laws by Frank Davis, 2nd by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

13. Discuss and take any necessary action on animal control policies, including the use of the City's animal shelter.

Discussion. Direct Staff to look for independent contractor for animal control officer.

14. Discuss and consider for approval Ordinance 20-01-01, relating to Part 7, Chapter 6 – Finance and Taxation-Hotel/Motel Tax, of the Code of Ordinances of the City of Eufaula, Oklahoma; Amending Sections 7-602, 7-604-A, and 7-605; and declaring an emergency.

Motion to approve Ordinance 20-01-01, relating to Part 7, Chapter 6 – Finance and Taxation-Hotel/Motel Tax, of the Code of Ordinances of the City of Eufaula, Oklahoma; Amending Sections 7-602, 7-604-A, and 7-605; and declaring an emergency by Nancy Mouser, 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 20-01-01.

Motion to approve attaching emergency clause to Ordinance 20-01-01 by Nicholas Pendley, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

15. Discuss and take any necessary action on the requirement for burn permits in city limits.

Discussion. Motion to end the internal process of burn permits for residential debris 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 take any necessary action to set date(s) for a special meeting of the City Council to review zoning code updates.

Motion to set Special Council Meetings on January 27, 2020, and January 28, 2020, at 3:00 p.m. by James Duty, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

17. Discuss and consider for approval Ordinance 20-01-02, amending the employee retirement system, defined benefit plan for the City of Eufaula and Eufaula Public Works Authority, Oklahoma by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Eufaula and Eufaula Public Works Authority, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation of benefits; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a retirement committee and providing for powers, duties, and rights of retirement committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities

for purposes of administration, management, and investment as part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; providing for repealer and severability; adopting those amendments mandated by the internal revenue code; and declaring an emergency.

Discussion. Motion to approve Ordinance 20-01-02, amending the employee retirement system, defined benefit plan for the City of Eufaula and Eufaula Public Works Authority, Oklahoma by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Eufaula and Eufaula Public Works Authority, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation of benefits; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a retirement committee and providing for powers, duties, and rights of retirement committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities for purposes of administration, management, and investment as part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; providing for repealer and severability; adopting those amendments mandated by the internal revenue code; and declaring an emergency by Nancy Mouser, 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 20-01-02.

Motion to approve attaching emergency clause to Ordinance 20-01-01 by Nancy Mouser, 2nd by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis 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.

Pam Rossi

19. REMARKS AND INQUIRIES BY CITY COUNCIL.

Pendley: Thank you to Jeb and Public Works crew. Mark good comments about the PD. Foss thank you for all the help with the Randy Peterson sign.

Duty: Dedication of the Randy Peterson Memorial Highway. Appreciated the bank for hosting the event. Great Christmas season. Thank you to PWA for getting Christmas decoration up. Great Christmas party for the staff.

20. ADJOURNMENT.

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

6. Discuss and take any necessary action on project timelines for water system, lift station, and wastewater plant projects.

Discussion. Motion to wait for results of funding by James Duty, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

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. Discuss and consider for approval invoice payments of \$4,860 on OWRB-DWSRF Loan #1.

Motion to approve invoice payments of \$4,860 on OWRB-DWSRF Loan #1 by Nicholas Pendley, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

9. Discuss and consider for approval invoice payments of \$238,450 on OWRB-DWSRF Loan #2.

Motion to approve invoice payments of \$238,450 on OWRB-DWSRF Loan #2 by Nicholas Pendley, 2nd by Nancy Mouser. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

10. Discuss and consider for approval declaring the dilapidated house at the Water Treatment Plant as surplus and authorize the demolition of the structure.

Discussion. Motion to approve declaring the dilapidated house at the Water Treatment Plant as surplus and authorize the demolition of the structure by Todd Warren, 2nd by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

11. Adjournment.

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