

Revised and re-posted October 6, 2020, at 10:00 a.m. to reflect a correction of adding item #3.

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Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 October 2, 2020 at 5:00 p.m.

SPECIAL NOTICE: Due to COVID-19, all attendees must wear a protective face mask. If possible, please bring your own mask. A limited amount will be available for visitors. Please do not attend if you have been exposed to, tested positive for, or are experiencing symptoms of COVID-19.

## **CITY OF EUFAULA, OK**

Community Center  
First & High Street  
Eufaula, OK 74432



### **SPECIAL MEETING MINUTES Wednesday OCTOBER 7, 2020 5:00 p.m.**

City Council and 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 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.



Motion to enter into executive session for confidential communications with legal counsel regarding claims by Vernon Hysell for property located at 1632 Pittman Avenue, Eufaula, Oklahoma, on advice of counsel that public disclosure would seriously impair the ability of the City Council to process the claims and potential litigation in the public interest, and as authorized by 25 O.S. Section 307(B)(4) by Nicholas Pendley, 2<sup>nd</sup> by Frank Davis. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

Motion to go back to open session by Nicholas Pendley, 2<sup>nd</sup> by Frank Davis.

Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

6. **PROPOSED ACTION ITEMS FOR MATTERS DISCUSSED IN EXECUTIVE SESSION:** Consideration, discussion, and possible appropriate and related action on matters discussed in Executive Session, including direction for the City Manager and legal counsel to explore options for resolution.

Motion to find that the executive session was necessary to process the potential claims in the public interest by Frank Davis, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

Motion to authorize outside counsel to contact the attorney for Mr. Hysell about a proposed stormwater project for this area. Cowan Engineer will provide the easement but Mr. Hysell will be responsible for getting homeowner approval at no cost to the city by Frank Davis, 2<sup>nd</sup> by Nicholas Pendley. Roll Call Vote Yes- Todd Warren, Nancy Mouser, Nicholas Pendley, Frank Davis and James Duty.

7. ADJOURNMENT.

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