

Minutes of the Regular Atoka City Council Meeting of **January 3, 2022**, 6:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma. Original Agenda Posted **December 30, 2021**, at 12:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma.

I. Convene Meeting

- A. Meeting Called to Order- 6:00 PM
- B. Welcome- Mayor Brian Cathey
- C. Pledge of Allegiance – Mayor Brian Cathey
- D. Invocation-Council Member Coby Sherrill
- E. Roll Call- Council Member Coby Sherrill, Council Member Erica Pogue, Council Member Pat Turner, Council Member Diane McGee, Mayor Brian Cathey
- F. Public Recognition- Miranda Donihoo, Carol Ervin, Travis Mullins, Phyllis Bates

II. Public Comments - (limited to 3 minutes per speaker)

III. Business Agenda

- A. Public Hearing
- B. Agenda Items

1. Discussion and action regarding approving or rejecting the minutes of the meeting of December 20, 2021 (Attachment #1)

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the minutes of the meeting of December 20, 2021. Voting aye, Pogue, Turner, McGee, Sherrill, Mayor Cathey. Voting nay, none. Motion carried.

2. City Manager's Report (Attachment #2).

Council Member Pogue asked how the citizens are liking the new trash cans- dumpsters and roll offs. City manager informed the council that those with roll-offs or larger dumpsters have requested them.

A motion was made by Council Member McGee and seconded by Council Member Sherrill to approve the City Manager's report. Voting aye, Turner, McGee, Sherrill, Pogue, Mayor Cathey. Voting nay, none. Motion carried.

3. Discussion and action on approving or rejecting the blanket purchase orders for the City of Atoka. (Attachment #3)

A motion was made by Council Member Pogue and seconded by Council Member McGee to approve the payment of the blanket purchase orders for the City of Atoka. Voting aye, McGee, Sherrill, Pogue, Turner, Mayor Cathey. Voting nay, none. Motion carried.

4. Discussion and action on adopting or rejecting Resolution No. 2022-01; to serve as guide and notice to the Atoka County Election Board for the election of Council Members (Attachment #4)

The council discussed the upcoming election and how quickly time has passed by since the last election.

A motion was made by Council Member McGee and seconded by Council Member Pogue to adopt Resolution No. 2022-01; to serve as a guide and notice to the Atoka County Election Board for the election of Council Members. Voting aye, Sherrill, Pogue, Turner, McGee, Mayor Cathey. Voting nay, none. Motion carried.

5. Discussion, consideration and possible vote regarding the finding from the Administrative Hearing for the property located at 503 West Liberty Road. (Attachment #5)

Code Enforcement Officer, Phyllis Bates, addressed the council regarding the referenced property. The fence is nearly complete and looks good, however, the structure has not had any repairs. Ms. Bates provided photos to the council.

City attorney added that with the trailer not in the property owners name, the best route would be to go through the condemnation process rather than the owner removing the structure. The city will provide the property owner an invoice for the removal of structure.

A motion was made by Council Member McGee and seconded by Mayor Cathey to adopt the findings of the administrative hearing, less the removal of the fence as it has been repaired. Voting aye, Pogue, Turner, McGee, Sherrill, Mayor Cathey. Voting nay, none. Motion carried.

6. Discussion, consideration and/or action on declaring 2011 Reitnouer Trailer surplus and authorizing the City Manager to sell it pursuant to the provisions of Section 7-206 of the City Code and subject to a minimum bid of \$16,000. – City Manager

Council Member Pogue questioned why the trailer would not be able to go through auction and City Attorney addressed this question by stating that per the City of Atoka Code, an item valuing more than \$500 must be published and accept sealed bids.

A motion as made by Council Member Pogue and seconded by Council Member McGee to approve the sell of the 2011 Reitnoeur Trailer by accepting sealed bids with a minimum bid of \$16,000. Voting aye, Turner, McGee, Sherrill, Pogue, Mayor Cathey. Voting nay, none. Motion carried.

C. Public Requested Agenda Items

IV. Consent Agenda Items

None.

V. Executive Session

An Executive Session as authorized by Title 25 O.S. Section 307 (B) (4), for confidential communication between the Council and its attorney concerning pending litigation filed in the District Court of Atoka County by Gerald Hughes as Case No. CV-21-72.

A motion was made by Council Member McGee and seconded by Council Member Pogue to

recess this meeting and enter into executive session at 6:12 PM. Voting aye, McGee, Sherrill, Pogue, Turner, Mayor Cathey. Voting nay, none. Motion carried.

Recessed at 6:12 PM

A motion was made by Council Member McGee and seconded by Council Member Sherrill to reconvene open session at 6:24 PM. Voting aye, Sherrill, Pogue, Turner, McGee, Mayor Cathey. Voting nay, none. Motion carried.

Reconvened at 6:24 PM

VI. Return from Executive Session

1. Acknowledgment of Minutes of Executive Session.

Minutes of the executive session are attached as Exhibit A.

2. Discussion, consideration, and possible vote authorizing City Attorney to act on litigation filed in the District Court of Atoka County (Case No CV-21-72) by Gerald Hughes, including, but not limited to the hiring of outside counsel, if necessary.

A motion was made by Council Member Pogue and seconded by Council Member McGee to authorize City Attorney to act on litigation filed in the District Court of Atoka County (Case No CV-21-72) by Gerald Hughes, including, but not limited to the hiring of outside counsel, if necessary. Voting aye, Turner, McGee, Sherrill, Pogue, Mayor Cathey. Voting nay, none. Motion carried.

VII. New Business

None.

VIII. Council Comments

None.

IX. Adjournment

A motion was made by Council Member Sherrill and seconded by Council Member Pogue to adjourn this meeting at 6:25 PM. Voting aye, McGee, Sherrill, Pogue, Turner, Mayor Cathey. Voting nay, none. Motion carried.

Adjourned at 6:25 PM

Attest:

Atoka City Council

(seal)

Kayle Wallis, City Clerk

Brian Cathey, Mayor