

Minutes of the Special Atoka City Council Meeting of **January 25, 2022**, 6:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma. Original Agenda Posted **January 21, 2022**, at 4:00 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 – Council Member Diane McGee
- 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- Travis Mullins, Miranda Donihoo, Curtis Southern, Tye Howard, Carol Ervin, Phyllis Bates, Bobby Ward

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

None.

III. Business Agenda

A. Public Hearing

B. Agenda Items

1. Discussion and action regarding approving or rejecting the minutes of the meeting of January 3, 2022 (Attachment #1)

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the minutes of the meeting of January 3, 2022. Voting aye, Pogue, Turner, McGee, Sherrill, Mayor Cathey. Voting nay, none. Motion carried.

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

Council Member Pogue asked the Council about the fence around the Westview Cemetery. The City Manager let her know that the fence will be replaced. The Council discussed other areas that are being worked on, repaired, and installed.

A motion was made by Council Member McGee and seconded by Council Member Pogue 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 payment of purchase orders for the City of Atoka for the month of December 2021. (Attachment #3)

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the payment of purchase orders for the City of Atoka for the month of December 2021. Voting aye, McGee, Sherrill, Pogue, Turner, Mayor Cathey. Voting nay, none. Motion carried.

4. Discussion and action regarding approving or rejecting the recommendation from the Atoka Planning Commission regarding the application from Charles Bonner for a re-zoning request of property located at 460 N Ohio Ave, Atoka, Oklahoma, currently zoned A-1) Agriculture or C-3 (General Commercial District). (Attachment #4)

The Council discussed the rezone request, and what the new property owner wishes to do with the property. Mr. Bonner was not present. The Atoka Planning Commission recommended approving the request and allowing Mr. Bonner to re-zone the property to R-1 Residential and change the old PSO building into a residence.

Council Member Pogue and seconded by Council Member McGee to approve the recommendation from the Atoka Planning Commission regarding the application from Charles Bonner for a re-zoning request of property located at 460 N Ohio Ave, Atoka, Oklahoma, currently zoned A-1) Agriculture or C-3 (General Commercial District). Voting aye, Sherrill, Pogue, Turner, McGee, Mayor Cathey. Voting nay, none. Motion carried.

5. Discussion and action regarding approving or denying the purchase of a Kubota SVL97-2HFC Model at the price of \$74,862.65. – City Manager (Attachment #5)

City Manager asked Capital Improvement Supervisor, Bobby Ward, to address the council at this time. Mr. Ward explained the benefits and need for this Kubota skid steer to the council, stating that the equipment is very versatile in meeting the many needs the city has for current and future projects. The Skid-Steer is on State Contract and will make job completion easier, with the ability to rent different attachments rather than purchasing attachments.

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the purchase of a Kubota SVL97-2HFC Model at the price of \$74,862.65. Voting aye, Pogue, Turner, McGee, Sherrill, Mayor Cathey. Voting nay, none. Motion carried.

6. Discussion and action regarding approving or rejecting the 2021 Budget Adjustments for the General Fund (Attachment #6)

Council Member Pogue questioned what this adjustment is for, and City Treasurer, Kelly Ingram, explained that each year adjustments must be made to bring everything in to balance.

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the 2021 Budget Adjustments for the General Fund. Voting aye, Turner, McGee, Sherrill, Pogue, Mayor Cathey. Voting nay, none. Motion carried.

7. Discussion and action regarding adopting or rejecting Resolution No. 2022-02; to amend the General Fund Budget for the Fiscal Year 2021 (Attachment #7)

A motion was made by Council Member Pogue and seconded by Council Member McGee to adopt Resolution No. 2022-02; to amend the General Fund Budget for the Fiscal Year 2021. Voting aye, McGee, Sherrill, Pogue, Turner, Mayor Cathey. Voting nay, none. Motion carried.

8. Discussion and action regarding approving or rejecting the 2021 Budget Adjustments for Capital Improvement (Attachment #8)

A motion was made by Council Member Pogue and seconded by Council Member McGee to approve the 2021 Budget Adjustments for Capital Improvement. Voting aye, Sherrill, Pogue, Turner, McGee, Mayor Cathey. Voting nay, none. Motion carried.

9. Discussion and action regarding adopting or rejecting Resolution No. 2022-03; to amend the Capital Improvement Budget for the Fiscal Year 2021 (Attachment #9)

A motion was made by Council Member Pogue and seconded by Council Member McGee to adopt Resolution 2022-03; to amend the Capital Improvement Budget for the Fiscal Year 2021. Voting aye, Pogue, Turner, McGee, Sherrill, Mayor Cathey. Voting nay, none. Motion carried.

10. Discussion and action regarding adopting or rejecting Ordinance No. 579; for the formal adoption of Appendix 2, Schedule of Fees and Charges, to the City Code of Atoka, Oklahoma (2020) ("Atoka City Code"). (Attachment #10)

A motion was made by Council Member McGee and seconded by Council Member Sherrill to adopt Ordinance No. 579; for the formal adoption of Appendix 2, Schedule of Fees and Charges, to the City Code of Atoka, Oklahoma (2020) ("Atoka City Code"). Voting aye, Turner, McGee, Sherrill, Pogue, Mayor Cathey. Voting nay, none. Motion carried.

A motion was made by Council Member McGee and seconded by Council Member Sherrill declaring Ordinance No. 579 as an emergency. Voting aye, McGee, Sherrill, Pogue, Turner, Mayor Cathey. Voting nay, none. Motion carried.

11. Discussion and action regarding adopting or rejecting Ordinance No. 580; amending and/or adjusting, in part, the rates, fees, and charges in Appendix 2, Schedule of Fees and Charges, to the City Code of Atoka, Oklahoma (2020) ("Atoka City Code") Building regulations and codes to reflect changes to the currently existing rates, fees, and charges. (Attachment #11)

Code Enforcement Officer, Phyllis Bates, addressed the council regarding the purpose of Ordinance No. 580 being to offset City costs for Administrative Hearings by charging a fee of \$50.00 per hearing. Council Member McGee questioned if the proposed fees are comparable to other cities and Phyllis responded by stating that our fees will compare to the City of Durant.

A motion was made by Council Member Pogue and seconded by Council Member Sherrill to adopt Ordinance No. 580; amending and/or adjusting, in part, the rates, fees, and charges in Appendix 2, Schedule of Fees and Charges, to the City Code of Atoka, Oklahoma (2020) ("Atoka City Code") Building regulations and codes to reflect changes to the currently existing rates, fees, and charges. Voting aye, Sherrill, Pogue, Turner, McGee, Mayor Cathey. Voting nay, none. Motion carried.

A motion was made by Council Member McGee and seconded by Council Member Sherrill declaring Ordinance No. 580 as an emergency. Voting aye, Pogue, Turner, McGee, Sherrill, Mayor Cathey. Voting nay, none. Motion carried.

12. Discussion and action regarding adopting or rejecting Ordinance No. 581; amending and/or adjusting, in part, the rates, fees, and charges in Appendix 2, Schedule of Fees and Charges, to the City Code of Atoka, Oklahoma (2020) ("Atoka City Code") Building regulations and codes to reflect changes to the currently existing rates, fees, and charges. (Attachment #12)

Code Enforcement Officer, Phyllis Bates, addressed the council regarding Ordinance No. 581 and what it entails. The City of Atoka will be comparing fees with the City of Durant.

A motion was made by Council Member McGee and seconded by Council Member Sherrill to adopt Ordinance No. 581; amending and/or adjusting, in part, the rates, fees, and charges in Appendix 2, Schedule of Fees and Charges, to the City Code of Atoka, Oklahoma (2020) ("Atoka City Code") Building regulations and codes to reflect changes to the currently existing rates, fees, and charges. Voting aye, Turner, McGee, Sherrill, Pogue, Mayor Cathey. Voting nay. None. Motion carried.

A motion was made by Council Member McGee and seconded by Council Member Sherrill declaring Ordinance No. 581 as an emergency. Voting aye, Pogue, Turner, McGee, Sherrill, Mayor Cathey. Voting nay, none. Motion carried.

13. Discussion and possible action pursuant to 11 O.S. § 22-101 and Code Section 7-207, determining two (2) Sentry Siren Outdoor Warning Sirens surplus property, approving the terms of the Donation Agreement, and authorizing their donation to the City of Stringtown pursuant to the terms and conditions contained therein. (Attachment #13)

Emergency Management Director, Travis Mullins, addressed the council regarding this request. Mr. Mullins informed the council that the new emergency sirens are scheduled to be installed on January 26, 2022 and the old sirens would no longer be in use once the new sirens are installed. The City of Stringtown does not have any emergency sirens, therefore the request has been made for the City of Atoka to donate two of the four older sirens to the neighboring city. Council Member Sherrill asked about the remaining two sirens not in use and was informed by Mr. Mullins that the City of Stringtown would not be able to use the remaining two sirens due to them requiring a three-phase power source.

A motion was made by Council Member McGee and seconded by Council Member Pogue to determine two (2) Sentry Siren Outdoor Warning Sirens surplus property, approving the terms of the Donation Agreement, and authorizing their donation to the City of Stringtown pursuant to the terms and conditions contained therein. Voting aye, Sherrill, Pogue, Turner, McGee, Mayor Cathey. Voting nay, none. Motion carried.

14. Discussion and/or Action to accept the bid made by Allied Waste Systems (Republic Services) in the amount of \$16,000 for 51-foot Reitnauer trailer and to authorize the sell according to those terms. - City Manager

A motion was made by Council Member McGee and seconded by Council Member Pogue to accept the bid made by Allied Waste Systems (Republic Services) in the amount of \$16,000 for 51-foot Reitnauer trailer and to authorize the sell according to those terms. Voting aye, Pogue, Turner, McGee, Sherrill, Mayor Cathey. Voting nay, none. Motion carried.

15. Discussion and action on accepting or denying the property at 411 N. Ohio St Atoka, Oklahoma to be deeded to the City of Atoka. This item appeared on the December 20, 2021 agenda with an incorrect address of the property.

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

accept the property at 411 N. Ohio St Atoka, Oklahoma to be deeded to the City of Atoka. This item appeared on the December 20, 2021 agenda with an incorrect address of the property. 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

None.

VI. New Business

VII. Council Comments

VIII. Adjournment

A motion was made by Council Member McGee and seconded by Council Member Turner to adjourn this meeting at 6:26 PM. Voting aye, McGee, Sherrill, Pogue, Turner, Mayor Cathey. Voting nay, none. Motion carried.

Adjourned: 6:26 PM

Attest:

City of Atoka

(Seal)

Kayle Wallis, City Clerk

Brian Cathey, Mayor