

Minutes of the Regular Atoka City Council Meeting of **February 22, 2022**, 6:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma. Original Agenda Posted **February 18, 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 – Mayor Brian Cathey
- D. Invocation- Mayor Brian Cathey
- E. Roll Call- Council Member Coby Sherrill-Absent, Council Member Erica Pogue, Council Member Pat Turner, Council Member Diane McGee, Mayor Brian Cathey
- F. Public Recognition- Phyllis Bates, Carol Ervin, Curtis Southern, Miranda Donihoo

II. Public Comments - (limited to 3 minutes per speaker)
None.

III. Business Agenda

A. Public Hearing

None.

B. Agenda Items

1. Discussion and action regarding approving or rejecting the minutes of the meeting of February 7, 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 February 7, 2022. Voting aye, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

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

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, Pogue, and 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 January 2022. (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 January 2022. Voting aye, McGee, Pogue, Turner, and Mayor Cathey. Voting nay, none. Motion carried.

4. Discussion and action regarding adopting or rejecting Ordinance No. 582; Amending Part 4 Animals, Chapter 1, Article A, Section 4-104 to the City Code of Atoka, Oklahoma (2020) Buildings, Structures for Animals, Location, ("Atoka City Code"), Providing regulations for fowl,

chickens, and laying hens, providing for repealer and severability, and declaring an emergency. (Attachment #4)

Code Enforcement Officer, Phyllis Bates, presented the council with photos regarding the proposed Ordinance which will limit the number of chickens that can each owner would be allowed within city limits. Ms. Bates stated that the issue of chickens migrating in town needs to be addressed as the chickens are running free and can be considered a nuisance to pet owner and citizens alike. The City Attorney confirmed that this topic is highly controversial amongst other cities, as the people raising chickens would be "grandfathered in" and only once living chickens die off would these homes be enforced by this new law. A suggestion was made to make it a law of the city to keep chickens in a coop in back yards. The attorney suggested this item be addressed in the form of a public hearing as well as amend the code to list turkey in with fowl rather than a large animal.

A motion was made by Mayor Cathey and seconded by Council Member McGee to place this matter on the March 2, 2022 agenda with a public hearing. Voting aye, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

5. Discussion and or action on the appointment of an Alternate City Judge, and Assistant City Attorney which shall be designated to act in the place of the City Judge and/or City Attorney in the event that they have a conflict of interest which requires their recusal.

The City Attorney stated that in the case of a conflict of interest, it is important to have an alternate to act on the behalf of the City of Atoka. Mr. Sandmann himself has had a situation arise in which he was unable to represent due to a conflicting matter and he has recommended designating Morgan Potts as an alternate, or assistant, attorney for the City of Atoka. Mr. Sandmann also stated he would attempt to local attorney to serve as an alternate City Judge if needed.

A motion was made by Council Member Pogue and seconded by Council Member McGee to appoint or designate Morgan Potts as assistant City Attorney. Voting aye, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

An assistant judge will be designated at a later date.

C. Public Requested Agenda Items

IV. Consent Agenda Items

None.

V. Executive Session

None.

VI. New Business

None.

VII. Council Comments

Mayor Cathey commented on the number of fires of late and advised the citizens of the City and County to be cautious as our local fire men and women are volunteers and working tirelessly while also having full time jobs; be mindful of this as you are burning in a fire pit, or a controlled brush/grass fire.

VIII. Adjournment

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

Adjourned at 6:25 PM

Attest:

Atoka City Council

(seal)

Kayle Wallis, City Clerk

Brian Cathey, Mayor