

Minutes of the Regular Atoka City Council Meeting of April 18, 2022, 6:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma. Original Agenda Posted April 14, 2022, at 4:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma.

Presentation of Proclamation for Officer Mark Rains

I. Convene Meeting

- A. Meeting Called to Order- 6:08 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, Council Member Erica Pogue, Council Member Pat Turner, Council Member Diane McGee, Mayor Brian Cathey
- F. Public Recognition- Carol Ervin, Miranda Donihoo, Phyllis Bates, Keenan English, Randy Debo, Fran Cooksey, Mary Stark, Veronica McDaniel, Michael Brewer, Brian Snead, Darren Duckworth, and the Atoka Police Department

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 April 4, 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 April 4, 2022. Voting aye, Pogue, Turner, McGee, Sherrill, and Mayor Cathey. Voting nay, none. Motion carried.

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

City Manager, Danny Delay, discussed the amount of refuse the Transfer Station took in throughout cleanup week and the continuance of wrapping up by picking up missed streets and properties. The Council thanked the City Manager for work completed around the city.

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve of the City Manager's Report. Voting aye, Turner, McGee, Sherrill, 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 March 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 March 2022. Voting aye, McGee, Sherrill, Pogue, Turner, and Mayor Cathey. Voting nay, none. Motion carried.

4. Discussion and action on approving or rejecting the payment of Invoice No. 1 to Wall Engineering for Engineering Services on the Splash Pad Project. (Attachment #4)

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the payment of Invoice No. 1 to Wall Engineering for Engineering Services on the Splash Pad Project. Voting aye, Sherrill, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

5. Discussion and action to declare the month of April as Fair Housing Month in the City of Atoka. (Attachment #5)

A motion was made by Council Member McGee and seconded by Council Member Pogue to declare the month of April as Fair Housing Month in the City of Atoka. Voting aye, Pogue, Turner, McGee, Sherrill, and Mayor Cathey. Voting nay, none. Motion carried.

6. Discussion and action on adopting or rejecting Resolution No. 2022-08; making the Fiscal Year 2023 election regarding Annual Aliquot Costs in accordance with McGee Creek Amended Trust Indenture (Attachment #6)

A motion was made by Council Member Pogue and seconded by Council Member McGee to adopt Resolution No. 2022-08; making the Fiscal Year 2023 election regarding Annual Aliquot Costs in accordance with McGee Creek Amended Trust Indenture. Voting aye, Turner, McGee, Sherrill, Pogue, and Mayor Cathey. Voting nay, none. Motion carried.

7. Discussion and action on adopting or rejecting Ordinance No. 582; an ordinance 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, turkey, peacocks, chickens, laying hens, providing for repealer and severability, and declaring and emergency. (Attachment #7)

City Attorney, Johnny Sandmann, explained the changes made from the previous consideration of adopting an ordinance to limit chickens to four per residence and the need for a coop in the back yard of the property. There was Council discussion regarding homes already housing numerous chickens and/or fowl and what steps the city may take to enforce the ordinance.

A motion was made by Council Member and seconded by Council Member to adopt Ordinance No. 582; an ordinance 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, turkey, peacocks, chickens, laying hens, providing for repealer and severability. Voting aye, McGee, Sherrill, Pogue, Turner, and Mayor Cathey. Voting nay, none. Motion carried.

A motion was made by Council Member Pogue and seconded by Council Member McGee to declare Ordinance No. 582 an emergency. Voting aye, Sherrill, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

8. Discussion and action on adopting or rejecting Ordinance No. 583; an ordinance amending and/or adjusting, in part, the rates, fees, and charges in section 9-803 (D); Section 9-804 (C) Section 9-805(D); and Appendix 2, Schedule of fees and charges, to the City Code of Atoka, Oklahoma (2020) ("Atoka City Code") to reflect increases to the currently existing rates, fees, and charges, and declaring an emergency. (Attachment #8)

City Attorney, Johnny Sandmann, explained the ordinance and his concern due to an article published by Oklahoma Municipal Assurance Group (OMAG) and the suggestion of keeping licensing fees the same for all businesses unless the city can determine how much more work goes into inspecting and providing a license for medical marijuana businesses. Comparisons were made to neighboring cities fees. Code Enforcement Officer, Phyllis Bates, stated that medical marijuana businesses do require more work as far as inspections, and the need for more police patrol around the area.

A motion was made by Council Member Erica Pogue to reject Ordinance No. 583. There was no second.

A motion was made by Council Member McGee and seconded by Mayor Cathey to table Ordinance No. 583 for a later date. Voting aye, Turner, McGee, Sherrill, and Mayor Cathey. Voting nay, Pogue. Motion carried.

9. Discussion and action regarding approving or rejecting the dedication of a public street to be known as East Red Bud Lane. (Attachment #9)

City Attorney, Johnny Sandmann, addressed the council regarding the proposition presented by Pilot and incoming potential business owners to dedicate the driveway serving the Pilot as East Red Bud Lane as a means to release Pilot from an obligation to maintain the drive that will serve multiple businesses. Pilot would be responsible for making upgrades before the city will take over. Council discussion took place regarding changing the name to something other than East Red Bud Lane and issues with existing Red Bud Lane residents and the 911 addresses.

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the dedication of a public street by striking the word "East" and to be known as Red Bud Lane. Voting aye, McGee, Sherrill, Pogue, Turner, and Mayor Cathey. Voting nay, none. Motion carried.

10. Discussion and action regarding approving or rejecting the Airport Site Selection Study Agreement between the City of Atoka and H.W. Lochner, contingent on a grant from the Oklahoma Aeronautics Commission in which they will provide funding for 95% of the cost. (Attachment #10)

Mayor Cathey updated the council of a recent meeting he attended regarding the airport. Lochner Representative, Keenan English, addressed the council to discuss what the study will entail and provided the council with a predicted timeline pertaining to a new Atoka Municipal Airport. There is no commitment to continue once the site study is complete. Mayor Cathey, Carol Ervin, and Keenan English expressed the need for Atoka to have a larger airport in order to better serve the larger aircrafts that wish to land closer to Atoka for business.

Discussion and action regarding approving or rejecting the Airport Site Selection Study Agreement between the City of Atoka and H.W. Lochner, contingent on a grant from the Oklahoma Aeronautics Commission in which they will provide funding for 95% of the cost. Voting aye, Sherrill, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

11. Discuss and take action on approval of Mayor signing all application documents including Citizens Participation Plan, which is associated with the Community Development Block Grant discussed at the regular City Council meeting of April 4, 2022.

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve of the Mayor signing all application documents including Citizens Participation Plan, which is associated with the Community Development Block Grant discussed at the regular City Council meeting of April 4, 2022. Voting aye, Pogue, Turner, McGee, Sherrill, and Mayor Cathey. Voting nay, none. Motion carried.

12. Discuss and take action on Southern Oklahoma Development Association (SODA) Administering our grant if awarded, which is associated with the Community Development Block Grant discussed at the regular City Council meeting of April 4, 2022.

A motion was made by Council Member Pogue and seconded by Council Member McGee to approve of Southern Oklahoma Development Association (SODA) Administering our grant if awarded, which is associated with the Community Development Block Grant discussed at the regular City Council meeting of April 4, 2022. Voting aye, Turner, McGee, Sherrill, Pogue, and Mayor Cathey. Voting nay, none. Motion carried.

C. Public Requested Agenda Items

IV. Consent Agenda Items

None.

V. Executive Session

None.

VI. New Business

None.

VII. Council Comments

None.

VIII. Adjournment

A motion as made by Council Member McGee and seconded by Council Member Pogue to adjourn this meeting at 6:53 PM. Voting aye, Sherrill, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

Adjourned at 6:53 PM

Attest:

Atoka City Council

(seal)

Kayle Wallis, City Clerk

Brian Cathey, Mayor