

Minutes of the Regular Atoka City Council Meeting of **August 1, 2022**, 6:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma. Original Agenda Posted **July 29, 2022**, at 4:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma.

I. Convene Meeting

- A. Meeting Called to Order- 6:19 PM
- B. Welcome- Mayor Brian Cathey
- C. Pledge of Allegiance –the Pledge of Allegiance was completed during the 6:00 PM ACIDA Meeting.
- D. Invocation- Council Member Coby Sherrill offered the invocation during the 6:00 PM ACIDA Meeting.
- 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, Ronnie Henderson, Karen Henderson, Wendy Fincher, Mack Fincher, Haresh Surti

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 July 18, 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 July 18, 2022. Voting aye, Pogue, Turner, McGee, Sherrill, and Mayor Cathey. Voting nay, none. Motion carried.

2. Discussion and/or action regarding approving or rejecting the City Manager's Report (Attachment #2).

Council Member Pogue asked how the auction went for the city, at which City Manager, Danny Delay, stated it was the best the city has had to his knowledge.

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, and Mayor Cathey. Voting nay, none. Motion carried.

Council Member Diane McGee thanked Danny Delay for the early notification of the water outage that happened the morning of August 1, 2022.

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 blanket purchase orders for the City of Atoka. 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. 2 to Wall Engineering for Engineering Services on the Splash Pad Project. (Attachment #4)

A motion was made by Council Member Pogue and seconded by Council Member McGee to approve the payment of Invoice No. 2 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.

City Manager, Danny Delay, announced that the project should begin in October, the delay has been due to the lack of availability of contractors.

5. Discussion and action regarding approving or rejecting the recommendation of the Atoka Planning Commission concerning the application from Ronnie Henderson, Karen Henderson, and Wendy Fincher for a re-zoning request for property located at 412 W Cedar Atoka, OK from R-2 General Family Residential District to C-3 General Commercial District. The Atoka Planning Commission recommends approving the request. (Attachment #5)

Mayor Cathey explained what the recommendation was from the Planning and Zoning Commission was for a C-2 Highway Commercial District Rather than a C-3 and discussed the differences.

Ronnie Henderson addressed the council with his plans for the rezone and stated that in order to tie in his joining properties he would like them to be C-2 Commercial for a business to come in to Atoka. This space would be large enough to house a 10,000 square foot building as well as a parking lot. Mr. Henderson stated the location of the request. Council Member Sherrill pulled the location up on his iPad to show the council. Mr. Henderson stated that the rent houses will be moved at a later date.

The Council discussed concerns with the proposal brought forth by the neighborhood, while there was no one present to speak on this. Discussion of possible businesses to come in took place, but there is nothing in writing at this time. Economic Development Director, Carol Ervin, stated that this is an ideal location for a business.

A motion was made by Council Member McGee and seconded by Council Member Sherrill to approve the Planning Commission's recommendation and approve of the rezone request presented to change from a R-1 to a C-2 contingent upon a signed contract. Voting aye, Turner, McGee, Sherrill, and Mayor Cathey. Voting nay, Pogue. Motion carried.

6. Discussion and action regarding approving or rejecting the recommendation of the Atoka Planning Commission concerning the application from Wendy Fincher for a re-zoning request for property located at 442 W Cedar Atoka, OK from R-2 General Family Residential District to C-3 General Commercial District. The Atoka Planning Commission recommends approving the request. (Also, Attachment #5)

Mayor Cathey asked if Wendy Fincher has anything to add or discuss with the council regarding her re-zone request. She did not.

A motion was made by Council Member McGee and seconded by Council Member Sherrill to approve the Planning Commission's recommendation and approve of the rezone request presented to change from a R-1 to a C-2 contingent upon a signed contract. Voting aye, Turner, McGee, Sherrill, and Mayor Cathey. Voting nay, Pogue. Motion carried.

7. Discussion and action on setting a date for Fall Cleanup- City Manager

There was council discussion regarding last year's fall clean up date and the dates the Atoka Homecoming will fall upon this year.

A motion was made by Council Member Sherrill and seconded by Council Member McGee to declare September 12<sup>th</sup>- September 16<sup>th</sup> as Fall Clean-Up Week for the City of Atoka. Voting aye, McGee, Sherrill, Pogue, Turner, and 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)(1), discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, namely, an annual review of the performance of City Manager, Danny Delay.

A motion was made by Council Member McGee and seconded by Council Member Pogue to recess this meeting at 6:38 PM and enter into executive session. Voting aye, Sherrill, Pogue, Turner, McGee, and Chairman Cathey. Voting nay, none. Motion carried.

**Recessed- 6:38 PM**

A motion as made by Council Member McGee and seconded by Council Member Pogue to reconvene from executive session by entering into regular session at 7:21 PM. Voting aye Pogue, Turner, McGee, Sherrill, and Chairman Cathey. Voting nay, none. Motion carried.

**Reconvened- 7:21 PM**

VI. Return from Executive Session

1. Acknowledge minutes of executive session

See exhibit A for the minutes of the executive session.

2. Discussion and possible action on the annual review of the performance of City Manager, Danny Delay, to include employment status, salary, and/or benefits.

A motion was made by Council Member Pogue and seconded by Council Member Sherrill to approve the City Attorney to negotiate a two-year contract with the City Manager for an annual

salary of \$80,000 plus an employer contribution of 25% of the base salary to the Oklahoma Municipal Retirement Fund (OKMRF). Voting aye, Turner, McGee, Sherrill, Pogue, and Mayor Cathey. Voting nay, none. Motion carried.

City Manager, Danny Delay, thanked the council and the council thanked Danny Delay for his work in the City of Atoka.

VII. New Business

VIII. Council Comments

IX. Adjournment

A motion as made by Council Member Pogue and seconded by Council Member Sherrill to adjourn this meeting at 7:24 PM. Voting aye McGee, Sherrill, Pogue, Turner, and Mayor Cathey. Voting nay, none. Motion carried.

**Adjourned at 7:24 PM**

**Attest:**

**Atoka City Council**

**(seal)**

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**Kayle Wallis, City Clerk**

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**Brian Cathey, Mayor**