

*Minutes of the Atoka City Council Meeting of August 21, 2023, at 6:00 pm, Atoka City Hall,
353 East A Street, Atoka, Oklahoma.*

Original Agenda Posted August 18, 2023, at 4:00 pm; Atoka City Hall, 353 East A Street, Atoka, Oklahoma.

I. Convene Meeting

A. Meeting Called to Order at 6:00 pm

B. Welcome by Mayor Cathey

C. Pledge of Allegiance by Mayor Cathey

D. Invocation by Mr. Sherrill

E. Roll Call: Mr. Turner, Ms. Pogue, Mr. Sherrill, Ms. McGee, and Mr. Cathey

F. Public Recognition: Bobby Ward, Adam Fergusson, Tim Wiley, Travis Mullins, Kevin Rohus, Miranda Donihoo, Dan Lewis, Cindy Wallis, Daniel Wade, Sarah Mayer, Destry Mitchell, Ella Ward, Arlinda Darst, Jackie Harris, Brad Barrett, Jennifer Travis, and Dee Crow.

II. Public Comments:

Dan Lewis came forward under the public comment section requesting transparency, accountability, fairness, and honesty to be discussed over the next few months.

Jackie Harris came forward next regarding chicken ordinances. He was reminded that this is not an open dialogue setting and that he could express his concerns within the allowed time and then follow up with a request for an item to be added to the agenda at a future date.

Kevin Rohus came forward lastly regarding chickens as well and how limiting the number of chickens each property can have is limiting the amount of food resources families have to feed

III. Business Agenda

A. Public Hearing:

B. Agenda Items

1. Discussion and/or action regarding approving or rejecting the minutes of the meeting of August 7, 2023 (Attachment #1)

A motion was made by Council Member McGee and seconded by Council Member Pogue to approved the minutes of the meeting of August 7, 2023. Voting aye, Pogue, McGee, Turner, Sherrill, and Cathey. Voting nay, none. Motion carried.

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

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

3. Discussion and/or action on approving or rejecting the payment of purchase orders for the City of Atoka for July 2023. (Attachment #3)

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the payment of purchase order for the City of Atoka for July 2023. Voting aye, McGee, Pogue, Turner, Sherrill, and Cathey. Voting nay, none. Motion carried.

4. Discussion and/or action regarding payment of Invoice No. 19966-8 in the amount of \$8,000.00 to Lochner for the Atoka Municipal Airport Site Selection Planning Study as part of the Oklahoma Aeronautics Commission (OAC) Grant No. AQR-22-S contingent on the approval and remittance of funds payable to the City of Atoka in the amount of \$7,600.00 from Oklahoma Aeronautics Commission Drawdown Request No. 8. (Attachment #4)

A motion was made by Council Member Pogue and seconded by Council Member McGee to approve the payment of \$8,000 to Lochner for the Atoka Municipal Airport Site Selection Planning Study as part of the Oklahoma Aeronautics Commission (OAC) Grant No. AQR-22-S contingent on the approval and remittance of funds payable to the City of Atoka in the amount of \$7,600.00 from Oklahoma Aeronautics Commission Drawdown Request No. 8. Voting aye, Turner, Sherrill, McGee, Pogue, and Cathey. Voting nay, none. Motion carried.

5. Discussion and/or action regarding payment of Invoice No. 19966-9 in the amount of \$5,100.00 to Lochner for the Atoka Municipal Airport Site Selection Planning Study as part of the Oklahoma Aeronautics Commission (OAC) Grant No. AQR-22-S contingent on the approval and remittance of funds payable to the City of Atoka in the amount of \$4,845.00 from Oklahoma Aeronautics Commission Drawdown Request No. 9. (Attachment #5)

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the payment of \$5,100 to Lochner for the Atoka Municipal Airport Site Selection Planning Study as part of the Oklahoma Aeronautics Commission (OAC) Grant No. AQR-22-S contingent on the approval and remittance of funds payable to the City of Atoka in the amount of \$4,845.00 from Oklahoma Aeronautics Commission Drawdown Request No. 9. Voting Pogue, McGee, Sherrill, Turner, and Cathey. Voting nay, none. Motion carried.

6. Discussion and/or action regarding approving or denying the City Mayor to sign and execute the Oklahoma Aeronautics Commission (OAC) Drawdown No. 8 for the Atoka Municipal Site Selection Planning Study Project (AQR-22-S) in the amount of \$12,445.00

A motion was made by Council Member Pogue and seconded by Council Member McGee to approve the City Mayor to sign and execute the OAC Drawdown No. 8 for the Atoka Municipal Site Selection Planning Study Project (AQR-22-S) in the amount of \$12,445.00. Voting aye, Sherrill, Turner, McGee, Pogue, and Cathey. Voting nay, none. Motion carried.

7. Discussion and/or action to award Miller Asphalt the overlay job of 15th Street from Gin Road to Haskell Street, including labor and material of 2" Hot Mix Asphalt in the amount of \$49,650.00 (Attachment #7)

A motion was made by Council Member Pogue and seconded by Council Member McGee to award Miller Asphalt the overlay job on 15th Street from Gin Rd to Haskell St, including labor and material of 2" Hot Mix Asphalt in the amount of \$49,650.00. Voting aye, McGee, Sherrill, Turner, Pogue, and Cathey. Voting nay, none. Motion carried.

8. Discussion and/or action regarding adopting or rejecting Ordinance No. 592; amending the

Employee Retirement System, defined contribution plan for the City Manager for the City of Atoka. (Attachment #8)

A motion was made by Council Member Pogue and seconded by Council Member McGee to adopt Ordinance No. 592 which amends the Employee Retirement System, defined contribution plan for the City Manager for the City of Atoka. Voting aye, Turner, Sherrill, Pogue, McGee, and Cathey. Voting nay, none. Motion carried.

A motion was made by Council Member McGee and seconded by Council Member Pogue to declare Ordinance No. 592 an emergency. Voting aye, Pogue, Turner, Sherrill, McGee, and

9. Discussion and/or action on the request made by the Atoka Trails Golf Club to explore the creation of a Title 40 public trust to assume operations of the Atoka Trails Golf Course.

A motion was made by Council Member Pogue and seconded by Council Member McGee to explore the creation of a Title 40 Public Trust whereas the City of Atoka manages and assumes operations of the Atoka Trails Golf Course. Voting aye, Pogue, Turner, Sherrill, McGee, and Cathey. Voting nay, none. Motion carried.

10. Discussion and/or Action on Ordinance Number 593 Amending Part 3 – Alcoholic Beverages of the City Code of Atoka, Oklahoma (2020) to Amend Chapter One (1) and to Delete Chapter Two (2) and Three (3), providing for repealer, severability, and declaring an emergency. (Attachment #9)

A motion was made Council Member McGee and seconded by Council Member Sherrill to amend Ordinance No. 593; Amending part 3 - Alcoholic Beverages of the City Code of Atoka, Oklahoma (2020) to Amend Chapter One (1) and to Delete Chapter Two (2) and Three (3), providing for repealer, severability, and declaring an emergency. Voting aye, Sherrill, Turner, McGee, and Cathey. Voting nay, Pogue. Motion Carried.

11. Discussion, consideration and possible vote to approve the findings from the Administrative Hearings for the property located at 187 West 1st St. (Attachment #10)

A motion was made by Council Member Sherrill and seconded by Council Member McGee that the imminent life safety issues be corrected by September 1st, those hazards being the cellar filled with water and missing a door, broken windows, overgrown yard needs mowed, and the caved-in roof. The remaining matters regarding the property will be addressed at the City Council meeting to be held on September 18, 2023. Voting aye, McGee, Turner, Sherrill,

C. Public Requested Agenda Items

1. Discussion and/or action on Code Section 12-288 concerning rules governing the placement of mobile homes and modular homes within the City of Atoka. (Attachment #11)

Mr. Ferguson requested the council to reconsider Code Section 12-288 regarding allowing mobile homes or modular homes within the city limits, not limited to mobile home parks only. Discussion as to what led to the code that is in effect as it presently is was explained and further discussion pertaining to the standards of mobile homes today versus the past was brought up. Additional research and information were requested, and at a later date could be brought back before the council.

No motion was made. This item died for a lack of motion.

2. Discussion with Representatives of Public Service Company of Oklahoma regarding an overview of the franchise renewal process, and the need for a special election to renew the franchise agreement. (Attachment #12)

Arlinda Darst, a representative of PSO presented the council with a packet detailing the previous Franchise Agreement between PSO and the City of Atoka. The current agreement was voted on and approved in 1999 with it's 25-year term is set to expire in 2024. Ms. Darst

IV. Consent Agenda Items
None

V. Executive Session
None

VI. New Business
None

VII. Council Comments
None

VIII. Adjournment

A motion was made by Council Member Sherrill and seconded by Council Member Pogue to adjourn this meeting at 8:02 pm. Voting aye, Sherrill, Pogue, McGee, Turner, and Cathey. Voting nay, none. Motion carried.

Adjourned: 8:02 pm

City of Atoka

Attest:

Susan Bates, City Clerk

Brian Cathey, Mayor