

Minutes of the Atoka City Council Meeting of **January 3, 2023**, 6:00 p.m., Atoka City Hall, 353 East A Street, Atoka, Oklahoma. Original Agenda Posted **December 30, 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- Carol Ervin, Miranda Donihoo, Travis Mullins

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

III. Business Agenda

- A. Public Hearing
- B. Agenda Items

1. Discussion and/or action regarding approving or rejecting the minutes of the meeting of December 19, 2022 (Attachment #1)

A motion was made by Council Member McGee and seconded by Council Member Sherrill to approve the minutes of the meeting of December 19, 2022. Voting aye, Pogue, Turner, McGee, Sherrill. Voting nay, none. Abstaining, Mayor Cathey. Motion carried.

2. Discussion and/or action regarding approving or rejecting the 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, Sherrill, Pogue, and Mayor Cathey. Voting nay, none. Motion carried.

3. Discussion and/or 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 the 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/or action on adopting or rejecting Resolution No. 2023-01; to serve as guide and notice to the Atoka County Election Board for the election of Mayor. (Attachment #4)

The council discussed the dates of the filing period for the election of mayor.

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

adopt Resolution No. 2023-01; to serve as guide and notice to the Atoka County Election Board for the election of Mayor. Voting aye, Sherrill, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

5. Discussion and/or action on adopting or rejecting Resolution No. 2023-02; to execute that certain Project Application for the Municipal Road Drilling Activity Fund with the Oklahoma Department of Transportation. (Attachment #5)

City Manager, Danny Delay, explained to the council that the resolution is needed to apply for up to \$500,000 grant with Oklahoma Department of Transportation with a 25% match. This grant is to repair roadways that are traveled by oil field trucks. Council discussion ensued regarding the matching funds. It was interpreted that to receive full amount, the project must total \$625,000 minimum.

A motion was made by Council Member Pogue and seconded by Council Member McGee to adopt Resolution No. 2023-02; to execute that certain Project Application for the Municipal Road Drilling Activity Fund with the Oklahoma Department of Transportation. Voting aye, Pogue, Turner, McGee, Sherrill, and Mayor Cathey. Voting nay, none. Motion carried.

6. Discussion and/or action regarding payment of Invoice No. 19966-2 in the amount of \$42,757.85 to Lochner for the Atoka Municipal Airport Site Selection Planning Study as part of the Oklahoma Aeronautics Commission (OAC) Grant No. AQR-22S. (Attachment #6)

Mr. Delay informed the council that the 95% paid by Oklahoma Aeronautics Commission has already been received by the City of Atoka to pay this \$42,757.85 to Lochner.

A motion was made by Council Member Pogue and seconded by Council Member McGee to approve the payment of Invoice No. 19966-2 in the amount of \$42,757.85 to Lochner for the Atoka Municipal Airport Site Selection Planning Study as part of the Oklahoma Aeronautics Commission (OAC) Grant No. AQR-22S. Voting aye, Turner, McGee, Sherrill, Pogue, and Mayor Cathey. Voting nay, none. Motion carried.

After the motion was made and seconded, Council Member McGee inquired if this grant was for a study only, or has a site already been selected. Mayor Cathey informed the council that this phase is only for the study and before a site is selected, public hearings will take place.

7. Discussion and/or action on approving or rejecting Pay Application No. 6 to MTC Tulsa, LLC for contracting services for the Atoka Block 26 – Phase 1 Project in the amount of \$145,021.84. (Attachment #7)

The council discussed the Greenspace project and the remaining funds to be paid out on this phase of the project.

A motion was made by Council Member McGee and seconded by Council Member Pogue to approve the payment of Pay Application No. 6 to MTC Tulsa, LLC for contracting services for the Atoka Block 26 – Phase 1 Project in the amount of \$145,021.84. Voting aye, McGee, Sherrill, Pogue, Turner, and Mayor Cathey. Voting nay, none. Motion carried.

After the motion was made and seconded, Council Member Pogue asked if the funds previously encumbered for this project would remain encumbered. The answer was yes, until this project is closed out, the funds will be encumbered and then adjusted if the final amount is lower than previously encumbered through the budget adjustment process.

8. Discussion and/or action regarding accepting or rejecting any or all bids associated with Notice of Bid No. 2022-03; Public Restroom Facility Project. (Attachment #8)

Mr. Delay reported that two companies submitted sealed bids for this project; MidPlains Construction of Mead, OK submitted a bid for \$230,000 and Voy Construction of Tulsa, OK submitted a bid for \$287,659.32. Council discussion took place regarding the familiarity with the companies and of the work to be completed. City Attorney, Johnny Sandmann, input that before a modification of price can occur, both entities must be in agreement.

A motion was made by Council Member Pogue and seconded by Council Member McGee to accept and award Bid No.2022-03; Public Restroom Facility Project to Mid Plains Construction in the amount of \$230,000. Voting aye, Sherrill, Pogue, Turner, McGee, and Mayor Cathey. Voting nay, none. Motion carried.

9. Discussion and/or action regarding the appointment of five volunteers to serve on the City of Atoka Board of Adjustments.

Council Members questioned the process and if they could have a vote if a relative and/or employee spouse has submitted for the available positions. City Attorney, Johnny Sandmann, stated that the mayor is to appoint the five board members, and the council would then reject or approve. Mr. Sandmann stated that this board would serve the according to State Statutes to hear appeals to any planning and zoning matter typically through the Code Enforcement/Building Inspection rulings. Council discussion took place regarding each applicant.

A motion was made by Council Member Sherrill and seconded by Council Member McGee to accept the mayor's appointment of Michael Wakefield, Adam Fergueson, Lindsay Holcomb, Keith Southerland, and Lori Maxwell to serve on the Atoka Board of Adjustments. Voting aye, Pogue, McGee, Sherrill, and Mayor Cathey. Voting nay, Turner. 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 as made by Council Member Sherrill and seconded by Council Member McGee to adjourn this meeting at 6:28 PM. Voting aye, Turner, McGee, Sherrill, Pogue, and Mayor Cathey. Voting nay, none. Motion carried.

Adjourned at 6:28 PM

Attest:

Atoka City Council

(seal)

Kayle Wallis, City Clerk

Brian Cathey, Mayor