

**MINUTES OF THE MEETING
OF THE SKIATOOK CITY COUNCIL
TUESDAY, September 8, 2015, 6:00 P.M., MUNICIPAL BOARDROOM**

1. Call to Order

The meeting was called to order by Mayor David Sutherland at 6:00 p.m. in the Municipal Boardroom.

2. Opening Business

- a. Invocation- Kevin Paslay, Councilor
- b. Flag Salute- Pat Dean, Chief of Police
- c. Roll Call- Shirley Lett, Clerk

PRESENT: David Sutherland, Herb Forbes, Joyce Jech, Patrick Young, Patty Ceska, Kevin Paslay, Shawn Martin

ABSENT: None

STAFF: Dan Yancey, Shirley Lett, other staff members

3. Consideration and appropriate action relating to a request for approval of the Consent Agenda.

A. Approval of minutes of August 25, 2015 regular meeting.

B. Approval of Purchase Orders/Warrants: (#118066-118160)

I. General	\$85,772.04
II. Cemetery	\$377.70
III. Airport	\$355.32
IV. Court	\$968.09
V. One Cent	\$37,128.15

Motion was made by Councilor Young and 2nd by Councilor Ceska to approve Consent Agenda as written.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin

NO: NONE

4. Consideration and appropriate action relating to items removed from the Consent Agenda.

THIS ITEM WAS SKIPPED. NO ACTION WAS TAKEN.

5. Action Items

- a. Consideration and appropriate action relating to THE APPROVAL OF ORDINANCE 2015-08 CHANGING AND AMENDING THE ZONING CLASSIFICATION FROM AG (AGRICULTURE) DISTRICT TO CG (COMMERCIAL GENERAL) DISTRICT OF A TRACT OF LAND AS SET FORTH IN ZONING APPLICATION NO. SKZ-186 (URGENT CARE) AND SUCH TRACT LYING IN THE NORTH HALF (N/2) OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHWEST QUARTER (NW/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 12 EAST, OSAGE COUNTY, OKLAHOMA, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, AND DECLARING AN EFFECTIVE DATE.

Motion was made by Mayor Sutherland and 2nd by Councilor Martin to approve ORDINANCE 2015-08 CHANGING AND AMENDING THE ZONING CLASSIFICATION FROM AG (AGRICULTURE) DISTRICT TO CG (COMMERCIAL GENERAL) DISTRICT OF A TRACT OF LAND AS SET FORTH IN ZONING APPLICATION NO. SKZ-186 (URGENT CARE) AND SUCH TRACT LYING IN THE NORTH HALF (N/2) OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHWEST QUARTER (NW/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 21, TOWNSHIP 22 NORTH, RANGE 12 EAST, OSAGE COUNTY, OKLAHOMA, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, AND DECLARING AN EFFECTIVE DATE.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin
 NO: NONE

- b. Consideration and appropriate action relating to THE APPROVAL OF ORDINANCE 2015-09 CHANGING AND AMENDING THE ZONING CLASSIFICATION FROM AG (AGRICULTURE) DISTRICT TO CG (COMMERCIAL GENERAL) DISTRICT OF A TRACT OF LAND AS SET FORTH IN ZONING APPLICATION NO. SKZ-187 (SHEPARD OF THE HILLS LUTHERAN CHURCH) AND LYING IN THE NORTH HALF (N/2) OF THE EAST HALF (E/2) OF THE EAST HALF (E/2) OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 19, TOWNSHIP 22 NORTH, RANGE 12 EAST, OSAGE COUNTY, OKLAHOMA, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, AND DECLARING AN EFFECTIVE DATE.

Motion was made by Councilor Young and 2nd by Councilor Ceska to approve ORDINANCE 2015-09 CHANGING AND AMENDING THE ZONING CLASSIFICATION FROM AG (AGRICULTURE) DISTRICT TO CG (COMMERCIAL GENERAL) DISTRICT OF A TRACT OF LAND AS SET FORTH IN ZONING APPLICATION NO. SKZ-187 (SHEPARD OF THE HILLS LUTHERAN CHURCH) AND LYING IN THE NORTH HALF (N/2) OF THE EAST HALF (E/2) OF THE EAST HALF (E/2) OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 19, TOWNSHIP 22 NORTH, RANGE 12 EAST, OSAGE COUNTY, OKLAHOMA, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, AND DECLARING AN EFFECTIVE DATE.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin
 NO: NONE

- c. Consideration and appropriate action relating to THE APPROVAL OF ORDINANCE 2015-10 AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE POSITION OF CITY MANAGER FOR THE CITY OF SKIATOOK, OKLAHOMA BY ADOPTING A REVISED AND RESTATED RETIREMENT PLAN; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF SKIATOOK, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR NON-ALIENATION OF BENEFITS; LOSS OF BENEFITS FOR CAUSE AND LIMITATIONS OF BENEFITS; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A RETIREMENT COMMITTEE AND PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF RETIREMENT COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER INCORPORATED CITIES TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENTS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR REPEALER AND SEVERABILITY; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE; AND DECLARING AN EMERGENCY.

Motion was made by Councilor Paslay and 2nd by Councilor Jech to approve ORDINANCE 2015-10 AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE POSITION OF CITY MANAGER FOR THE CITY OF SKIATOOK, OKLAHOMA BY ADOPTING A REVISED AND RESTATED RETIREMENT PLAN; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF SKIATOOK, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR NON-ALIENATION OF BENEFITS; LOSS OF BENEFITS FOR CAUSE AND LIMITATIONS OF BENEFITS; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A RETIREMENT COMMITTEE AND

PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF RETIREMENT COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER INCORPORATED CITIES TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENTS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR REPEALER AND SEVERABILITY; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE; AND DECLARING AN EMERGENCY.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin
NO: NONE

- d. Consideration and appropriate action relating to approval of an emergency clause for Ordinance 2015-10.

Motion was made by Mayor Sutherland and 2nd by Councilor Young to approve an emergency clause for Ordinance 2015-10.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin
NO: NONE

e. Consideration and appropriate action related to THE APPROVAL OF ORDINANCE 2015-11 AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE CITY OF SKIATOOK, OKLAHOMA BY ADOPTING A REVISED AND RESTATED RETIREMENT PLAN; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF SKIATOOK, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR NON-ALIENATION OF BENEFITS; LOSS OF BENEFITS FOR CAUSE AND LIMITATIONS OF BENEFITS; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A RETIREMENT COMMITTEE AND PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF RETIREMENT COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER INCORPORATED CITIES, TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENT AS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR REPEALER AND SEVERABILITY; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE; AND DECLARING AN EMERGENCY.

Motion was made by Councilor Forbes and 2nd by Councilor Ceska to approve ORDINANCE 2015-11 AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE CITY OF SKIATOOK, OKLAHOMA BY ADOPTING A REVISED AND RESTATED RETIREMENT PLAN; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF SKIATOOK, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR NON-ALIENATION OF BENEFITS; LOSS OF BENEFITS FOR CAUSE AND LIMITATIONS OF BENEFITS; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A RETIREMENT COMMITTEE AND PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF RETIREMENT COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER

INCORPORATED CITIES, TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENT AS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR REPEALER AND SEVERABILITY; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE; AND DECLARING AN EMERGENCY.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin
NO: NONE

- f. Consideration and appropriate action relating to approval of an emergency clause for Ordinance 2015-11.

Motion was made by Mayor Sutherland and 2nd by Councilor Forbes to approve an emergency clause for Ordinance 2015-11.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin
NO: NONE

- g. CONSIDERATION AND APPROPRIATE ACTION RELATING TO APPROVAL OF RESOLUTION 2015-27 OF THE CITY COUNCIL OF THE CITY OF SKIATOOK, OKLAHOMA, APPROVING THE PARTIAL ASSIGNMENT OF THE RIGHT, TITLE AND INTEREST OF THE PETROUS GROUP, INC., IN AND TO THE LEASE-PURCHASE AGREEMENT BETWEEN THE CITY OF SKIATOOK, OKLAHOMA AND THE PETROUS GROUP, INC., TO RHG UC SKIATOOK, LLC, AND APPROVING RHG UC SKIATOOK, LLC'S COLLATERAL ASSIGNMENT OF ITS INTEREST IN AND TO THE LEASE-PURCHASE AGREEMENT TO REGENT BANK.

Motion was made by Councilor Forbes and 2nd by Councilor Young to approve RESOLUTION 2015-27 OF THE CITY COUNCIL OF THE CITY OF SKIATOOK, OKLAHOMA, APPROVING THE PARTIAL ASSIGNMENT OF THE RIGHT, TITLE AND INTEREST OF THE PETROUS GROUP, INC., IN AND TO THE LEASE-PURCHASE AGREEMENT BETWEEN THE CITY OF SKIATOOK, OKLAHOMA AND THE PETROUS GROUP, INC., TO RHG UC SKIATOOK, LLC, AND APPROVING RHG UC SKIATOOK, LLC'S COLLATERAL ASSIGNMENT OF ITS INTEREST IN AND TO THE LEASE-PURCHASE AGREEMENT TO REGENT BANK.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin
NO: NONE

6. Discussion Items

- a. Discussion by Linda Loftis concerning the Special Olympics
- b. Discussion by Cory Miller concerning railroad easements and flooding caused by railroad drains.

7. City Managers Report

- a. Capital Projects-Streetscape
- b. Police and Fire Departments

8. Public Comment Forum

To be eligible to speak, you must be identified by the Mayor. You must come to the microphone to speak at which time you must state clearly your name and address. You have the floor for 2 minutes. The City Council MAY NOT discuss your item.

9. Adjournment

Motion was made by Mayor Sutherland and 2nd by Councilor Paslay to adjourn.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin
NO: NONE

David Sutherland, Mayor

Herb Forbes, Councilor

Patrick Young, Vice Mayor

Joyce Jech, Councilor

Patty Ceska, Councilor

Shirley Lett Clerk/Treasurer

Kevin Paslay, Councilor

Date Minutes Approved:

Shawn Martin, Councilor

**MINUTES OF THE MEETING
OF THE SKIATOOK PUBLIC WORKS AUTHORITY
TUESDAY, September 8, 2015, 6:00 P.M., MUNICIPAL BOARDROOM**

1. Call to Order

The meeting was called to order by Chairman Sutherland at 6:35 pm, in the Municipal Boardroom.

2. Roll Call

PRESENT: David Sutherland, Herb Forbes, Joyce Jech, Patrick Young, Patty Ceska, Kevin Paslay, Shawn Martin

ABSENT: None

STAFF: Dan Yancey, Shirley Lett, other staff members

3. Consideration and appropriate action relating to a request for approval of the Consent Agenda.

- a. Approval of minutes of August 25, 2015, regular meeting.
- b. Approval of Purchase Orders/Warrants: (#118066-118160)
 - I. SPWA \$639,125.39

Motion was made by Trustee Young, 2nd by Trustee Paslay to approve the Consent Agenda as written.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin

NO: None

4. Consideration and appropriate action relating to items removed from the Consent Agenda.

THIS ITEM WAS SKIPPED. NO ACTION WAS TAKEN.

5. Action Items

- a. Consideration and appropriate action relating to the possible approval of an expenditure of \$19,500.00 to Tonto Environmental, LLC for cleaning out three water sludge ponds and creating a retention area.

Motion was made by Trustee Sutherland, 2nd by Trustee Martin to approve an expenditure of \$19,500.00 to Tonto Environmental, LLC for cleaning out three water sludge ponds and creating a retention area.

6. City Managers Report

- A. Capital Projects- Chloramine Project and water tank

7. Adjournment

Motion was made by Chairman Sutherland, 2nd by Trustee Forbes to adjourn.

YES: Sutherland, Forbes, Jech, Young, Ceska, Paslay, Martin

NO: None

David Sutherland, Chairman

Herb Forbes, Trustee

Patrick Young, Vice Chairman

Joyce Jech, Trustee

Patty Ceska, Trustee

Shirley Lett, Clerk/Treasurer

Kevin Paslay, Trustee

Date Minutes Approved:

Shawn Martin, Trustee

