

**MINUTES OF THE MEETING
OF THE SKIATOOK CITY COUNCIL
TUESDAY, March 8, 2016 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- Brad White, Public Works Director
- b. Flag Salute- Pat Dean, Chief of Police
- c. Roll Call- Shirley Lett, City Clerk

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

ABSENT: None

STAFF: Shirley Lett and other staff members

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

A. Approval of minutes of the February 23, 2016 regular meeting.

B. Approval of Purchase Orders/Warrants: (#120184-#120282)

I. General	\$82,555.35
II. Cemetery	\$158.04
III. Airport	\$867.38
IV. Court	\$1,121.28
V. One Cent	\$24,479.57

C. Acceptance of an electric utility easement (Urgent Care) on land described as:

A fifteen (15) foot wide strip of land lying in the N/2 of the NE/4 of the NW/4 of the SW/4 of Section 21, Township 22 North, Range 12 East, Osage County, Oklahoma, more particularly described as follows, to-wit:

COMMENCING at the Northwest Corner of said NE/4 of the NW/4 of the SW/4 of Section 21, Township 22 North, Range 12 East; thence North 88° 49' 07" East along the North line thereof, a distance of 70.00 feet; thence South 00° 51' 29" East a distance of 53.14 feet to a point on the South right-of-way line of State Highway 20 and the POINT OF BEGINNING; thence South 00° 51' 29" East a distance of 274.86 feet; thence North 88° 46' 54" East a distance of 219.34 feet; thence North 00° 51' 29" West a distance of 15.00 feet; thence South 88° 46' 54" West a distance of 204.34 feet; thence North 00° 51' 29" West a distance of 258.21 feet to a point on the South right-of-way line of State Highway 20; thence North 84° 28' 23" West a distance of 15.15 feet to the POINT OF BEGINNING. ("Easement Tract")

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

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

NO: NONE

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

Item was skipped. No action taken.

5. Consideration and appropriate action related to the purchase of a 2016 Ford Interceptor SUV from Bob Hurley Ford for the Skiatook Police Department at a state bid price of \$27,681.00.

Motion was made by Councilor Young and 2nd by Councilor Martin to approve the purchase of a 2016 Ford Interceptor SUV from Bob Hurley Ford for the Skiatook Police Department at a state bid price of \$27,681.00.

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

NO: NONE

6. Discussion on draft version of the Domestic Hen Ordinance.

7. Consideration and appropriate action related to Resolution 2016-07, a Resolution of the Mayor and City Council authorizing the submittal of a grant application to the Oklahoma Department of Transportation for Transportation Alternatives Program funding for the Skiatook Rogers Street Pedestrians Improvements, Phase 2 and authorizing local participation if the grant is awarded.

Motion was made by Councilor Forbes and 2nd by Councilor Ceska to approve Resolution 2016-07, a Resolution of the Mayor and City Council authorizing the submittal of a grant application to the Oklahoma Department of Transportation for Transportation Alternatives Program funding for the Skiatook Rogers Street Pedestrians Improvements, Phase 2 and authorizing local participation if the grant is awarded.

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

NO: NONE

8. CONSIDERATION AND APPROPRIATE ACTION RELATED TO ORDINANCE 2016-04; AN ORDINANCE LEVYING AND ASSESSING AN EXCISE TAX EQUAL TO THE PREVAILING SALES TAX RATE LEVIED BY THE CITY OF SKIATOOK, OKLAHOMA, ON THE PURCHASE PRICE UPON THE STORAGE, USE OR CONSUMPTION OF TANGIBLE PERSONAL PROPERTY PURCHASED OUTSIDE THE STATE OF OKLAHOMA AND BROUGHT INTO THE CITY OF SKIATOOK, OKLAHOMA; PROVIDING FOR THE AUTOMATIC CHANGE IN USE TAX RATE UPON CHANGE IN THE PREVAILING SALES TAX RATE; PROVIDING EXEMPTIONS THERETO; SPECIFYING WHEN SUCH TAXES ARE PAYABLE; PROVIDING SUCH TAXES CONSTITUTE SUPERIOR CLAIMS; PROVIDING COLLECTION OF TAX BY RETAILER OR VENDOR; PROVIDING FOR COLLECTION OF TAX BY RETAILER OR VENDOR NOT MAINTAINING PLACE OF BUSINESS WITHIN STATE OR BOTH WITHIN AND WITHOUT STATE; PROVIDING FOR REVOKING PERMITS; ESTABLISHING REMUNERATIVE DEDUCTIONS ALLOWED VENDORS OR RETAILERS OF OTHER STATES; PROVIDING INTEREST AND PENALTIES FOR DELINQUENT PAYMENT OF TAXES; PROVIDING FOR WAIVER OF INTEREST AND PENALTIES; PROVIDING FOR SUBMISSION OF CLAIM FOR REFUND OF ERRONEOUS PAYMENTS; PROVIDING PENALTIES FOR FRAUDULENT RETURNS; PROVIDING THAT RECORDS SHALL BE CONFIDENTIAL AND PRIVILEGED; PROVIDING THAT TAXES COLLECTED HEREUNDER SHALL BE CUMULATIVE; PROVIDING FOR SEVERABILITY OF THE SECTIONS OF THIS ORDINANCE; DEFINING TERMS; DEFINING TAX COLLECTOR; ESTABLISHING CLASSIFICATION OF TAX PAYERS; RATIFYING SUBSISTING STATE PERMITS; ESTABLISHING PURPOSES FOR WHICH REVENUES COLLECTED HEREUNDER SHALL BE EXPENDED; ESTABLISHING CITATION OF THE ORDINANCE; PROVIDING FOR SUPERSEDENCE OF PRIOR ORDINANCES; ESTABLISHING AN EFFECTIVE DATE AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Motion was made by Councilor Young and 2nd by Councilor Forbes to approve ORDINANCE 2016-04; AN ORDINANCE LEVYING AND ASSESSING AN EXCISE TAX EQUAL TO THE PREVAILING SALES TAX RATE LEVIED BY THE CITY OF SKIATOOK, OKLAHOMA, ON THE PURCHASE PRICE UPON THE STORAGE, USE OR CONSUMPTION OF TANGIBLE PERSONAL PROPERTY PURCHASED OUTSIDE THE STATE OF OKLAHOMA AND BROUGHT INTO THE CITY OF SKIATOOK, OKLAHOMA; PROVIDING FOR THE AUTOMATIC CHANGE IN USE TAX RATE UPON CHANGE IN THE PREVAILING SALES TAX RATE; PROVIDING EXEMPTIONS THERETO; SPECIFYING WHEN SUCH TAXES ARE PAYABLE; PROVIDING SUCH TAXES CONSTITUTE SUPERIOR CLAIMS; PROVIDING COLLECTION OF TAX BY RETAILER OR VENDOR; PROVIDING FOR COLLECTION OF TAX BY RETAILER OR VENDOR NOT MAINTAINING PLACE OF BUSINESS WITHIN STATE OR BOTH WITHIN AND WITHOUT STATE; PROVIDING FOR REVOKING PERMITS; ESTABLISHING REMUNERATIVE DEDUCTIONS ALLOWED VENDORS OR RETAILERS OF OTHER STATES; PROVIDING INTEREST AND PENALTIES FOR DELINQUENT PAYMENT OF TAXES; PROVIDING FOR WAIVER OF INTEREST AND PENALTIES; PROVIDING FOR SUBMISSION OF CLAIM FOR REFUND OF ERRONEOUS PAYMENTS; PROVIDING PENALTIES FOR FRAUDULENT RETURNS; PROVIDING THAT RECORDS SHALL BE CONFIDENTIAL AND PRIVILEGED; PROVIDING THAT TAXES COLLECTED HEREUNDER SHALL BE CUMULATIVE; PROVIDING FOR SEVERABILITY OF THE SECTIONS OF THIS ORDINANCE; DEFINING TERMS; DEFINING TAX COLLECTOR; ESTABLISHING CLASSIFICATION OF TAX PAYERS; RATIFYING SUBSISTING STATE PERMITS; ESTABLISHING PURPOSES FOR WHICH REVENUES COLLECTED HEREUNDER SHALL BE EXPENDED; ESTABLISHING CITATION OF THE ORDINANCE; PROVIDING FOR SUPERSEDENCE OF PRIOR ORDINANCES; ESTABLISHING AN EFFECTIVE DATE AND CONTAINING OTHER PROVISIONS RELATED THERETO.

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

NO: NONE

9. Discussion on proposed trail signs in Central Park by JD Prather, of 316 W. Oak, a member of the Focus on Health Group.

10. Consideration and appropriate action related to the approval of a request by Guts Church to use Central Park on March 19, 2016 from 8:00 am-12:00 pm, for the annual Team Relief city cleanup.

Motion was made by Councilor Forbes and 2nd by Councilor Jech to approve a request by Guts Church to use Central Park on March 19, 2016 from 8:00 am-12:00 pm, for the annual Team Relief city cleanup.

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

NO: NONE

11. City Manager's Report

12. Public Comment Forum

**To be eligible to speak, you must be identified by the Mayor. You must come to the microphone to speak and must clearly state your name and address.*

13. Adjournment.

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

YES: Forbes, Sutherland, 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, March 8, 2016 6:00 P.M., MUNICIPAL BOARDROOM**

1. Call to Order

The meeting was called to order by Chairman Sutherland at 6:37 pm in the Municipal Boardroom.

2. Roll Call

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

ABSENT: None

STAFF: Shirley Lett and other staff members

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

- A. Approval of minutes of the February 23, 2016 regular meeting.
- B. Approval of Purchase Orders/Warrants: (#120184-#120282)
 - I. SPWA \$311,004.88
- C. Budget Amendment to SPWA Revenue Line Item 55-379 (2014 W/T Project) in the amount of \$2,224,675.00.
- D. Supplemental Appropriation to Expense Line Item 55-451-733 (2014 Water Sys. Impr. Project) in the amount of \$2,224,675.00.
 - (Water Transmission Line Bid: \$1,207,075.00)
 - (Water Treatment Impr. Bid: \$747,600.00)
 - (Engineering: \$270,000.00)
- E. Approval and acceptance of a utility easement (Urgent Care) on land described as:

A fifteen (15) foot wide strip of land lying in the N/2 of the NE/4 of the NW/4 of the SW/4 of Section 21, Township 22 North, Range 12 East, Osage County, Oklahoma, more particularly described as follows, to-wit:

COMMENCING at the Northwest Corner of said NE/4 of the NW/4 of the SW/4 of Section 21, Township 22 North, Range 12 East; thence North 88° 49' 07" East along the North line thereof, a distance of 70.00 feet; thence South 00° 51' 29" East a distance of 53.14 feet to a point on the South right-of-way line of State Highway 20 and the POINT OF BEGINNING; thence South 00° 51' 29" East a distance of 274.86 feet; thence North 88° 46' 54" East a distance of 219.34 feet; thence North 00° 51' 29" West a distance of 15.00 feet; thence South 88° 46' 54" West a distance of 204.34 feet; thence North 00° 51' 29" West a distance of 258.21 feet to a point on the South right-of-way line of State Highway 20; thence North 84° 28' 23" West a distance of 15.15 feet to the POINT OF BEGINNING. ("Easement Tract")

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

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

NO: NONE

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

Item was skipped. No action taken.

5. Consideration and appropriate action related to the approval of Change Order Request #1 in the amount of \$52,630.00 and addition of sixty (60) additional calendar days for structural repair on the Water System Improvements-Contract 2; 1,000,000 gallon Water Storage Tank.

Motion was made by Trustee Forbes and 2nd by Trustee Ceska to approve Change Order Request #1 in the amount of \$52,630.00 and addition of sixty (60) additional calendar days for structural repair on the Water System Improvements-Contract 2; 1,000,000 gallon Water Storage Tank.

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

6. Consideration and appropriate action related to the purchase of approximately 3,000 feet of 500 MCM underground primary wire from Diversified Electric in an amount not to exceed \$25,000.00.

Motion was made by Chairman Sutherland and 2nd by Trustee Jech to approve the purchase of approximately 3,000 feet of 500 MCM underground primary wire from Diversified Electric in an amount not to exceed \$25,000.00.

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

7. Consideration and appropriate action related to bids received and possible award bid to Shrum Excavation Co., Inc., the low bidder in the amount of \$1,207,075.00 for (Alternate Bid) 18" HDPE pipe and appurtenances (Contract 1) related to the Water System Improvements Transmission Line.

Motion was made by Chairman Sutherland and 2nd by Trustee Young to award bid to Shrum Excavation Co., Inc., the lowest responsible bidder in the amount of \$1,207,075.00 (Alternate Bid) 18" HDPE pipe and appurtenances (Contract 1) related to the Water System Improvements Transmission Line.

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

8. Consideration and appropriate action related to bids received and possible award bid to Shrum Excavation Co., Inc., the low bidder in the amount of \$1,029,441.33 for 16" PVC pipe and appurtenances (Contract 1) related to the Water System Improvements Transmission Line.

Motion was made by Trustee Forbes and 2nd by Trustee Young to take no action.

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

9. Consideration and appropriate action related to bids received and possible award bid to Daris Contractors, the low bidder in the amount of \$747,600.00 for Water Treatment Plant Modifications (Contract 3) related to the Water System Improvements.

Motion was made by Trustee Young and 2nd by Trustee Ceska to award bid to Daris Contractors, the lowest responsible bidder in the amount of \$747,600.00 for Water Treatment Plant Modifications (Contract 3) related to the Water System Improvements.

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

10. Consideration and appropriate action related to authorizing Municipal Finance Services, Inc. to proceed with the solicitation of financing bids from financial institutions for certain street improvements.

Motion was made by Chairman Sutherland and 2nd by Trustee Jech to authorize Municipal Finance Services, Inc. to proceed with the solicitation of financing bids from financial institutions for certain street improvements.

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

**11. City Manager's Report
a. Waste Water Plant Implementation Schedule**

12. Adjournment

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

YES: Forbes, Sutherland, 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

