

**MINUTES OF THE REGULAR MEETING
OF THE SKIATOOK CITY COUNCIL
TUESDAY, SEPTEMBER 12, 2023 6:00P.M., MUNICIPAL BOARDROOM**

1. Call to Order

The meeting was called to order by Mayor Edens at 6:00 pm in the Municipal Boardroom.

2. Roll Call

PRESENT: Herb Forbes, Robin Edens, Jerald Freeman, Linda Loftis, Stephanie Upton, Geoff McGoffin, Cody Fuentes

ABSENT: None

STAFF: Brad White, Shirley Lett, and other staff members.

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

- a. Approval of the minutes of the August 8, 2023 Regular Meeting.
- b. Approval of Purchase Orders/Warrants for 8/29/23(#147101-#147172)
 - i. General Fund \$ 76,571/21
 - ii. Cemetery Fund \$ 1,235.88
 - iii. One Cent Capital Projects \$ 23,670.00
 - iv. One Half Cent Capital Projects \$ 49,180.00
- c. Approval of Purchase Orders/Warrants for 9/12/23(#147212-#147294)
 - v. General Fund \$115,013.09
 - vi. Cemetery Fund \$ 277.01
 - vii. Airport Fund \$ 11,558.51
 - viii. Court Fund \$ 222.02
 - ix. One Cent Capital Projects \$ 22,392.60
 - x. Payroll (8-11-23) \$247,092.69
 - xi. Payroll (8-25-23) \$359,227.43
- d. Approval of Interlocal agreement between City of Skiatook and Board of Commissioners of Osage County for the purpose of construction, improvement, and maintenance of streets of the municipality. This agreement becomes effective July 1, 2023 and shall terminate upon June 30, 2024 to be renewed on an annual basis.
- e. Approval of Mutual Aid Agreement between City of Skiatook and Survival Flight, Inc., medical services/ambulance services, for the purpose of mutual aid in Firefighting/rescue equipment and personnel, emergency medical services/ambulance services for the term of one year. (July 1, 2023-June 30, 2024).
- f. Approval of Mutual Aid Agreement between City of Skiatook and American Public Power Association (APPA)/National Rural Electric Cooperative Association (NRECA) approved by the Federal Emergency Management Agency (FEMA), for the purpose of rendering aid in resources and personnel, from other utilities and can be used in a Level 4 event and support potential federal reimbursement.
- g. Approval of Memorandum of Agreement between City of Skiatook and Osage Nation, Oklahoma for the purpose of partnering on the Lenapah North Overlay Project from Hwy 20 just past Red Eagle Rd. Osage Nation will be responsible for the cost of the asphalt and oil needed, not to exceed \$25,000. The City will be responsible for all other associated costs to complete the overlay project. This agreement shall terminate upon final completion of the project.

- h. Approval of a Budget Amendment to revenue line item 01-333 (Dept of Ag Grant) from Department of Ag Fire Grant in the amount of FIVE THOUSAND FOUR HUNDRED NINETY THREE DOLLARS AND FIFTY THREE CENTS (\$5,493.53) Supplemental Appropriation to expense line item 01-406-611 for Department of Ag/Fire Protection in the amount of FIVE THOUSAND FOUR HUNDRED NINETY THREE DOLLARS AND FIFTY THREE CENTS (\$5,493.53). (Difference between budgeted amount of \$4,500.00 and the actual grant amount received - \$9993.53).
- i. Approval of a Budget Amendment to revenue line item 01-348 (Tulsa Co. Task Force) in the amount of TEN THOUSAND NINETY SIX DOLLARS AND NINETY SIX CENTS (\$10,096.96) Supplemental Appropriation to expense line item 01-405-604 Tulsa Co. Task Force for Skiatook Police Dept. Forfeiture balance in the amount OF TEN THOUSAND NINETY SIX DOLLARS AND NINETY SIX CENTS (\$10,096.96).
- j. Approval of Budget Amendment to revenue line 01-338 (General Miscellaneous) from sale of scrap metal in the amount of THREE THOUSAND SEVEN HUNDRED TWENTY NINE DOLLARS AND FORTY FIVE CENTS (\$3,729.45) Supplemental Appropriation to expense line 01-409-610 for Street Department Capital Outlay in the amount of THREE THOUSAND SEVEN HUNDRED TWENTY NINE DOLLARS AND FORTY FIVE CENTS (\$3,729.45).

Motion was made by Councilor McGoffin and 2nd by Councilor Upton to approve as written.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

- 4. Consideration and appropriate action related to items removed from the Consent Agenda.**
Item was skipped. No action was taken.
- 5. Discussion and possible consideration and appropriate action, related to approval of Ordinance 2023-09, an ordinance changing and amending the zoning classification From OL (office-low intensity) district, to CG (commercial general) district of such territories located at approximately 404 West 3rd. Street, Osage County, Skiatook, Oklahoma, 74070; more particularly described as the south 60 feet of Lots 27, 28, 29 and 30, Block 1, Sherriff's addition, City of Skiatook, Oklahoma, lying within a tract of land that is a part of section twenty-two (22), township twenty-two (22) north, Range twelve (12) East of the Indian meridian, Osage County, City of Skiatook, State of Oklahoma, According to the U.S. Government survey thereof, as set forth in zoning application No. SKZ-219; Repealing all ordinances or parts of ordinances in conflict herewith, and declaring an effective date.**

Motion was made by Councilor McGoffin and 2nd by Vice Mayor Fuentes approving Ordinance 2023-09, an ordinance changing and amending the zoning classification from OL (office-low intensity) district, to CG (commercial general) district of such territories located at approximately 404 West 3rd. Street, Osage County, Skiatook, Oklahoma, 74070; more particularly described as the south 60 feet of Lots 27, 28, 29 and 30, Block 1, Sherriff's addition, City of Skiatook, Oklahoma, lying within a tract of land that is a part of section twenty-two (22), township twenty-two (22) north, Range twelve (12) East of the Indian meridian, Osage County, City of Skiatook, State of Oklahoma, according to the U.S. Government survey thereof, as set forth in zoning application No. SKZ-219; Repealing all ordinances or parts of ordinances in conflict herewith, and declaring an effective date.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

**6. Discussion and possible consideration and appropriate action, related to approval of Skiatook Flying Club, hosting a morning Fly-in and mid-day Car Show partnering with VFW, at the Municipal Airport on Sept. 23, 2023 during Pioneer Day events.
(Presented by: Ryan Addison, Skiatook Flying Club)**

Motion was made by Vice Mayor Fuentes and 2nd by Councilor Freeman approving the Skiatook Flying Club to host a morning fly-in and mid-day car show partnering with VFW, at the Municipal Airport on Sept. 23, 2023 during Pioneer day events.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

**7. Discussion and possible consideration and appropriate action, related to approval of Skiatook Special Olympics hosting their event in Central Park on October 7th, 2023 from 8:00am – 2:00pm. Annual fundraiser walk & motor cycle run. Electricity needed.
(Presented by: Karen Smith)**

Motion was made by Councilor McGoffin and 2nd by Vice Mayor Fuentes approving Skiatook Special Olympics to host their annual fundraiser in Central Park on October 7, 2023 from 8:00am-2:00pm walk and motorcycle run. Electricity needed.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

**8. Discussion and possible consideration and appropriate action, related to approval of American Legion Post 131/ VFW Post 7977 hosting the 8th annual Veteran's Day Parade Saturday, November 11, 2023 starting 11:00am traveling the standard parade route.
(Presented by: John Yox)**

Motion was made by Councilor McGoffin and 2nd by Councilor Upton approving the American Legion Post 131/VFW Post 7977 to host the 8th annual Veteran's Day Parade Saturday, November 11, 2023 starting at 11:00am traveling the Standard parade route.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

**9. Discussion regarding Saturday Refuse Center availability for City residents, currently open every Sat. Of the month. Due to rising costs for staffing, and transfer of refuse has become an economic burden to the City.
(Presented by: Brad White, City Manager)**

10. Discussion and possible consideration and appropriate action, related to Ordinance 2023-10, an ordinance amending Title 4 "Business and License regulations" and Creating a new section of law at Chapter 6 "Medical Marijuana Businesses and Facilities" To the Code of Ordinances of the City of Skiatook, Oklahoma; adding a certificate of compliance requirement; containing other provisions related thereto; repealing all ordinances or parts of ordinances in conflict herewith; providing for codification; and establishing an effective date and declaring an emergency.

Motion was made by Councilor Forbes and 2nd by Councilor Upton approving Ordinance 2023-10, an ordinance amending Title 4 "Business and License regulations" and creating a new section of law at Chapter 6 "Medical Marijuana Businesses and Facilities" to the Code of Ordinances of the City of Skiatook, Oklahoma; adding a certificate of compliance requirement; containing other provisions related thereto; repealing all ordinances or parts of ordinances in conflict herewith; providing for codification; and establishing an effective date and declaring an emergency.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

11. Discussion and possible consideration and appropriate action related to approving the emergency clause for Ordinance 2023-10.

Motion was made by Councilor Forbes and 2nd by Vice Mayor Fuentes that an Emergency Clause as it related to Ordinance 2023-10, by reason of the timely need for adoption to protect the public's health, safety, and welfare, an emergency is hereby declared to exist for which the ordinance shall become effective upon publication as provided by law, as presented, be approved.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

12. Discussion and possible consideration and appropriate action related to approving Resolution 2023-16, a resolution establishing a fee of \$200.00 for inspections of Medical marijuana facilities and adopting a Certificate of Compliance Application Document.

Motion was made by Councilor McGoffin and 2nd by Councilor Freeman approving Resolution 2023-16, a resolution establishing a fee of \$200.00 for inspections of Medical marijuana facilities and adopting a Certificate of Compliance Application Document.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

**13. Discussion and possible consideration and appropriate action, related to approval of The First Amended and Restated Real Estate purchase and Sale agreement (originally Executed May 20, 2022) between the City of Skiatook, the Skiatook Public Works Authority, and HDOK Management, LLC, by extending the platting period process to 720 days, and changing the development phase to 365 days.
(Presented by: Joe & Gloria Hale on behalf of HDOK Management LLC).**

Motion was made by Councilor McGoffin and 2nd by Councilor Forbes approving the First Amended and Restated Real Estate purchase and Sale agreement (originally Executed May 20, 2022) between the City of Skiatook, the Skiatook Public Works Authority, and HDOK Management, LLC, by extending the platting period process to 720 days, and changing the development phase to 365 days.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

14. Discussion and possible consideration and appropriate action, related to approval of Ordinance 2023-11, an ordinance amending the provisions of Title 6 "Public Safety And Nuisances", Chapter 4 "Offenses and Nuisances", Article G "Nuisances", Section 5 "Weeds and other Nuisances", Part A of the Skiatook Municipal Code, containing Other provisions related thereto, repealing all ordinances or parts of ordinances in Conflict herewith, and declaring an emergency.

Motion was made by Councilor Freeman and 2nd by Councilor Upton approving Ordinance 2023-11, an ordinance amending the provisions of Title 6 "Public Safety and Nuisances", Chapter 4 "Offenses and Nuisances", Article G "Nuisances", Section 5 "Weeds and other Nuisances", Part A of the Skiatook Municipal Code, containing other provisions related thereto, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes

NO: NONE

15. Discussion and possible consideration and appropriate action, related to approval of Emergency clause for Ordinance 2023-11.

Motion was made by Vice Mayor Fuentes and 2nd by Councilor Forbes that an Emergency Clause as it relates to Ordinance 2023-11, by reason of the timely need for adoption to protect the public's health, safety, and welfare, an emergency is hereby declared to exist for which the ordinance shall become effective upon publication as provided by law, as presented, be approved.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes

NO: NONE

16. Discussion and possible consideration and appropriate action, related to approval of Resolution 2023-17, a resolution that amends the fee schedule for City fees related to Revising and amending the rules and regulation of the Osage Gardens Cemetery Regarding "Section B Prohibition of Interment on Sundays and Holidays", and additionally, changes to costs and fees for the following: "Section C. Cost of space", Section D. Opening and closing costs", "Section E. Disinterment", "Section G. Setting Monuments", "Section H. Cremations", and "Section H. Deeds" (Hereinafter to be Retitled "Section I. Deeds").

Motion was made by Councilor Forbes and 2nd by Vice Mayor Fuentes approving Resolution 2023-17, a resolution that amends the fee schedule for City fees related to revising and amending the rules and regulation of the Osage Gardens Cemetery Regarding "Section B Prohibition of Interment on Sundays and Holidays", and additionally, changes to costs and fees for the following: "Section C. Cost of space", Section D. Opening and closing costs", "Section E. Disinterment", "Section G. Setting Monuments", "Section H. Cremations", and "Section H. Deeds" (Hereinafter to be Retitled "Section I. Deeds"). Effective Date of January 1, 2024.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes

NO: NONE

17. Discussion and possible consideration and appropriate action, related to the approval Of Resolution 2023-18, a resolution of the City of Skiatook, authorizing the calling and Holding of a special election in the City of Skiatook, Oklahoma, on Tuesday, November 14, 2023, for the purpose of submitting to the registered qualified electors of said City The question of approval or rejection of an ordinance of the City relating to the levy and collection of not to exceed an additional one percent (1.00%) excise tax (sales tax) To be used for Police and Fire Department purposes (in addition to any and all other Excise taxes now in force), all as more specifically set forth in said ordinance; and containing Other provisions related thereto.

Motion was made by Councilor Forbes and 2nd by Vice Mayor Fuentes approving Resolution 2023-18, a resolution of the City of Skiatook, authorizing the calling and holding of a special election in the City of Skiatook, Oklahoma, on Tuesday, November 14, 2023, for the purpose of submitting to the registered qualified electors of said City the question of approval or rejection of an ordinance of the City relating to the levy and collection of not to exceed an additional one percent (1.00%) excise tax (sales tax) to be used for Police and Fire Department purposes (in addition to any and all other Excise taxes now in force), all as more specifically set forth in said ordinance; and containing other provisions related thereto.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

- 18. Discussion and possible consideration and appropriate action, related to the approval Of Ordinance 2023-12, an Ordinance of the City of Skiatook, relating to the imposition Of a city excise tax, (sales tax) of not to exceed one percent (1.00%)(in addition to any And all other excise taxes now in force) to be levied upon the gross proceeds or gross Receipts derived from all sales taxable under the Oklahoma Sales Tax Code; providing for the use of the proceeds of said excise tax for Police and Fire Department expenditures; providing for the April 1, 2024, effective date and a March 31, 2039 termination date of said excise tax; providing for subsisting state permits: providing for payment of tax; providing that the tax is in addition to taxes currently levied; incorporating certain provisions of prior city ordinances; providing for amendments to this ordinance; providing that the provisions of this ordinance are cumulative and in addition to any and all taxing provisions of other city ordinances; providing for severability of provisions; and containing other provisions related thereto.**

Motion was made by Councilor Forbes and 2nd by Councilor Freeman approving Ordinance 2023-12, an Ordinance of the City of Skiatook, relating to the imposition of a city excise tax, (sales tax) of not to exceed one percent (1.00%)(in addition to any and all other excise taxes now in force) to be levied upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code; providing for the use of the proceeds of said excise tax for Police and Fire Department expenditures; providing for the April 1, 2024, effective date and a March 31, 2039 termination date of said excise tax; providing for subsisting state permits: providing for payment of tax; providing that the tax is in addition to taxes currently levied; incorporating certain provisions of prior city ordinances; providing for amendments to this ordinance; providing that the provisions of this ordinance are cumulative and in addition to any and all taxing provisions of other city ordinances; providing for severability of provisions; and containing other provisions related thereto.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes
NO: NONE

- 19. Discussion and possible consideration and appropriate action, related to the approval Of Resolution 2023-19, a resolution of the City of Skiatook, authorizing the calling and Holding of a special election in the City of Skiatook, Oklahoma, on Tuesday, November 14, 2023, for the purpose of submitting to the registered qualified electors of said City The question of approval or rejection of an ordinance of the City relating to the levy And collection of an additional one tenth of one percent (0.10%) excise tax (sales tax) To be used for Economic Development purposes (in addition to any and all other excise Taxes now in force), all as more specifically set forth in said ordinance; and containing Other provisions related thereto.**

Motion was made by Councilor Freeman and 2nd by Councilor Upton to take no action.

YES: Forbes, Edens, Freeman, Loftis, Upton
NO: McGoffin, Fuentes

- 20. Discussion and possible consideration and appropriate action, related to the approval Of Ordinance 2023-13, an ordinance of the City of Skiatook, relating to the imposition Of a city excise tax (sales tax) of one tenth of one percent (0.10%)(in addition to any And all other excise taxes now in force) to be levied upon the gross proceeds or gross Receipts derived from all sales taxable under the Oklahoma Sales Tax Code; providing for the use of the proceeds of said excise tax for Economic Development expenditures; Providing for the April 1, 2024, effective date and a March 31, 2039 termination date of said excise tax; providing for subsisting state permits; providing for payment of tax; providing that the tax is in addition to taxes currently levied; incorporating certain provisions of prior City ordinances; providing for amendments to this ordinance; providing that the provisions of this ordinance are cumulative and in addition to any and all taxing provisions of other City ordinances; providing for severability of provisions; and containing other provisions related thereto.**

Motion was made by Councilor Forbes and 2nd by Councilor Upton to take no action.

YES: Forbes, Edens, Freeman, Loftis, Upton

NO: McGoffin, Fuentes

- 21. City Manager's Report: *Free Refuse Day September 30, 2023 8:00am – 4:00pm
Update on the Hwy 75 & Hwy 20 property***

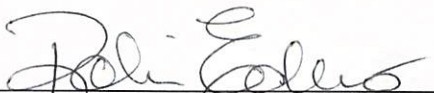
****If any citizen should have a comment or concern they wish to express or have heard, please feel free to contact the City Manager's Office at (918) 396-2797 x113****

22. Adjournment

Motion was made by Vice Mayor Fuentes and 2nd by Councilor Loftis to adjourn.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes

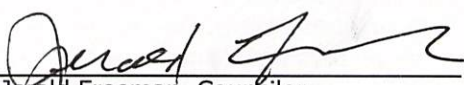
NO: NONE


Robin Edens, Mayor


Stephanie Upton, Councilor


Linda Loftis, Councilor


Cody Fuentes, Vice-Mayor


Jerald Freeman, Councilor


Shirley Lett, City Clerk


Geoff McGoffin, Councilor

10-11-23
Date Minutes Approved:


Herb Forbes, Councilor

**MINUTES OF THE SKIATOOK
PUBLIC WORKS AUTHORITY REGULAR MEETING
TUESDAY, SEPTEMBER 12, 2023 7:12 P.M., MUNICIPAL
BOARDROOM DIRECTLY FOLLOWING THE ADJOURNMENT OF THE
CITY COUNCIL**

1. Call to Order

The meeting was called to order by Chairman Edens at 7:12 pm in the Municipal Boardroom.

2. Roll Call

PRESENT: Herb Forbes, Robin Edens, Jerald Freeman, Linda Loftis, Stephanie Upton, Geoff McGoffin, Cody Fuentes

ABSENT: NONE

STAFF: Brad White, Shirley Lett, and other staff members.

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

- a. Approval of the minutes of the August 8, 2023 Regular Meeting.
- b. Approval of Purchase Orders/Warrants for 8/29/23(#147101-#147172)
 - i. SPWA \$467,859.39
- c. Approval of Purchase Orders/Warrants for 9/12/23(#147212-#147294)
 - ii. SPWA \$731,561.37
 - iii. Payroll (8-11-23) \$ 62,927.15
 - iv. Payroll (8-25-23) \$ 95,103.79

Motion was made by Councilor McGoffin and 2nd by Councilor Upton approving as written.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes

NO: NONE

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

Item was skipped. No action was taken.

5. Discussion and possible consideration and appropriate action, related to approval of The First Amended and Restated Real Estate purchase and Sale agreement (originally Executed May 20, 2022) between the City of Skiatook, the Skiatook Public Works Authority, and HDOK Management, LLC, by extending the platting period process to 720 days, and changing the development phase to 365 days.

Motion was made by Councilor McGoffin and 2nd by Councilor Forbes approving the first amended and restated Real Estate purchase and Sale agreement (originally executed May 20, 2022) between the City of Skiatook, the Skiatook Public Works Authority, and HDOK Management, LLC, by extending the platting period process to 720 days, and changing the development phase to 365 days.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes

NO: NONE

6. Adjournment

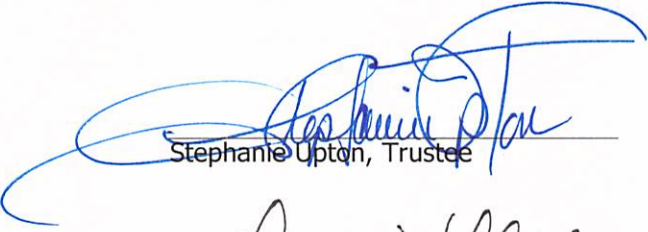
Motion was made by Vice Chairman Fuentes and 2nd by Trustee Freeman to adjourn.

YES: Forbes, Edens, Freeman, Loftis, Upton, McGoffin, Fuentes

NO: NONE

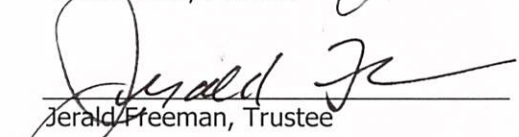



Robin Edens, Chairman


Stephanie Upton, Trustee


Cody Fuentes, Vice Chairman

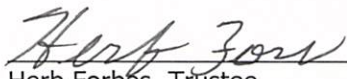

Linda Loftis, Trustee


Jerald Freeman, Trustee


Shirley Lett, City Clerk


Geoff McGoffin, Trustee

10-10-23
Date Minutes Approved:


Herb Forbes, Trustee