

**CITY OF CATOOSA  
CITY COUNCIL  
MINUTES OF MARCH 11, 2019  
REGULAR MEETING**

**I. Meeting Convened**

**A. Call to Order:** A regular meeting of the City Council of the City of Catoosa was held and called to order by Vice-Mayor Thomas Sweet at 6:00 p.m. on Monday, the 11<sup>th</sup> day of March, 2019, at Catoosa City Hall, 214 S. Cherokee, Catoosa, Oklahoma. The meeting was held in compliance with the Oklahoma Open Meeting Act and was posted in accordance therewith at least 24 hours in advance at City Hall for the purpose of discussion, consideration and possible action on the following agenda items.

**B. Invocation:** Member at Large Councilor Derrick Hildebrant

**C. Pledge of Allegiance:** Vice-Mayor Thomas Sweet

**D. Roll Call:** The following council members were **present** for this meeting: Ward #6, Councilor Russ White; Ward #5, Councilor Kyle Gibson; Ward #4, Councilor Shawn Battles; Ward #3, Councilor Greg Williams; Member at Large Councilor Derrick Hildebrant; Ward #2, Councilor and Vice Mayor Thomas Sweet.

The following council member was **absent** for this meeting: Ward #1 and Mayor Brenda Conley.

The following staff members were present for this meeting: John Blish, Acting City Manager; Vicky Sutton, City Clerk; Denus Benton, Fire Chief; Andy Wimberley, Interim Police Chief; Terry Whiteley, City Planner; Jesse Payne, PWA Maintenance Director; Carol Anderson, Library Director and City Attorney Eric Wade, of Rosenstein, Fist & Ringold.

**E. Public Comments:**

Justin Hall, 30235 S. Pine Ridge Rd., Catoosa, OK 74015, spoke to the Council on behalf of the Fair Oaks Fire Department. He spoke of their need for fire vehicles/equipment; requesting the Council keep them in mind when discussing any surplused items.

## **II. Consent Agenda:**

**Information:** Consideration and appropriate action relating to a request for City Council approval of the Consent Agenda:

- 1) Approval of Minutes of the **February 25, 2019** Regular Meeting.
- 2) Approval of Regular and Prepaid Claims.

A motion was made by **Derrick Hildebrant** and seconded by **Greg Williams** to approve the consent agenda. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

**III. Items Removed from Consent Agenda:** There were no items removed from the consent agenda.

## **IV. Agenda Items:**

### **Item #1: Revising the Scope of the Proposed N. 161<sup>st</sup> East Ave. Widening Project**

A motion was made by **Russ White** and seconded by **Derrick Hildebrant** to approve revising the scope of the proposed N. 161<sup>st</sup> E. Ave. Widening Project as follows:

- A. 3-Lanes with 2' wide shoulders
- B. Borrow ditch sections with no curb and gutter
- C. Asphalt paving
- D. Additional engineering for the roadway design \$165,340.02 (80% ODOT, 20% City)
- E. Estimated construction cost of ~\$3.6 million (~\$2.4 million ODOT, ~\$1.2 million City)
- F. Estimated right-of-way and utility relocation cost of ~\$1.8 million (100% City)

The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-No	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

### **Item #2: Hiring a Surveyor for Rodger Berry Sports Complex**

A motion was made by **Derrick Hildebrant** and seconded by **Shawn Battles** to approve hiring Green Country Surveying, Inc. to obtain a boundary and topographic survey of the Catoosa Soccer Complex in the amount of \$15,000.00 to be paid from Streets & Parks.

The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

**Item #3: Purchase of Computers for the Library**

A motion was made by **Greg Williams** and seconded by **Shawn Battles** to approve the purchase of 5 computers for public use in the Catoosa Public Library from Dell, in the amount of \$3,110.70 to be paid from the Library, IT Maintenance Fund. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

**Item #4: Settlement on Wrecked 2013 Ford Explorer Police Unit/VIN #9120**

A motion was made by **Derrick Hildebrant** and seconded by **Russ White** to table this item. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

**Item #5: Ordinance No. 2019-363-Z Rezoning**

A motion was made by **Russ White** and seconded by **Kyle Gibson** to approve Ordinance No. 2019-363-Z, an Ordinance of the City of Catoosa changing the zoning of property described herein from Industrial Moderate District (IM) to Industrial Heavy District (IH) for William Hoffman at 2004 N 167<sup>th</sup> E Ave. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-No	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

**Item #6: Emergency Clause for Ordinance No. 2019-363-Z**

A motion was made by **Russ White** and seconded by **Kyle Gibson** to approve an emergency clause for Ordinance #2019-363-Z. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-No	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

**Item #7: Ordinance No. 2019-364-Z Rezoning**

A motion was made by **Russ White** and seconded by **Derrick Hildebrant** to approve Ordinance No. 2019-364-Z, an Ordinance of the City of Catoosa changing the zoning of property described herein General Commercial District (CG) to Industrial Light (IL) for East Admiral Business Park, LLC at 19801 E Admiral Pl. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye  
Greg Williams-aye  
Shawn Battles-aye

Kyle Gibson-aye  
Russ White-aye  
Derrick Hildebrant-aye

**Item #8: Emergency Clause for Ordinance No. 2019-364-Z Rezoning**

A motion was made by **Russ White** and seconded by **Shawn Battles** to approve an emergency clause for Ordinance #2019-364-Z. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye  
Greg Williams-aye  
Shawn Battles-aye

Kyle Gibson-aye  
Russ White-aye  
Derrick Hildebrant-aye

**Item #9: Ordinance No. 2019-365-Z Rezoning**

A motion was made by **Derrick Hildebrant** and seconded by **Russ White** to approve Ordinance No. 2019-365-Z, an Ordinance of the City of Catoosa changing the zoning of property described herein General Commercial District (CG) to High Intensity Commercial District (CH) and Agriculture District (AG) for Donegal Land Company, LLC. At approximately 20553 E Admiral Pl. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye  
Greg Williams-No  
Shawn Battles-aye

Kyle Gibson-aye  
Russ White-aye  
Derrick Hildebrant-aye

**Item #10: Emergency Clause for Ordinance No. 2019-365-Z Rezoning**

A motion was made by **Derrick Hildebrant** and seconded by **Russ White** to approve an emergency clause for Ordinance #2019-365-Z. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye  
Greg Williams-No  
Shawn Battles-aye

Kyle Gibson-aye  
Russ White-aye  
Derrick Hildebrant-aye

**Item #11: P-2019-01 – Final Plat for a 5.5-acre parcel located at 15437 E Pine Street for DMI International, Inc./Samurai Equipment, Inc.**

A motion was made by **Derrick Hildebrant** and seconded by **Kyle Gibson** to approve, approve with conditions, or deny a request for a final plat a 5.5 acre tract located at 15437 E. Pine Street a tract located in the S/2 of the S/2 of the S/2 (S/2 S/2 S/2) of Section 27, Township 20N, Range 14E of the IBM, Rogers County, State of Oklahoma, according to the U.S. Government Survey thereof. The motion **passed** with the following votes:

Vice-Mayor Thomas Sweet-aye  
Greg Williams-aye  
Shawn Battles-aye

Kyle Gibson-aye  
Russ White-aye  
Derrick Hildebrant-aye

**Item #12: Proposed Executive Session**

A motion was made by **Shawn Battles** and seconded by **Derrick Hildebrant** to enter into executive session. The motion passed with the following votes: **(7:03 PM)**

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

**Councilor Russ White did not enter into Executive Session.**

**Statement of Executive Session Minutes:**

Vice-Mayor Thomas Sweet acknowledged the City Council returned to open session at **7:37 PM**. During executive session, the City Council held confidential communications with its attorney concerning pending litigation, to wit: John Rogne v. City of Catoosa, Oklahoma Supreme Court Case No. 116,769, the Council having been advised by its attorney that disclosure will seriously impair the ability of the City to process or conduct the litigation in the public interest, pursuant to Title 25, Section 307(B)(4) of the Oklahoma Statutes.

**No other matters were discussed, and no votes were taken.**

**V: New Business:** There was no new business.

**VI: City Manager Report:** John Blish informed the City Council of the following:

- The Port of Catoosa will be closing State Hwy 167, March 22<sup>nd</sup> thru March 24<sup>th</sup> to redo the railroad tracks just South of the Port entrance. They will be working with ODOT to divert any traffic through Catoosa as necessary. This will be the first of two closures.
- Next Tuesday I will start negotiating with the Police & Fire regarding their contracts. We will start those meetings on the 26<sup>th</sup>.
- We have started to look at this next year's budget so we will be prepared to present a preliminary budget to the Council in May.
- We are still moving forward with the new Police/Fire Facility. We have had a setback with our Contract Management firm; we have learned that they are going under. We are looking into a different Architecture firm to try to stay within our timeline.
- John will be out of the office tomorrow and Thursday.
- John would like to be able to present to you on Wednesdays instead of Fridays the details of the week since our staff meetings are on Tuesdays.
- Ground breaking has started in the Catoosa Hills area on the new Olive Garden and for the new carwash at 193<sup>rd</sup> & Admiral.
- We are continuing to see growth; Terry has 6 or 7 major projects going on at this time. We have the Pine Street Overlay Project, 161<sup>st</sup> Street Widening

Project and the 166<sup>th</sup> E. Ave Roadway Project (which goes out for bid this Wednesday).

- We have checked on the electricity problem at the Soccer Complex as you requested during the last meeting. We do not have any answers at this time other than it is an all-electric building. We will look into turning the heat down lower in the building when not in use and possibly replacing the older heating system.

**VII: Council Comments:**

- Councilor Derrick Hildebrant asked if we are under contract with the Contract Management firm?
- Vice-Mayor Thomas Sweet asked when the Pine Street Overlay Project will begin?

**VIII: Adjourn:**

A motion was made by **Shawn Battles** and seconded by **Derrick Hildebrant** to adjourn. The motion passed with the following votes: **(7:47PM)**

Vice-Mayor Thomas Sweet-aye	Kyle Gibson-aye
Greg Williams-aye	Russ White-aye
Shawn Battles-aye	Derrick Hildebrant-aye

**Approved on this \_\_\_\_\_ day of \_\_\_\_\_, 2019**

\_\_\_\_\_  
**Vicky Sutton, City Clerk**

\_\_\_\_\_  
**Brenda Conley, Mayor**