

**CLEVELAND CITY COUNCIL**  
**MINUTES**  
**Tuesday, January 26, 2021 – 6:00 p.m.**

Members of the Cleveland City Council met in a special scheduled meeting at 6:01 p.m. on Tuesday, January 26, 2021, in the Council Chambers of the Cleveland Municipal Building located at 201 North Broadway, Cleveland, Oklahoma with Mayor Scott Rusher presiding. The agenda for this meeting was posted on the front door of the Cleveland City Hall on January 25, 2021, at 3:42 p.m.

Notice for this meeting was received by the City Clerk on January 19, 2021 at 3:30 p.m.

1. **Call to order.** This meeting was called to order by Mayor Scott Rusher at 6:01 p.m.
2. **Roll Call.** Clerk Michelle Lehnus called roll with the following members present:  
**Present:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle  
**Absent:** Brian Torres
3. **Flag Salute.** Flag salute was led by Mayor Rusher.
4. **Invocation.** Invocation was led by Councilman David Cordle.
5. **Discussion and action to approve or reject the minutes of the previous meeting(s). Discussion concerning actions taken in relation to the minutes of the previous meeting (s).** The minutes of the previous meeting were reviewed by council. No discussion occurred. A motion was made by Scott Rusher and seconded by David Cordle to approve the minutes from the previous special meetings on December 16, 2020 and January 14, 2021. This motion carried with the following roll call vote: (4-0)  
**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle  
**Nay:** None
6. **Discussion and action to approve or reject the Treasurer's Report.** Council reviewed the Treasurer's Report. Mayor Rusher noted that the cash balance looks good for now. Mr. Cordle asked what that could be attributed to. Ms. Lehnus advised that the approved budget had anticipated a decrease in revenue due to COVID but that the sales and use tax haven't shown a decrease. Operations Manager Clint Stout did note that the gas revenue percentage was still trending low. A motion was made by Scott Rusher and seconded by Mike Carroll to approve the Treasurer's Report. This motion carried with the following roll call vote: (4-0)  
**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle  
**Nay:** None
7. **Discussion concerning list of purchase orders paid.** Councilman Mike Carroll noted that a new engine had been purchased. Mr. Stout advised that was the first engine purchased and that there was still one more vehicle that needed an engine. He shared that he had been driving the city manager's vehicle to allow his patrol vehicle to go to his officers to drive.
8. **Public Comments. All comments will be limited to agenda items only. Participants are required to sign in prior to the start of the meeting.** The following members of the public signed in to speak:  
Walter Floyd – SignalTek  
Chase McDonald – no item listed  
Rodney Schulze - Baseball
9. **Discussion and action for approval or rejection of USDA Letter of Support for the Cleveland Area Hospital.** Edred Benton, CEO, Ray Moss, CFO, and Shelly Siler, Marketing and Outreach Department from Cleveland Area Hospital did a presentation for council. Mr. Benton did want council to be aware that 2020 numbers that were provided as part of the presentation were unaudited numbers. Mr. Benton shared that this was part of a process that had been ongoing for 18 months to refinance

existing debt for the hospital. He noted that if approved this would not be final step of this process. He shared that the hospital was committed to staying within this community and providing service for the community and the neighboring communities. A motion was made by Mike Carroll and seconded by Scott Rusher to approve the USDA Letter of Support for the Cleveland Area Hospital. This motion carried with the following roll call: (4-0)

**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Nay:** None

- 10. Discussion and possible action for approval or rejection of License Agreement by and between the City of Cleveland and Cleveland Youth Softball and Baseball Organization.** Mr. Stout advised council that this was the same contract as had been previously signed just with updated dates. Rodney Schulze, Chase McDonald, and Mitch Sampson were present from the Cleveland Youth Softball and Baseball Organization. Mr. Schulze advised that every year the organization does benefit tournaments which bring revenue into the city. He told council that during the last tournament there had been three or four ballasts that had exploded during games. He explained that the ballasts were becoming obsolete and everything was moving toward LED. He also explained to council that to upgrade the lights would be a large expense that as a non-profit they would not be able to afford. Mr. Schulze provided financials to Ms. Merrifield to review. Mayor Rusher reminded council that previously the baseball organization had been told that the city would give them \$100,000 but due to COVID that money was never given to them. Mr. Schulze shared with council that due to COVID the previous season had been cancelled and refunds had been issued to all players; therefore, the baseball organization didn't make their payment to the city for the year. Mr. Cordle confirmed that the payment was just delayed, not forgiven. Mr. McDonald shared with council that he was looking for back channel options to get LED lights. Mr. Sampson also shared with council that he had a contact that was willing to help with the non-profit to try to find additional funding; however, there is currently confusion because it appears that the organization is a city run organization. Mr. Sampson asked that they be provided a letter from the City of Cleveland explaining that the city does not run the organization. Mayor Rusher asked that City Attorney Bryan Drummond draft that letter and send it to the clerk. A motion to approve the License Agreement by and between the City of Cleveland and Cleveland Youth Softball and Baseball Organization was made by Scott Rusher and seconded by David Cordle. This motion carried with the following roll call vote: (4-0)

**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Nay:** None

Agenda Item 12 was called at this time.

- 12. Discussion and possible action to approve or reject the Maintenance Agreement between the City of Cleveland and SignalTek.** Walter Floyd with SignalTek spoke to council. He advised that SignalTek was a full-service traffic signal maintenance contractor. He explained for the \$30.00 per month per signalized intersection SignalTek would provide annual cabinet cleaning, conflict monitor testing, and detailed reports. The maintenance agreement also gets the city a reduced rate on mileage and a lower price on labor, calls, and materials. Mr. Floyd advised the council that there should be no mileage charges because the City of Cleveland was within 40 miles of Tulsa. He advised that the City of Cleveland averages about two calls per year. A motion was made by Scott Rusher and seconded by David Cordle to approve the Maintenance Agreement between the City of Cleveland and SignalTek. This motion carried with the following roll call vote: (4-0)

**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Nay:** None

A motion was made by Mike Carroll and seconded by David Cordle to adjourn the City Council meeting to address an item on CMA agenda and then return to City Council. This motion carried with the following roll call vote: (4-0)

**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Nay:** None

Members of the Cleveland City Council reconvened at 7:22 p.m. Clerk Michelle Lehnus called roll with the following members present:

**Present:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Absent:** Brian Torres

- 11. Discussion and possible action to approve or reject Operations Manager Clint Stout as Contract/Fiscal Signatory on the Certificate of Authorized Signatures for Central Oklahoma Economic Development District (COEDD).** No council discussion occurred. A motion was made by Lee Merrifield and seconded by David Cordle to approve Operations Manager Clint Stout as Contract/Fiscal Signatory on the Certificate of Authorized Signatures for Central Oklahoma Economic Development District (COEDD). This motion carried with the following roll call vote: (4-0)

**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Nay:** None
- 13. Discussion regarding grant money that has been received by the City of Cleveland from July 1, 2021 to January 22, 2021.** Mr. Carroll asked to clarify that the timeframe for the grant money was July 1, 2020 to January 22, 2021. The July date had been listed with an incorrect year on the agenda. Mayor Rusher noted that on previous paperwork that had been provided to the council there had been a reference of \$2 million worth of grants that had been received. Documentation provided by the clerk shows \$577, 145 has been received between July 1, 2020 to January 22, 2021. Mayor Rusher noted that receiving that much money was a win. He stated that the asphalt, REAP grant, and USDA grants had been ongoing for a long time and were perpetual. Mr. Cordle noted that there was nothing on the documentation that shows anything about the pool. He wanted to confirm that the CARES Grant was being spent correctly. Ms. Lehnus explained that the CARES Grant that was received could only be spend on personnel expenses but by using the CARES Grant funding for personnel expenses that allowed for budget amendments so that the money that had originally been budgeted for personnel could be used for the pool.
- 14. Proposed executive session to discuss the employment, and employment performance of Vicki Hagerman, the City Manager, pursuant to OKLA. STAT. tit. 25, Section 307(B)(1)& (7) where disclosure of information would violate confidentiality requirements of state or federal law.**

  - a. Vote to go into executive session.** A motion was made by Scott Rusher and seconded by David Cordle to go into executive session. This motion carried with the following roll call vote: (4-0)

**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Nay:** None
  - b. Vote to acknowledge return to open session.** A motion was made by Scott Rusher and seconded by Mike Carroll to return to open session. This motion carried with the following roll call vote: (4-0)

**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Nay:** None
  - c. Statement of executive session minute.** The executive session minute was ready by Mayor Rusher.

**15. Operations Manager's Report which may include updates and/or announcements of events, projects, and general operations of the City of Cleveland.** Operations Manager Clint Stout provided the following updates:

- Cherokee Helicopter is pulling out of the airport. They crashed a helicopter and cannot recover from that, they currently only have 2 employees. They will get their stuff moved out of the airport. They do not currently owe any rent and the cleanup they provided will cover the utilities used.
- Mr. Stout and Water/Wastewater Superintendant Phillip Pridgen went to Stigler to look at their plant. It is a replica of the one we will be getting. Mr. Pridgen was impressed with the plant and the working knowledge that the operators there were able to share.
- Four applicants for the water/wastewater operator position have been interviewed. Second interviews with two of the applicants are scheduled for tomorrow. We are hopeful to be able to hire two employees at the water/wastewater plants but numbers will have to be reviewed.
- The audit scheduled to begin last week has been rescheduled for February 16, 2021 due to the current situation. Mr. Cordle asked if we would still be in compliance with auditing requirements with the postponement, Mr. Stout advised that we would be.

**16. Adjournment.** A motion to adjourn was made by Scott Rusher and seconded by Mike Carroll. This motion carried with the following roll call vote: (4-0)

**Aye:** Scott Rusher, Lee Merrifield, Mike Carroll, David Cordle

**Nay:** None

This meeting adjourned at 8:55 p.m.

Signature on File

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Scott Rusher, Mayor

Signature on File

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Michelle Lehnus, Clerk