

**CLEVELAND CITY COUNCIL**  
**MINUTES**  
**Thursday, March 12, 2020**

**Members of the Cleveland City Council met in a regularly scheduled meeting at 6:00 p.m. on Thursday, March 12, 2020, 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 March 9, 2020, at 4:20 p.m.**

- 1. Call to order.** Mayor Scott Rusher called this meeting to order at 6:01 p.m.
- 2. Roll Call.** City Clerk Michelle Lehnus called roll with the following members present:  
**Present:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter  
**Absent:** None
- 3. 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 previous meeting minutes were reviewed by all council members, no discussion occurred. A motion was made by Brian Torres and seconded by David Carter to approve the minutes for the regular meeting held on February 13, 2020. The motion carried with the following roll call vote: (5-0)  
**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter  
**Nay:** None
- 4. Discussion and action to approve or reject the Treasurer's Report.** The Treasurer's Report was reviewed by the council, no discussion occurred. A motion was made by Brian Torres and seconded by Mike Carroll to approve the Treasurer's Report for February 2020. This motion carried with the following roll call vote: (5-0)  
**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter  
**Nay:** None
- 5. Discussion concerning list of purchase orders paid.** City Manager Vicki Hagerman advised the council that gas masks had been purchased from surplus at a steep discount and that a donation was expected to cover the costs of the mask. Councilor Mike Carroll confirmed that the Techrol purchase was the purchase of sirens.
- 6. 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:
  - Dan Alaback – Agenda Item 8
  - Catherine Carter – As needed
  - Holly Reeves – Pool
  - Michelle Miller – As needed
- 7. Discussion and action to proclaim April 2020 as Fair Housing Month.** Brief discussion occurred where Mayor Scott Rusher explained that the City of Cleveland proclaims the month of April as Fair Housing Month every year. A motion was made by Brian Torres and seconded by Lee Merrifield to proclaim April 2020 as Fair Housing Month. The motion carried with the following roll call vote: (5-0)  
**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter  
**Nay:** None

- 8. Discussion and possible action on pool house.** Dan Alaback with Alaback Designs is present and provided the council with information regarding different options for the pool house. Ms. Hagerman also provided information for consideration regarding pool house options. A motion was made by Brian Torres and seconded by Scott Rusher to table Agenda Item 8. This motion carried with the following roll call vote: (5-0)

**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter

**Nay:** None

- 9. Discussion and possible action to approve or reject Ordinance No. 2020-631: AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF CLEVELAND, OKLAHOMA, PART 5, TITLED "BUILDING REGULATIONS AND CODES", CHAPTER 2, TITLED "BUILDING CODE", SECTION 5-201, TITLED "BUILDING CODE ADOPTED", AND SECTION 5-202, TITLED "ADDITIONS AND CHANGES TO BUILDING CODE"; IN CERTAIN CIRCUMSTANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE OF MARCH 12, 2020; AND DECLARING AN EMERGENCY.** Ms. Hagerman explained to the council that our building code ordinance required amendment to reference the 2015 International Building Code. A motion was made by David Carter and seconded by Brian Torres to approve Ordinance No. 2020-631: AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF CLEVELAND, OKLAHOMA, PART 5, TITLED "BUILDING REGULATIONS AND CODES", CHAPTER 2, TITLED "BUILDING CODE", SECTION 5-201, TITLED "BUILDING CODE ADOPTED", AND SECTION 5-202, TITLED "ADDITIONS AND CHANGES TO BUILDING CODE"; IN CERTAIN CIRCUMSTANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE OF MARCH 12, 2020; AND DECLARING AN EMERGENCY. This motion carried with the following roll call vote: (5-0)

**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter

**Nay:** None

**Emergency Clause:** A motion to pass Ordinance NO. 2020-631 as Emergency was made by Lee Merrifield and seconded by Mike Carroll. This motion passed with the following roll call vote: (5-0)

**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter

**Nay:** None

- 10. Proposed executive session to discuss the employment/contract of the City Manager where the disclosure of information would violate confidentiality requirements of federal and state law as authorized by OKLA. STAT, Title 25, Section 307 (B) (1) & (7).**

- a. **Vote to convene in Executive Session.** A motion to convene in Executive Session was made by David Carter and seconded by Brian Torres. The motion carried with the following roll call vote: (5-0)

**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter

**Nay:** None

- b. **Vote to acknowledge return to open session.** A motion to return to Open Session was made by Scott Rusher and seconded by Brian Torres. The motion passed with the following roll call vote: (5-0)

**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter

**Nay:** None

- c. **Statement of executive session minute.** The Executive Minute was read by Mayor Scott Rusher. He stated that no votes were taken in Executive Session. A motion was made by Scott Rusher and David Carter to amend Section 8 of the City of Cleveland Employment Agreement with the City Manager. This motion carried with the following roll call vote: (5-0)

**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter

**Nay:** None

- 11. City Manager's Report which may include updates and/or announcements of events, projects, and general operations of the City of Cleveland.** Ms. Hagerman reported to the council that the city is currently working on reviewing costs for valve controllers for the wastewater plant. Ms. Hagerman reminded everyone that our wastewater plant is 28 years old. She also advised that the fire department was waiting on a potential firefighter to complete a physical before his employment could be confirmed. She noted that the shoe fly did not open on March 3 as originally scheduled and notified the council that the new date was expected to be 2 weeks out from the original date. The LMI surveys are scheduled to be picked up on March 16.
- 12. New Business. New business being defined as any business that could not be foreseen at the time of posting the agenda.** There was no new business.
- 13. Adjournment.** A motion to adjourn was made by David Carter and seconded by Scott Rusher. The motion carried with the following roll call vote: (5-0)  
**Aye:** Scott Rusher, Brian Torres, Lee Merrifield, Mike Carroll, David Carter  
**Nay:** None

The meeting adjourned at 8:14 p.m.

\_\_\_\_\_  
Signature on File  
Scott Rusher, Mayor

\_\_\_\_\_  
Signature on File  
Michelle Lehnus, City Clerk