

CLEVELAND CITY COUNCIL
MINUTES
Thursday, May 14, 2020 – 6:00 p.m.

Members of the Cleveland City Council met in a regularly scheduled meeting at 6:00 p.m. on Thursday, May 14, 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 May 13, 2020, at 5:15 p.m.

1. **Call to order.** Mayor Scott Rusher called this meeting to order at 6:05 p.m.
2. **Roll Call.** City Clerk Michelle Lehnus called roll with the following members present:
Present: Scott Rusher, Mike Carroll, Brian Torres
Absent: Lee Merrifield, David Carter (arrived at 6:16 p.m.)
3. **Flag Salute.** The flag salute was led by Mike Carroll prior to the start of the meeting.
4. **Invocation.** The invocation was led by City Attorney Bryan Drummond prior to the start of the meeting.
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 previous meeting minutes were reviewed by all council members, no discussion occurred. A motion was made by Brian Torres and seconded by Mike Carroll to approve the minutes for the special meeting held on April 28, 2020. This motion carried with the following roll call vote: (3-0)
Aye: Scott Rusher, Mike Carroll, Brian Torres
Nay: None
6. **Discussion and action to approve or reject the Treasurer's Report.** The Treasurer's Report was reviewed by the council. City Clerk Michelle Lehnus advised council that the adjustment reflected on the report was due to a voided check. No additional discussion occurred. A motion was made by Brian Torres and seconded by Scott Rusher to approve the Treasurer's Report as it is written. This motion carried with the following roll call vote: (3-0)
Aye: Scott Rusher, Mike Carroll, Brian Torres
Nay: None
7. **Discussion concerning list of purchase orders paid.** Councilor Brian Torres asked for clarification regarding a purchase made by the police department. Chief Clint Stout provided details to the council regarding the purchase. Councilor Mike Carroll asked for clarification about Delta Airport Consultants. City Manager Vicki Hagerman advised council that they are the engineers for the airport project.
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.** No members of the public signed in to speak.
9. **Discussion and action to approve or reject Larry Brown as local agent representative for the Oklahoma Municipal Assurance Group (OMAG) Liability Property Insurance Plans for Fiscal Year 2020-2021.** Larry Brown advised that his cost would still be 10% of the insurance premiums and estimated that it should be between \$7,000 - \$10,000. Mr. Brown provided information to the council and explained what his role would be if he were to be approved as the local agent. Council discussion occurred. A motion to approve Larry Brown as the local agent for the Oklahoma Municipal Assurance Group (OMAG) Liability Property Insurance Plans for Fiscal Year 2020-2021 was made by Scott Rusher and seconded by Mike Carroll. This motion carried with the following roll call vote: (4-0)

Aye: Scott Rusher, Mike Carroll, Brian Torres, David Carter

Nay: None

- 10. Presentation of the proposed 2020-2021 City of Cleveland Municipal budget by City Manager Vicki Hagerman.** City Manager Vicki Hagerman presented the council with the proposed 2020-2021 budget. She advised council that the proposed budget was prepared with the national economy and natural gas sales taken into consideration. She also reminded the council that the proposed budget was contingent upon the upcoming 1/2 cent sales tax passing. Ms. Hagerman thanked the Mayor and City Council for their work during COVID-19. She also expressed appreciation for department heads and staff within the city for managing expenses and working as a team.
- 11. Discussion and action to approve or reject the renewal of the School Resource Officer's contract for presentation to the Cleveland School Board at their next regularly scheduled meeting.** Chief Stout gave an overview of the proposed contract to the council. Council discussion occurred. A motion to approve the School Resource Officer's contract for presentation to the Cleveland School Board at their next regularly scheduled meeting was made by Scott Rusher and seconded by Mike Carroll. This motion carried with the following roll call vote: (4-0)

Aye: Scott Rusher, Mike Carroll, Brian Torres, David Carter

Nay: None
- 12. Discussion and action to approve or reject Ordinance No. 2020-633: AN ORDINANCE AMENDING ORDINANCE NO. 446 AS AMENDED BY NO. 567 OF THE CITY OF CLEVELAND, PROVIDING FOR FUNDS FOR SPECIAL PURPOSES OF THE MUNICIPAL GOVERNMENT OF THE CITY OF CLEVELAND, OKLAHOMA; LEVYING A TAX ON THE GROSS RECEIPTS OR PROCEEDS ON CERTAIN SALES AS HEREIN DEFINED; DEFINING TERMS; PRESCRIBING PROCEDURES, REMEDIES, LIEN AND FIXING PENALTIES; FIXING EFFECTIVE DATE; MAKING PROVISIONS SEVERABLE.** City Manager Vicki Hagerman advised the council that the current 1/2 cent sales tax was scheduled to end on October 1, 2020. She advised that to continue receiving those funds, the matter would have to go to a vote and be reapproved by the citizens of Cleveland. Ms. Hagerman advised the council that with their approval this would go to vote on August 25, 2020, which required the passing of Ordinance No. 2020-633 and Resolution No. 2020-05 by the council. Ms. Hagerman explained to the council that if passed, this 1/2 cent sales tax would be effective for ten years and could be used for building, repair or maintaining capital improvement, operation/maintenance of the street department, operation maintenance of infrastructure, and economic development. Council discussion occurred regarding the importance of understanding that this would not raise our current sales tax rate because it would just be a continuation of the 1/2 cent sales tax already in place. Council discussion also occurred regarding what the 1/2 cent sales tax could be used for. A motion was made by Brian Torres and seconded by Scott Rusher to approve Ordinance No. 2020-633: AN ORDINANCE AMENDING ORDINANCE NO. 446 AS AMENDED BY NO. 567 OF THE CITY OF CLEVELAND, PROVIDING FOR FUNDS FOR SPECIAL PURPOSES OF THE MUNICIPAL GOVERNMENT OF THE CITY OF CLEVELAND, OKLAHOMA; LEVYING A TAX ON THE GROSS RECEIPTS OR PROCEEDS ON CERTAIN SALES AS HEREIN DEFINED; DEFINING TERMS; PRESCRIBING PROCEDURES, REMEDIES, LIEN AND FIXING PENALTIES; FIXING EFFECTIVE DATE; MAKING PROVISIONS SEVERABLE. The motion carried with the following roll call vote: (4-0)

Aye: Scott Rusher, Mike Carroll, Brian Torres, David Carter

Nay: None
- 13. Discussion and action to approve or reject Resolution No. 2020-05: A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION TO BE HELD IN THE CITY OF CLEVELAND, OKLAHOMA, ON THE 25TH DAY OF AUGUST, 2020, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER ORDINANCE NO. 2020-633 ADOPTED ON THE 14TH DAY OF MAY, 2020, SHALL BE APPROVED WHICH PROVIDES FOR FUNDS FOR SPECIAL PURPOSES OF THE MUNICIPAL GOVERNMENT OF THE CITY,**

LEVIES AND EXCISE TAX OF ½% ON THE GROSS RECEIPTS OR PROCEEDS ON CERTAIN SALES AS THEREIN DEFINES; AMENDS ORDINANCE NO. 567 AS AMENDED BY ORDINANCE NO. 446; DEFINES TERMS; PRESCRIBES PROCEDURES, REMEDIES, LIEN AND FIXES PENALTIES; AND FIXES EFFECTIVE DATE AND TERMINATION DATE; AND NOTIFYING THE PAWNEE COUNTY ELECTION BOARD OF THE HOLDING OF SUCH ELECTION. Ms. Hagerman advised the council that this resolution must be filed with the Pawnee Election Board in order to get the proposition on the ballot. City Attorney Bryan Drummond advised the council that the wording of the proposition that will go on the ballot is written in the resolution. No council discussion occurred. A motion was made by Brian Torres and seconded by David Carter to approve Resolution No. 2020-05: A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION TO BE HELD IN THE CITY OF CLEVELAND, OKLAHOMA, ON THE 25TH DAY OF AUGUST, 2020, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER ORDINANCE NO. 2020-633 ADOPTED ON THE 14TH DAY OF MAY, 2020, SHALL BE APPROVED WHICH PROVIDES FOR FUNDS FOR SPECIAL PURPOSES OF THE MUNICIPAL GOVERNMENT OF THE CITY, LEVIES AND EXCISE TAX OF ½% ON THE GROSS RECEIPTS OR PROCEEDS ON CERTAIN SALES AS THEREIN DEFINES; AMENDS ORDINANCE NO. 567 AS AMENDED BY ORDINANCE NO. 446; DEFINES TERMS; PRESCRIBES PROCEDURES, REMEDIES, LIEN AND FIXES PENALTIES; AND FIXES EFFECTIVE DATE AND TERMINATION DATE; AND NOTIFYING THE PAWNEE COUNTY ELECTION BOARD OF THE HOLDING OF SUCH ELECTION. This motion carried with the following roll call vote: (4-0)

Aye: Scott Rusher, Mike Carroll, Brian Torres, David Carter

Nay: None

14. Discussion regarding creation of or modification of a public trust regarding economic development. Mayor Scott Rusher reminded council that at previous meetings there had been discussion regarding the creation of CIEDA (Cleveland Industrial and Economic Development Authority). He advised council that there is already an existing authority that may be able to be modified instead of creating a new authority. City Manager Vicki Hagerman advised council that she was in the process of locating documents for the existing authority to determine if modifications could be made. Council discussion occurred. No action taken on this matter.

15. Discussion and action to approve or reject the submission of application for 2020 Coronavirus Emergency Supplemental Funding Program through DAC (District Attorney Council) for the Cleveland Police Department. City Manager Vicki Hagerman shared with council that Sergeant Mark Smith and Officer Jeremiah Godfrey had done an excellent job researching and preparing the application for this grant. Sergeant Smith and Officer Godfrey advised the council that they were working on a grant application for 2020 Coronavirus Emergency Supplemental Funding Program. Officer Godfrey provided information regarding the grant, the types of items that could be purchased with the grant monies, and the items that the Cleveland Police Department were requesting. Officer Godfrey advised that the items purchased through this grant would help promote social distancing while enabling the police to continue providing public safety for the community. A motion was made by Brian Torres and seconded by Mike Carroll to approve the submission of application for 2020 Coronavirus Emergency Supplemental Funding Program through DAC (District Attorney Council) for the Cleveland Police Department. The motion carried with the following roll call vote: (4-0)

Aye: Scott Rusher, Mike Carroll, Brian Torres, David Carter

Nay: None

16. City Manager's Report which may include updates and/or announcements of events, projects, and general operations of the City of Cleveland. City Manager Vicki Hagerman advised the council that the completion of the budget had taken quite a bit of time and effort. She informed the council that the library renovation would be completed soon and reminded them that the library would be re-opening May 15, 2020. Ms. Hagerman updated the council about the water plant, letting them know that the plans had been submitted to DEQ (Department of Environmental Quality). She also advised them that the work being done through the FAA

Airport Grant was out to bid and that bid opening would be May 19, 2020. Ms. Hagerman advised council that Indian Electric Cooperative had removed the light poles for the ongoing bridge construction. She explained that because of the pole removal there would be no lights on Highway 64 from Rosie's Tacos to Wal-Mart. Operations Manager Clint Stout advised the council that installation of the new tornado sirens had started today. He provided pictures of the newly installed sirens to the council. He also noted that Bill Ardery had upgraded the number of sirens on each pole from six sirens to twelve. He reminded the council that we would be installing four more sirens than what we originally had for a total of eight sirens around Cleveland.

- 17. Adjournment.** A motion to adjourn was made by David Carter and seconded by Mike Carroll. This motion carried with the following roll call vote: (4-0)
Aye: Scott Rusher, Mike Carroll, Brian Torres, David Carter
Nay: None

This meeting adjourned at 7:58 p.m.

Signature on File
Scott Rusher, Mayor

Signature on File
Michelle Lehnus, City Clerk