

**CLEVELAND CITY COUNCIL**  
**Minutes**  
**Thursday, March 9, 2023 – 6:00 p.m.**

**Members of the Cleveland City Council met in a regular scheduled meeting at 6:00 p.m. on Thursday March 9, 2023, in the Council Chambers of the Cleveland Municipal Building located at 201 North Broadway, Cleveland, Oklahoma with Mayor Torres presiding. The agenda for this meeting was posted in the display case located at the front entrance of the City Hall located at 105 W. Caddo, Cleveland, OK 74020.**

- 1. CALL TO ORDER.** Mayor Brian Torres called the meeting to order at 6:00 p.m.
- 2. ROLL CALL.** City Clerk Ashley Schulze called roll with the following members present:  
WARD 1- Mike Carroll- Present  
WARD 2- Leland Davis- Present  
WARD 3- Chris Gabriel- Present  
WARD 4- Brian Torres- Present  
AT LARGE-Damon Lester- Present
- 3. PLEDGE OF ALLEGIANCE was led by Mayor Torres.**
- 4. INVOCATION by Councilman Chris Gabriel.**
- 5. CONSENT AGENDA (Items A-D)**  
All matters listed under “consent” are considered by the city council to be routine and will be enacted by one motion. Any Council member may, however, remove an item from the consent agenda by request to be voted on separately.
  - A. Approval of the minutes of the Regular City Council Meeting held on February 9, 2023.**
  - B. Approval of all purchase orders.**
  - C. Approval of the Treasurer’s Report.**
  - D. Approval of removing Anakin Bryan, Ward 2 Councilman, as signatory on all existing city bank accounts.**

A motion was made by Brian Torres and seconded by Damon Lester to approve the Consent Agenda Items 5A-5D. The motion carried with the following roll call vote: (5-0)

**Aye:** Brian Torres, Chris Gabriel, Damon Lester, Leland Davis, Mike Carroll

**Nay:** None

- 6. Update from Pawnee County Health Department.** Kelli Rader, Regional Director, from the Pawnee County Health Department gave an update to council. The Cleveland Health Department has moved to Pawnee. There is a mobile unit that is set up in Cleveland every Monday from 8:00 a.m. to 5:00 p.m. at 1390 West Cherokee and will still offer all services that were previously offered by the health department. If there is an uptick in needs or services, the availability in Cleveland area may change. Council members thanked the Health Department for the services that they provide to the Cleveland residents.
- 7. Consideration, discussion, and possible action to approve or reject starting the statutory process according to 11 O.S. Section 43-104 through 43-106 to re-zone one block East and West of Broadway Street and one block North and South of Caddo Street to the North city limits and to the West city limits from the intersection of Broadway and Caddo from current zoning to Commercial per the**

**recommendation of the Planning & Zoning Board.** The Planning and Zoning Board have voted to take action on this but have to go through the council for approval to move forward. A motion was made by Mike Carroll and seconded by Leland Davis to approve starting the statutory process according to 11.O.S. Section 43-104 through 43-106 to re-zone one block East and West of Broadway Street and one block North and South of Caddo Street to the North city limits and to the West City limits from the intersection of Broadway and Caddo from current zoning to Commercial per the recommendation of the Planning & Zoning Board. The motion carried with the following roll call vote: (5-0)

**Aye:** Brian Torres, Chris Gabriel, Damon Lester, Leland Davis, Mike Carroll

**Nay:** None

- 8. Consideration, discussion, and possible action to approve or reject the proposed Feyodi Creek RV & Recreational Park Rules of Use.** Council discussion occurred. Councilman Chris Gabriel recommended starting with the rules and seeing how they go. A motion was made by Brian Torres and seconded by Damon Lester to approve the proposed Feyodi Creek RV & Recreational Parke Rules of Use. The motion carried with the following roll call vote: (5-0)

**Aye:** Brian Torres, Chris Gabriel, Damon Lester, Leland Davis, Mike Carroll

**Nay:** None

- 9. Consideration, discussion, and possible action to approve or reject the annual mowing contract for Woodland Cemetery for the remainder of FY22-23.** Council discussion occurred. Council decided to let the decision be up to the City Manager and or the Operations Manager. Vote died due to lack of motion.

- 10. Consideration, discussion, and possible action to approve or reject creating a Cleveland Wildlife Conservation Committee to promote and preserve wildlife in the Cleveland area.** Councilman Chris Gabriel stated that his goal is to promote and preserve wildlife around our area and that wildlife is the biggest thing Cleveland area has to offer. Mayor Torres stated that there are lots of opportunities to advance with the Wildlife Conservation. A motion was made by Brian Torres and seconded by Mike Carroll to approve creating a Cleveland Wildlife Conservation Committee. The motion carried with the following roll call vote: (5-0)

**Aye:** Brian Torres, Chris Gabriel, Damon Lester, Leland Davis, Mike Carroll

**Nay:** None

- 11. Consideration, discussion, and possible action to approve or reject appointing Chris Gabriel as Chairman to the Wildlife Committee.** A motion was made by Brian Torres and seconded by Damon Lester to approve appointing Chris Gabriel as Chairman to the Wildlife Committee. The motion carried with the following roll call vote: (4-0).

**Aye:** Brian Torres, Damon Lester, Leland Davis, Mike Carroll

**Nay:** None

Councilman Chris Gabriel did not vote.

- 12. Consideration, discussion, and possible vote regarding the Triangle Museum Property and the decision in the court case regarding the same.** Operations Manager, Clint Stout, informed council that the hearing was March 8, and the court granted the City of Cleveland the Triangle Heritage Museum property but not the personal property. Brandi Ball, secretary of the board of the Triangle Heritage Museum was present to speak. Ms. Ball stated that she was served with the lawsuit. The current board consists of Brandi Ball, Debbie Ball, David Head, Shirley Spears, and Karen Woodrell. Ms. Ball stated

that she is quite dismayed by the city's decision after the agreements that they previously had but holds no one responsible and respects the legal system. The museum contains historical documents and artifacts from the towns of Cleveland, Hallett, Jennings, Terlton, Blackburn and Maramec in Pawnee County. The museum also holds land run photos for the whole state of Oklahoma. Ms. Ball informed council that these artifacts have been put in the hands of historians. Ms. Ball is not asking for space to put these artifacts but asking for time, 30-60 days to get personal property out of the building. A motion was made by Brian Torres and seconded by Mike Carroll to give the members of the Triangle Heritage Museum 60 days (by May 8, 2023) to get the museum cleaned out and the members will have to have a city worker or council member with them while on the property. This motion carried with the following roll call vote: (5-0)

**Aye:** Brian Torres, Chris Gabriel, Damon Lester, Leland Davis, Mike Carroll

**Nay:** None

### 13. EXECUTIVE SESSION (A-D)

- A. **Discussion and vote to Approve/Reject entering into executive session for the council to confer on matters pertaining to the purchase or appraisal of real property for the City of Cleveland as authorized by OKLA. STAT, Title 25, Section 307 (B)(3).** A motion was made by Brian Torres and seconded by Mike Carroll to enter into executive session. This motion carried with the following roll call vote: (5-0)

Entered into executive session at 7:25 p.m.

**Aye:** Brian Torres, Chris Gabriel, Damon Lester, Leland Davis, Mike Carroll

**Nay:** None

Councilman Chris Gabriel left at 7:30 p.m.

- B. **Vote to approve returning to open session. A motion was made by Brian Torres and seconded by Mike Carroll to return to open session.** This motion carried with the following roll call vote: (4-0)

Returned to open session at 7:40 p.m.

**Aye:** Brian Torres, Damon Lester, Leland Davis, Mike Carroll

**Nay:** None

- C. **Statement of executive session minute.** Statement read by Brian Torres. He stated that there was no action and no votes taken in executive session.

- D. **Take action as appropriate from discussion in executive session.** No action only discussion of real property.

### 14. CITY MANAGER'S/OPERATION'S MANAGER REPORT. The City Manager/Operations Manager will provide updates regarding recent and upcoming events and projects, including events of interest and the general operations of the City.

Operations Manager Report-

- Sales Tax up about \$20,000 from prior year but Use take is down about \$500 from prior year.
- Total Utility billing \$541,814.00, which is 70,000 up from previous month and 70,000 up from previous year.
- February EMS Report: 177 calls for service
  - o 84 treated/transported
  - o 22 treated/ refused transport
  - o 8 cancelled calls
  - o 2 no patient found
  - o 1 DOA

- 11 mutual aid
- 45 transported out of CAH
- 4 transfers to another EMS service
- Out of the 84 patients transported- 38 were taken to CAH and 46 were taken to another hospital
- Truck 43 (2022 Type III, newest 911 ambulance) was assigned to Cleveland station.

**15. ADJOURNMENT.** Mayor Brian Torres adjourned the meeting at 7:43 p.m.

---

Brian Torres, Mayor

---

Ashley Schulze, City Clerk