

**Minutes of the Regular Session
Medicine Park Board of Trustees
Thursday, July 15, 2021**

After being posted in accordance with the *Open Meetings Act of Oklahoma*, the Regular Session of the **Medicine Park Board of Trustees** was called to order at 6:40 p.m. by Dr. Roger Johnson.

Members Present: Dr. Roger Johnson, John Branch, Chad Everett, and Brent Miller
Members Absent: Charles Callich
Town Attorney: Toni Capra

1. **Citizens' Comments.** None.

2. **Discuss and take action to approve Crime Stoppers to install signs.**
Johnson reported the cost is nothing and they would install the signs. Motion Branch to approve Crime Stoppers to install signs. Second by Miller.
Branch–YES Everett–NO Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

3. **Discuss and take action to approve quotes to replace floor in Town Hall meeting room from (a) Comanche Home Flooring for \$6,678.12 (b) Ruben's Painting \$5,620.70, to be paid from capital outlay account.**
Johnson explained he placed this back on the agenda after having the floor looked at by a repairman and was advised to replace tile or lay vinyl flooring over the existing tile; the tile will continue to crack with the floor underneath being bowed up. Motion by Branch to repair the broken tiles with left over tile.
Second by Miller.
Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

4. **Discuss and take action to approve PWA recommendation to increase the solid waste collection charges for 300-single family dwelling monthly from \$22.25 to \$27.25, effective immediately, and authorize Town Clerk to file with County Clerk or appropriate office, if required.**
Motion by Branch to move to consent agenda. Second by Johnson.
Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

5. **Discuss and take action to approve PWA recommendation to apply for Oklahoma Water Resource Board (OWRB) grant for water meters; appoint Yolonda Ramos, Treasurer, as applicant point of contact; and to adopt Resolution 20210715.5 Authorizing Application for Rural Economic Action Plan Grant From the Oklahoma Water Resource Board and authorize Mayor to sign application and resolution**
Motion by Branch to move to consent agenda. Second by Johnson.
Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

6. **Discuss and take action to accept Statement of Work (SOW) for Medicine Park Rentals to continue service agreement of the Medicine Park Event Center through June 2022.**
Branch asked who pays the Event Center utility accounts. Ramos reported all expenses comes out of their own budget. Motion by Everett to accept SOW for Medicine Park Rentals to continue service agreement. Second by Branch.
Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

7. **Discuss and take action to waive late fees for permits due July 1, 2021, and extend deadline to August 15, 2021.**

No Action.
8. **Discuss and take action to review, update, and prioritize Capital Improvement Plan for 2021-2022.**
 Motion by Branch to assign the CIP to PPC. Second by Miller.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
9. **Discuss and take action on Ordinance No. 20210715.1, repealing Chapter 26, “Manufactured, Mobile and Modular Housing”: adding new Chapter 26, “Manufactured and Modular Housing” and authorizing Mayor to sign.**
 Motion by Johnson to table. Second by Everett.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
10. **Discuss and take action on Emergency Clause for Ordinance No. 20210715.1; and declaring an emergency.**
 Noel Alsbrook said that he will bring up at every meeting that an Emergency Clause is not appropriate unless it is an actual emergency.

No Action.
11. **Discuss and take action on Ordinance No. 20210715.2, removing Paragraph C, Chapter 10, Section 10-1 Business Permits, allowing Town Clerk to approve Business Permits without prior Planning and Preservations Commission (PPC) approval and authorizing Mayor to sign.**
 Motion by Johnson to accept Ordinance No. 20210715.2, removing Paragraph C, Chapter 10, Section 10-1 Business Permits, allowing Town Clerk to approve Business Permits without prior Planning and Preservations Commission (PPC) approval and authorizing Mayor to sign. Second by Everett.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
12. **Discuss and take action on Emergency Clause for Ordinance No. 20210715.2; and declaring an emergency.**

No Action.
13. **Discuss and take action on Ordinance No. 20210715.3 amending Paragraph (D), Article II – Specific Business, Chapter 10, Section 10-31 – Short Term Rental to allow Town Clerk to approve short term rental applications without prior approval of PPC and authorizing Mayor to sign.**
 Motion by Johnson to table. Second by Everett.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Action**
14. **Discuss and take action on Emergency Clause for Ordinance No. 20210715.3; and declaring an emergency.**

No Action.
15. **Discuss and take action on Ordinance No. 20210715.4, amending Chapter 48, Zoning, Planning, and Development, Article V – Administration and Enforcement, Section 48-170 Rezoning and zoning amendment application review; removing public hearing before BOT and adding public hearing before PPC.**

No Action.

16. **Discuss and take action on Emergency Clause for Ordinance No. 20210715.4.; and declaring an emergency.**

No Action.

17. **Consider, discuss, and take possible action to reply to PPC request for BOT's input to hire Town Residential (building) State Licensed Inspector.**

Motion by Branch to hire Steven Adams as Residential Building Inspector, effective immediately.

Second by Everett.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

18. **Discuss and take action to consider PPC recommendation to rezone from current residential, agricultural and areas not identified, but default as agricultural, to commercial zoning, pursuant to M.P. Code of Ordinance Chapter 48 – Zoning, Planning and Development.**

Capra said she was going to repeat again that the Town cannot rezone without a Comprehensive Plan.

Alsbrook stated the State of Oklahoma does not require a Comprehensive Plan for municipalities.

Johnson said that he consulted with the law firm of Perryman and Perryman and was advised that we cannot rezone without a comprehensive plan, but would prefer to consult with Oklahoma Municipal League (OML). Town attorney reported OML will tell us to consult with our attorney. Motion by Everett approve to move forward with PPC recommendation to rezone. Second by Branch.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

19. **Discuss and take action to consider PPC recommendation to accept Change of Zoning Application received from Nancy Washburn and to schedule a public hearing with the BOT in pursuant to M.P. Code of Ordinance § 48-70.**

Motion by Miller to accept PPC recommendation to accept Change of Zoning Application from Nancy Washburn and to schedule a public hearing. Second by Branch.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

20. **Discuss and take action on flooding and safety concerns at Highway 49 and Madische Road.**

Miller said he is looking for a remedy to prevent flooding at the Dollar General Store. Motion by

Johnson to approve Miller and Branch to visit with the County Commissioner, Alvin Cargill. Second by Everett.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

21. **Discuss and take action to approve Yolonda Ramos, Treasurer; Sharla Hildner, Town Clerk; and Charles Callich, Trustee and Public Works Authority liaison; to attend 2022 REAP Workshop at Great Plains Technology Center live class on July 21, 2021 and replay video of class on July 29, 2021. Copy of minutes with approval accompanies possible future applications.**

Motion by Everett to approve Yolonda Ramos, Treasurer; Sharla Hildner, Town Clerk; and Charles

Callich, Trustee and Public Works Authority liaison and add Steven Adams, PWA Supervisor; to attend 2022 REAP Workshop at Great Plains Technology Center live class on July 21, 2021, and replay video of class on July 29, 2021. Second by Miller

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

22. **Discuss removing of old stage and debris; take any necessary action.**
 Adams reported the debris is a hazard. Chief Crawford said it is a public safety risk in its current condition. Dwight Cope said McCoy's employees stopped working on the stage after being harassed by constantly being videotaped. Johnson asked if his employees would go back to work if Police was present. McCoy said Police presence is not necessary, but his employees are tired of being videotaped. Branch reported McCoy was to be supplied with help/labor to remove the stage equipment. McCoy reported he has used his own equipment and paid for his own labor and does not expect any reimbursement. Cope advised this issue needs to be referred to MPEDA.
No Action.
23. **Update on Cotton Electric Easement granted along right-of-way on properties from 307 Merry Circle to 223 Merry Circle; approved on May 25, 2021, BOT Regular Session. Discuss and take action to approve Cotton Electric Affidavit granting easement and authorize Mayor to sign.**
 Capra advised there is no legal description on the document. Town Clerk said she has spoke to Larry Williams and a gentleman named Scott from Cotton Electric and both said they did not know what was needed on the document. Capra said she was told by the Cotton Electric Attorney the gentleman who used to provide the legal description has retired. Motion by Johnson to table. Second by Everett.
 Branch–NO Everett–YES Callich–ABSENT Miller–YES Johnson–NO **Motion Failed.**
 Adams reported Lester Sieger from Landmark Engineering advised him a legal description is the address. Capra said a property lawyer would not an address as legal description as a transfer of property. Motion by Miller to approve the mayor to sign the document as sent to Town Hall by Cotton Electric. Second by Branch.
 Branch–NO Everett–YES Callich–ABSENT Miller–YES Johnson–NO **Motion Carried.**
24. **Update and take possible action on Cotton Electric Easement granted behind Town Hall; approved on June 3, 2021, BOT Special Session. Pending legal description from David McCoy to update Town deed.**
 McCoy said Cotton Electric sent him a survey with Global Positioning System (GPS) coordinates. Capra said it could be a problem in the future if the property was sold. McCoy said all the pins are on GPS now. Motion by Branch to grant the easement without requiring legal description. Second by Miller.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
25. **Discuss and take action to allow McCoy Development to cut curb and move streetlight located at 162 East Lake no more than 11 feet south.**
 Johnson said this is to allow an extra handicap parking. McCoy said they are moving the streetlight about 10 feet. Motion by Miller to allow McCoy Development to cut the curb and move the streetlight. Second by Everett.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
26. **Discuss and take action to reappoint David McCoy as Medicine Park Fire Chief through April 30, 2023, in pursuant to M.P. Code of Ordinance § 16-21.**
 Motion by Branch to reappoint David McCoy as Medicine Park Fire Chief through April 30, 2023. Second by Everett.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried**
27. **Discuss and take action to reappoint Judge Candice Morris as Medicine Park Municipal Judge through March 31, 2023, in pursuant to O.S. §11-27-104. and M.P. Code of Ordinance § 28-3.**
 Motion by Everett to reappoint Judge Candice Morris as Medicine Park Municipal Judge through March 31, 2023. Second by Branch.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried**

28. **Discuss and consider possible action on Town’s Social Media Policy and Code of Ethics Policy.**
 Motion by Johnson to table. Second by Branch.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
29. **Discuss and take action to approve Medicine Park Economic Development (MPEDA) recommendation to appoint Dwight Cope as MPEDA member, completing the term vacated by Jean Schucker, through February 2023.**
 Motion by Branch to table. Second by Miller.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
30. **Discuss and take action to increase Chief Charles Thomas Crawford’s annual salary to \$62,400.00.**
 Motion by Everett to increase Chief Charles Thomas Crawford’s annual salary to \$62,400.00. Second by Everett.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
31. **Discuss and take action to appoint Kristin Hurla as deputy court clerk.**
 Motion by Branch to appoint Kristin Hurla as deputy court clerk. Second by Everett.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
32. **Discuss and take action to approve Yolonda Ramos, Treasure, and Sharla Hildner, Town Clerk, to attend the Oklahoma Municipal League (OML) annual conference in downtown Oklahoma City, September 7 – 9, 2021. Cost not to exceed \$450.00 each attendee. Ramos is being awarded Certified Municipal Official (CMO) certification at the conference. Hildner will receive points for attendance toward the 40-hours required training to earn the Certified Municipal Official (CMO) certification.**
 Motion by Everett approve Yolonda Ramos, Treasure, and Sharla Hildner, Town Clerk, to attend the Oklahoma Municipal League (OML) annual conference in downtown Oklahoma City, September 7 – 9, 2021. Second by Miller.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
33. **Discuss and take action to approve Sharla Hildner, Town Clerk, to attend Basic Code Enforcement class sponsored by Oklahoma Code Enforcement Association, August 25-27, 2021. PPC approved cost of class and expenses for attendance.**
 Motion by Everett approve Sharla Hildner, Town Clerk, to attend Basic Code Enforcement class sponsored by Oklahoma Code Enforcement Association, August 25-27, 2021. Second by Branch.
 Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**
34. **CONSENT AGENDA**
1. Approve minutes for the April 26, 2021, Special Session.
 2. Approve minutes for the June 17, 2021, Regular Session.
 3. Approve minutes for the June 22, 2021, Special Session.
 4. Receive Court Report; Yolonda Ramos, Court Clerk.
 5. Receive Fire Department Report; Chief David McCoy and Assistant Chief Andy Anderson.
 6. Receive Police Department Report; Chief Tom Crawford.
 7. Receive report from Medicine Park Economic Development Authority (MPEDA); Jack Smiley, Chair.
 8. Receive report from Planning and Preservation Commission (PPC); Brandon New, Chair.
 9. Receive report from Strategic Planning Committee (SRC); Dr. Roger Johnson, Chair.

10. Receive report from Event Center; Shirley Bridgers, manager.

Motion by Branch to approve Consent Agenda. Second by Miller.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

35. **Discuss and take action for any item(s) removed from the Consent Agenda, if necessary.**

No Action.

36. **Discuss and take action to approve financial reports.**

Motion by Miller to approve financial reports. Second by Branch.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

37. **Discuss and take action to approve claims/encumbrances for June/July 2021.**

Ramos reported three items on the unpaid claims. ASCOG, Netessentials is Town Hall's IT Support for emails and Steve Enter, turned in receipts for the outside planters. Motion by Everett. Second by Branch.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

38. **Discuss and take action consideration and possible action to enter Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried or hourly public officer or employee under the provisions of 25 O.S. §307.B.1, (Yolonda Ramos, Treasure, Annual Review).**

Capra asked the mayor to combine items 38 and 41. Mayor confirmed. Motion by Johnson to enter Executive Session and to combine items 38 and 41. Second by Everett.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

39. **Conduct Executive Session.**

Executive Session commenced at 8:13 p.m.

40. **Reconvene Regular Session and take any appropriate action.**

No Action.

41. **Discuss and take possible action to enter Executive Session for confidential communications between the Board and its attorney concerning pending claim, Cobblestones Coffee & Pastry, LLC., Medicine Park Cobblestone Row, LLC, Christa Michelle Callich, Charles Loyde Callich III, and Janis Holmes vs Town of Medicine Park, Town Board of Trustees for the Town of Medicine Park, OK, Medicine Park Properties, David L. McCoy and Candace L. McCoy under the provisions of 25 O.S. §307.B.4., where the Board's Attorney has determined disclosure will seriously impair the ability of the Board to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.**

See item 38.

42. **Conduct Executive Session.**

43. **Reconvene Regular Session and take any appropriate action.**

Motion by Johnson to reconvene Regular Session. Second by Branch.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

Regular Session reconvened at 8:49 p.m.

Motion by Johnson to increase Yolonda Ramos wages \$3.50 an hour. Second by Miller.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES **Motion Carried.**

Board Comments. Branch reported he has a resignation letter from Toni Capra as attorney for Medicine Park.

Attorney.

Recess or adjourn. Motion by Branch to adjourn. Second by Miller.

Branch–YES Everett–YES Callich–ABSENT Miller–YES Johnson–YES

Motion Carried.

Meeting adjourned at 8:50 p.m.

Sharla Akland

Town Clerk

20 July 2007

Date

Mayor

Date