City of Choctaw
Regular City Council Meeting No. 09
April 7, 2020 @ 7:00pm
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

MINUTES

In accordance with Senate bill 661, which temporarily modified the Open Meeting Act as approved by Governor Stitt on March 18, 2020, the Choctaw City Council hosted a virtual meeting option for the Regular Meeting of the City Council/Board of Trustees on April 7, 2020 at 7:00pm using the following options:

Teleconference dial in number: +1 301 715 8592
Conference ID: 603 021 450
Meeting Password: 016949
Join Meeting:
https://us04web.zoom.us/j/603021450?pwd=eTRVK0dCdVVPdVR8aGhFWnF2TjFmUT09

1. Call to Order by the Mayor @ 7:00 pm
2. Invocation given by Mayor Randy Ross
3. Roll Call:
   7 Present:  Chad Williams (teleconference);
               Mike Birdsong (teleconference);
               Jeannie Abts (teleconference);
               Roger Malone (teleconference);
               Steve Krieske (teleconference);
               Dale Gill (teleconference); Randy Ross
   0 Absent: None

Staff Present:  Ed Brown, City Manager/Executive Director;
               Ray Vincent/City Attorney; Lira Deer/HR Director
               (teleconference); Kelly Marshall/Chief of Police
               (teleconference); Amanda Valent/City Clerk; Guy
               Henson/Development Services Director (teleconference);
               Purvi Patel/City Planner

4. Public Comments: This agenda item is for public comments on city related non-agenda items. In accordance with State law, the City Council and City Staff are not allowed to
respond to any comments made. Preference will be given to Choctaw Citizens and NO formal action will be taken. Speakers are limited to 3 minutes for a total of 15 minutes.

None.

5. **Business Agenda:** The following items are hereby designated for discussion and consideration which requires individual action.

5.1 Holding a public hearing on the Planning Commission’s recommendation to approve the Rezone application submitted by:

- **Applicant:** Robin & Kevin Spence
- **Location:** 2430 South Choctaw Road
- **Current Zoning:** General Agricultural District (AG)
- **Proposed Zoning:** Rural Residential District (R-R)
- **Legal Description:** TOWN OF ORCHARD ADD 000 000 BLKS 73 & 74 EX A TR IN NW/C OF BLK 74 TH S240FT E212.96FT NE36.67FT E334.27FT N206.07FT W561.26FT TO BEG

Open public hearing – 7:02pm
Receive comments – None.
Close public hearing – 7:03pm

5.2 Ordinance No. 815-2020, amending the Zoning Ordinance of the City of Choctaw, Oklahoma, as amended, to include additional territory within the R-R, Rural Residential District; to delete such property from the A-G, General Agricultural District; providing for entering such amendments upon the official zoning map; providing for severability; declaring repealer; and declaring an emergency.

**MOTION BY Chad Williams and SECOND BY Steve Krieske to approve Ordinance No. 815-2020 as presented.**

**MOTION CARRIED:**

- **Ayes:** Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
- **Nays:** None
- **Absent:** None
- **Abstain:** None

5.3 Approving an Emergency Clause for Ordinance No. 815-2020; whereas in the judgment of the City Council it is necessary for the immediate preservation of the peace, health, or safety, shall become effective upon publication as provided by law.
MOTION BY Steve Krieske and SECOND BY Mike Birdsong to approve the emergency clause for Ordinance No. 815-2020.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

5.4 Holding a public hearing on the Planning Commission’s recommendation to approve the Rezone application submitted by:
Applicant: Raymond Modisette
Location: 1401 South Choctaw Road
Current Zoning: General Agricultural District (AG)
Proposed Zoning: Rural Residential District (R-R)
Legal Description: UNPLTD PT SEC 02 11N 1W 000 000 PT OF SE4 SEC 3 11N 1E N ½ OF SE4 OF SE4 OF SE4

Open public hearing – 7:04pm
Receive comments – None.
Close public hearing – 7:05pm

5.5 Ordinance No. 816-2020, amending the Zoning Ordinance of the City of Choctaw, Oklahoma, as amended, to include additional territory within the R-R, Rural Residential District; to delete such property from the A-G, General Agricultural District; providing for entering such amendments upon the official zoning map; providing for severability; declaring repealer; and declaring an emergency.

MOTION BY Dale Gill and SECOND BY Steve Krieske to approve Ordinance No. 816-2020 as presented.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

5.6 Approving an Emergency Clause for Ordinance No. 816-2020; whereas in the judgment of the City Council it is necessary for the immediate preservation of the peace, health, or safety, shall become effective upon publication as provided by law.

MOTION BY Steve Krieske and SECOND BY Mike Birdsong to approve the emergency clause for Ordinance No. 816-2020.
MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

5.7 Holding a public hearing on the Planning Commission’s recommendation to approve the Rezone application submitted by:
Applicant: Mike Abernathy
Location: SE 15th Street
Current Zoning: General Agricultural District (AG)
Proposed Zoning: Rural Residential District (R-R)
Legal Description: UNPLT PT SEC 04 11N 1W 000 000 PT SE4 SEC 4 11N
1W BEG SW/C OF SE4 N660FT E330FT S 660FT W330FT TO BEG CONT
5ACRS MORE OR LESS LESS ROADWAY

Open public hearing – 7:07pm
Receive comments – None.
Close public hearing – 7:08pm

5.8 Ordinance No. 817-2020, amending the Zoning Ordinance of the City of Choctaw, Oklahoma, as amended, to include additional territory within the R-R, Rural Residential District; to delete such property from the A-G, General Agricultural District; providing for entering such amendments upon the official zoning map; providing for severability; declaring repealer; and declaring an emergency.

MOTION BY Mike Birdsong and SECOND BY Chad Williams to approve Ordinance No. 817-2020 as presented.

MOTION CARRIED:
6 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill
0 Nays: None
0 Absent: None
1 Abstain: Ross

5.9 Approving an Emergency Clause for Ordinance No. 817-2020; whereas in the judgment of the City Council it is necessary for the immediate preservation of the peace, health, or safety, shall become effective upon publication as provided by law.

MOTION BY Steve Krieske and SECOND BY Mike Birdsong to approve the emergency clause for Ordinance No. 817-2020.
MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

5.10 Ordinance No. 814-2020, amending Chapter 1 to Part 5 building Regulations and Codes of the Code of Ordinances of the City of Choctaw, Oklahoma, as amended, by amending Section 5-106; providing for severability; declaring repealer; and declaring an emergency.

MOTION BY Chad Williams and SECOND BY Steve Krieske to approve Ordinance No. 814-2020 as presented.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

5.11 Approving an Emergency Clause for Ordinance No. 814-2020; whereas in the judgment of the City Council it is necessary for the immediate preservation of the peace, health, or safety, shall become effective upon publication as provided by law.

MOTION BY Dale Gill and SECOND BY Mike Birdsong to approve the emergency clause for Ordinance No. 814-2020.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

5.12 Resolution No. 20-09, amending the declaration of a State of Emergency for the City of Choctaw until April 30, 2020.

MOTION BY Mike Birdsong and SECOND BY Dale Gill to pass and adopt Resolution No. 20-09.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

5.13 Resolution No. 20-10, calling for a municipal election for the City of Choctaw, Oklahoma, for a proposed amendment to Section 9.1 (B) of the Charter of the City of Choctaw establishing an additional exception to the density of dwelling requirement for any Council approved development in the area defined as follows; North Boundary N.E. 36th Street, South Boundary N.E. 23rd Street, West Boundary North Henney Road, East Boundary North Choctaw Road; and providing for the election to be conducted by the Oklahoma County Election Board.

MOTION BY Roger Malone and SECOND BY Mike Birdsong to pass and adopt Resolution No. 20-10.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

5.14 Approve the Audit Engagement Letter between the City of Choctaw and Dillon & Associates, P.C. for fiscal year ending June 30, 2020 audit services.

MOTION BY Jeannie Abts and SECOND BY Steve Krieske to approve the Audit Engagement Letter as presented.

MOTION CARRIED:
6 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill
0 Nays: None
0 Absent: None
1 Abstain: Ross

5.15 Nominate and approve the appointment and/or confirm the appointment of members to boards and commissions for new or reappointed terms.


MOTION BY Dale Gill and SECOND BY Chad Williams to the appointment as presented.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None
6. **Consent Agenda:** The following items are hereby designated for routine approval, acceptance or acknowledgment by one motion, subject to any conditions included therein. If any item does not meet with the approval of all members, that item will be heard in regular order.

6.1 Regular Pre Meeting minutes for 03-17-20
6.2 Regular Meeting minutes for 03-17-20
6.3 Emergency Meeting minutes for 03-18-20
6.4 Vouchers and Claims as approved by the City Manager:
   1. 03-02 Credit Cards: $5,182.43
   2. 03-19 Claims: $66,099.96
   3. 03-12 Claims: $17,192.09
   4. 03-26 Claims: $101,169.36
   5. 04-02 Claims: $23,988.96
6.5 Bi-weekly payroll in the amount of:
   1. 03-27 Payroll: $66,121.79
   2. 04-10 Payroll: $68,000.00
6.6 Bi-weekly Fire payroll in the amount of:
   1. 03-27 Payroll: $12,280.55
   2. 04-10 Payroll: $15,000.00
6.7 Accept Permanent Easement from Robin & Kevin Spence, 2430 S. Choctaw Rd.
6.8 Accept Permanent Easement from Raymond Modisette, 1401 S. Choctaw Rd.
6.9 Accept Permanent Easement from Michael & Debbie Abernathy, SE 15th Street.
6.10 Accept Permanent Easement from TFH Inc., 728 North Westminster.

MOTION BY Steve Krieske and SECOND BY Mike Birdsong to approve the Consent Agenda as presented.

MOTION CARRIED:

7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

7. **New Business:** This item is listed to provide the opportunity for Council discussion on items which may arise within twenty-four (24) hours prior to this meeting, and therefore, qualify as new business under the Oklahoma Open Meeting Act.

None.
8. **Council/Staff Remarks:** This item is listed to provide an opportunity for the council and/or staff to make comments and/or request specific agenda items. No action will be taken.

8.1 City Council;
8.2 City Attorney;
8.3 City Manager; and
8.4 Project Updates

9. **Adjournment:**

**Adjourned @ 7:20 pm.**

---

ATTEST:

[Signature]
Amanda Valent, City Clerk

CITY OF CHOCTAW, OK

[Signature]
Randy Ross, Mayor