**CITY OF** **SPENCER**

**Regular Joint City Council & Utility Authority Meeting**

**Thursday, October 21, 2021, at 7:00 p.m.**

Pursuant to legal notice required by the Oklahoma Open Meeting Act, including posting of an agenda as required by the terms, thereof, the Spencer City Council & Utility Authority met in regular session on October 21, 2021, in the Municipal Building (City Hall), 8200 N.E. 36th Street, Spencer, Oklahoma 73084.

**Item No.**

1. Meeting was called to order at 7:02p.m.

**NOTE: The Regular City Council meeting will be held concurrently with the Utility Authority Meeting.**

1. Roll Call and declaration that a quorum is present.

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| --- | --- | --- |
|  | **Present** | **Absent** |
| Chairman/Mayor Calvin | X |  |
| Vice Chairman/Mayor  |  |  |
| Trustee/Council Member Williams | X |  |
| Trustee/Council Member Fair | X |  |
| Trustee/Council Member Canaday | X |  |

**A quorum was declared, and the meeting went forward.**

1. The Flag Salute and Invocation lead by Chairman/Mayor Calvin
2. CONSENT DOCKET:

a. Approval of Board Minutes from meeting of September 16, 2021 (GG)

b. Approval of November 2021, Accounts Payables. (GG)

c. Approval of closure of Reap Grant ED1 2020 15

**Chairman/Mayor Calvin motioned to approve Consent Docket with corrections item #A, B, C. Trustee/Council Member Williams the motion. The vote was as follows. Yeas: Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays: Trustee/Council Member Canaday**

1. Consideration of Items Removed from the Consent Agenda

c. Approval of completion of Reap Grant 2020 for Waterline.

**None**

**Moved up BUSINESS AGENDA:**

**16.1**. Update on Silver Creek – Warren Peacock

**Had a walk through with the City Manager, City Clerk, County Official, Council Member Canaday and Public Works**. Surveyed the area from the railroad to the end of the subdivision. The Oklahoma County District Attorney has stated that the county cannot assist with the cleanup of the creek. City Engineer Peacock requested authorization to study the area and to develop a plan of action to clean up the large debris that is in the creek. Stating that the best solution would be to put out a bid for a contractor to clean up the creek from Spring Road to the railroad tracks.

**Trustee/Council Member Canaday motioned to approve staff to solicit bids for contractors to clean up the creek from Spring Road to the Railroad tracks. Trustee/Council Member Williams seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays:**

**16**.2. Coordination with PW (Public Works) on clearing blockage at Silver Creek – Warren Peacock

**Trustee/Council Member Canaday motioned to authorization to do a feasibility study and develop the best plan of action of fixing the Silvercreek flooding issues. Trustee/Council Member Williams seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays:**

1. Council Member Comments:

**Council Member Ward One (Tonni Canaday)**

Discussion action on Utility billing 2021

Council Member Canaday stated that the citizens have not received any form of average billing since voting on this at the August meeting. She also wanted to know that base rate for the utility bill. City Clerk Taft found documentation from 2007 base rate and provided a copy to the council.

**Trustee/Council Member Canaday motioned to authorization staff to prepare a random statistical analysis inquiry of every 30th account billing and average the first quarter for 2020. Trustee/Council Member Williams seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays:**

Discussion action on water lines broken between new meters and homes - discussion needs to include potential reimbursement option for homeowners.

Provide notification to the citizens that there is a water main break within the city. If was also requested to have Infamark to attend and speak at the next council meeting.

**Trustee/Council Member Canaday motioned to authorization staff to have Infamark to attend the next council meeting. Trustee/Council Member Fair seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays:**

Discussion on $900,000. Bond for park improvements to include verbiage of agreement/cost and possible options for partial use in other Spencer parks.

Discussion was had. Key points were that the $900,000 bond is only for the upgrade of Kringlen Park. There is a three-year window for this project to be complete and we have already lost one year. August 2023 the project should be completed, and all bond funds utilized.

Discussion and action city surplus equivalent list.

Council Member Canaday is requesting that a yearly inventory list be created and available. Also, requested that this list is placed in the monthly agenda packets. The staff is asked to present a completed surplus equivalent list by January 2022.

**Trustee/Council Member Canaday motioned to authorization staff to h to present a completed surplus equivalent list by January 2022. Trustee/Council Member Williams seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays:**

Discussion and action on inventory of city asserts to include list of utility easement.

Requested that staff locate the utility easement list that includes size and address by January 2022. Council Member Williams is concerned that citations are being issued unfairly and targeting certain citizens.

**Trustee/Council Member Canaday motioned to authorization staff to h to present a completed utility easement list by January 2022. Trustee/Council Member Williams seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Fair, Trustee/Council Members Williams Abstain: Nays: Chairman/Mayor Calvin**

Discussion and action regarding city abiding by contracts and ordinances that apply to doing business and keeping business in Spencer.

**Council Member Canaday stated that she received complaints that city staff was purchasing fuel and other items needed for the city outside of the city limits. The complaint came from a long-time citizen of Spencer who was upset about this.**

16. BUSINESS AGENDA **(CONTINUED)**: Discussion, consideration, and possible action on Business items to direct City Staff to take appropriate action. (GG)

16.3. Approve Midwest Wrecking to finish demolition on Kringlen Park

Discussion: It was noted and suggested that the main bleachers and angle iron bleachers be moved to surplus.

**Chairman/Mayor Calvin motioned to** Approve Midwest Wrecking to finish demolition on Kringlen Park**. Trustee/Council Member Fair seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Fair and Chairman/Mayor Calvin Abstain: Nays: Trustee/Council Members Canaday and Trustee/Council Members Williams**

**Motion Failed**

**Second motion**

**Trustee/Council Members Canaday motioned to Approve Midwest Wrecking to remove all but the main bleachers except for the wood and leaving the frame of the main bleachers for the new park. Trustee/Council Members Williams seconded the motion. The vote was as follows. Yeas: Trustee/Council Members Canaday and Trustee/Council Members Williams Abstain: Nays: Trustee/Council Member Fair and Chairman/Mayor Calvin**

**Motion Failed**

16.4. Approval to participate in partnering with Urban League and Mary Mahoney with COVID vaccination center in Spencer, Oklahoma.

Discussion: Shani Neely, Vice President of the Greater Oklahoma City Urban League stated that the testing/vaccination center will be partnering with Mary Mahoney Health Clinic. This will be every week for testing from 2 – 6 p.m. at Mary Mahoney. Still working on the schedule for vaccinations.

**Chairman/Mayor Calvin motioned to Approval to participate in partnering with Urban League and Mary Mahoney with COVID vaccination center in Spencer, Oklahoma. Trustee/Council Member Canaday seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays:**

**17. NEW BUSINESS**: In accordance with the Open Meeting Act, Title 25 O.S. 311.A9 of the Oklahoma Statutes, new business defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

 **None**

 **18.** **Citizen Participation**: Citizens may address the Board during open meeting on any matter on the agenda prior to the Board acting on the matter. On any item not on the current agenda, citizens may address the Board under the agenda item Citizens Participation. Citizen Participation is for information purposes only, and the Board cannot discuss, act, or make any decisions on matters presented under Citizens Participation. Citizens desiring to be heard will be given three (3) minutes to speak on any item on the agenda. Citizens must have signed up by 12 Noon the precedingWednesday before the meeting to be recognized*.* (Public Participation Resolution #35-07-05).

Christina Mahoney, 4805 Able Street, Spencer, OK 73084, gave the duties/responsibilities for the City of Spencer Mayor. She ended her statement by saying she has a complaint about management. She has been trying to get the utility rates from the city manager. She received the rates and stated that was not what she was requesting.

Shirley Northerton, Silvercreek concerns and wanting to know if once they clean up the debris from the creek will that be a permanent fix or a temporary one. She also stated that the wrecked cars on the corner of 36th and Spencer Road that Ragsdale has on display is an eye sore and it needs to be cleaned up.

Jessie Ware: Unavailable

Earnest Wilson, wanting to thank the Public Works department for cleaning up his lot and fixing the sewer line. Wanted to know about the dumping found out that it is only a once a year dumping pass. Suggested that the city provide a welcome packet for new residents with dumping, getting rid of old tires from property and requirement for having and riding horses as well as other information. City Manager Jackson stated that from his idea the staff has started to create the welcome packet.

Devin Stone stated that the city really needs to get rid of the bleachers at Kringlen Park they are no good. He also talked about the concern of the dump sites on Midwest Blvd. Every time it rains there is two inches of mud from 23rd to 36th street covers the street. This is a big eye sore and when it dries it impacts the street as well as leave a lot of debris alongside of the road and it really needs to be cleaned up. Appreciated everyone for coming out to attend the meeting it shows you care. Finally stated that he felt sorry for the mayor because the system is flawed, and it needs a system to allow things to get done. Continued to state that the council is in gridlock all the time and all you all are doing is fight each other. Everyone has good ideas but because you have this gridlock it takes 30 days to get anything done. The situation with Kringlen Park should have been taken care a long time ago. We just need to build the city and use what we have and that would save tons of money.

**COMMENTS**:

**Trustee/Council Member Canaday**: Appreciate everyone for coming out. Reminded everyone that has questions or concerns regarding the utility issues let them know that it is not being ignored. If we do not know about it, we cannot help with fixing the problem. So please contact the staff here at city hall to assist with your inquiries and concerns.

**Trustee/Council Member Williams**: If my people who are called by my name would humble themselves pray and repent from thy wicked ways God will heal our land.

**Trustee/Council Member** Fair: No Comment

**Chairman/Mayor Calvin**: Thanked everyone for coming out. He also wanted to thank the staff for all the hard work. We know that you all are shorthanded, but you continue to provide customer service and for that he wanted to say thank you.

**Executive Session**:

Consideration, discussion and possible action to enter into executive session pursuant to 25 O.S. Section 301 (B) (4) for the purpose of confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest; Shamia Jackson EEOC claim

**Trustee/Council Members Williams motioned to go into Executive Session. Trustee/Council Member Canaday seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays:**

Time in Executive Session: **10:58 p.m.**

Time Council Returned to Open Session: **11:32 p.m.**

**Recommendation from Executive Session:**

Trustee/Council Member Williams and Chairman/Mayor Calvin will be the participants and representatives of the City of Spencer for legal litigation issues.

**Chairman/Mayor Calvin motioned to approve recommendation from executive session that Trustee/Council Member Williams and Chairman/Mayor Calvin will be the participants and representatives of the City of Spencer for legal litigation issues. Trustee/Council Member Williams seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Fair, Trustee/Council Members Williams and Chairman/Mayor Calvin Abstain: Nays:**

**21. Adjourn.**

ADJOURNMENT

The City Council & Utility Authority meeting adjourned at **11:33 p.m.**

**Trustee/Council Member Canaday motioned to Adjourn. Trustee/Council Member Williams seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Fair, Trustee/Council Member Williams and Chairman/Mayor Calvin Abstain: Nays:**

Respectfully Submitted,

Tanya Mustin

Tanya Mustin, Minute Taker