

**NEW CORDELL CITY COUNCIL**

**Meeting Minutes of Regular Session November 4, 2019**

The New Cordell City Council met at the Community Center at 101 East Main on November 4, 2019 with eight Council Members present including Steve McLaughlin, James Newman, Zetta Penner, Earlene Smith, Cheryl Wedel, Vona Hicks, Kelly Tilley and Vicky Dunlap. Also present were Mayor Jerry Beech, City Administrator JC Moser, City Attorney Johnny Beech and City Clerk Christie Cherry.

**CALL TO ORDER, ROLL CALL AND DECLARATION OF A QUORUM:**

Mayor Jerry Beech called the meeting to order at 6:00 pm. City Clerk Christie Cherry called roll and a quorum was declared to be present.

**MOTION AND VOTE TO ADOPT AGENDA:**

Council Member McLaughlin made a motion to approve the agenda . Council Member Dunlap seconded.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks  
and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**INFORMATION ITEMS:**

**Receive report from Mayor.**

None

**Receive report from City Administrator.**

City Administrator Moser spoke to council members in reference to a survey being conducted through OMPA, replacing the bridge at Adams Lake by filling in dirt, success of the Spook the Square event, cracks and leaks in the process of being repaired, samples from the wastewater lagoons being sampled for possibly purchasing new chemicals, reminder that we will have an Employee Appreciation Dinner in December and spoke in reference to the special meeting held with Randy Clark from Oklahoma Rural Water Association.

**Receive report from Public Works Director.**

Included in council packet.

**Receive reports from Public Safety Departments.**

Included in council packet.

**Receive reports from Code Enforcement.**

Included in council packet.

**PUBLIC REMARKS:**

Amy Riggs stated that she had upcoming events scheduled in December. December 13<sup>th</sup> will be the Christian Home's Christmas party and another Christmas party on December 19<sup>th</sup> for the Head Start children. Police Chief Brandon Rogers advised council members that one of the police vehicles has an oil leak and is shaking. Chief Rogers also stated that the Precinct Room roof is sagging.

**DISCUSSION ITEMS:**

None

**POTENTIAL VOTING BUSINESS:**

**Consider, discuss and/or possible take action to approve the minutes of October 21, 2019 Regular Meeting and October 25, 2019 and October 31, 2019 Special Meetings.**

Council Member McLaughlin made a motion to approve the minutes of October 21, 2019 Regular Meeting and October 25, 2019 and October 31, 2019 Special Meetings. Motion was seconded by Council Member Dunlap.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**Consider, discuss and/or possible take action on Ordinance #2019-05 concerning medical marijuana cultivator and processors prohibited within the City Limits.**

Council Member McLaughlin made a motion to accept Ordinance #2019-05 concerning medical marijuana cultivator and processors prohibited within the City Limits and was seconded by Council Member Wedel.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**Consider, discuss and/or possible take action to approve the emergency clause.**

Council Member McLaughlin made a motion to approve the emergency clause and was seconded by Council Member Dunlap.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**Consider, discuss and/or possible take action on Ordinance #4-4-2 Vendor, Solicitor or Peddler License.**

Council Member Dunlap made a motion to approve Ordinance #4-4-2 Vendor, Solicitor or Peddler License. Motion was seconded by Council Member Wedel.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**Consider, discuss and/or possible take action to approve the emergency clause.**

Council Member Dunlap made a motion to approve the emergency clause and was seconded by Council Member Wedel.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**Consider, discuss and/or possible take action on Ordinance #8-1-2 Prohibited to display and goods, wares or merchandise for sale, or to sell the same, on any street, alley or sidewalk, or from any vehicle parked thereon, in the corporate limits of the city.**

Council Member Newman stated that he felt the business owners should be allowed to display goods for sale on sidewalks but limited to a (3) three foot area. Council Member Smith reminded council members that the mayor from Edmond recommended the use of sidewalks to attract business. Council Member Penner stated she agreed that the use of sidewalks to display goods would attract business. Council Member Hicks advised that the majority of people she spoke to did not want items on sidewalks and that she was afraid “it would get out of hand”. Council Member Penner stated that Elk City allowed items on sidewalks but Clinton did not. Council Member Tilley advised that Elk City limited the number of days for sidewalk sales. Council Member Wedel stated she would like the sidewalks to appear “clean”.

Council Member Dunlap made a motion to approve Ordinance #8-1-2 Prohibited to display and goods, wares or merchandise for sale, or to sell the same, on any street, alley or sidewalk, or from any vehicle parked thereon, in the corporate limits of the city. Motion was seconded by Council Member Wedel.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Tilley and Hicks.  
Nay: Newman, Penner and Smith

Motion carried: Aye: 5  
Nay: 3

**Consider, discuss and/or possible take action to approve the emergency clause.**

Council Member Dunlap made a motion to approve the emergency clause and was seconded by Council Member Wedel.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Tilley and Hicks.  
Nay: Newman, Penner and Smith

Motion not carried: Aye: 5  
Nay: 3

**Consider, discuss and/or possible take action to approve J & D's Bargains an exception to be able to put items by the front wall of the store (220 East Main) on the sidewalk for sale during business hours.**

J D Banks spoke to council members stating that placing items on his sidewalk lets customers know that he is open for business. Mr. Banks advised he is the only business in town that sells handicap items. Council Member Wedel requested the space used for items on the sidewalk to be only the amount that Dollar General uses for their ice machine. Mr. Banks stated that he will only place items in front of his business.

Council Member Newman made a motion to approve J & D's Bargains an exception to be able to put items by the front wall of the store (220 East Main) on the sidewalk for sale during business hours allowing no larger than three (3) feet. Motion was seconded by Council Member Tilley.

Vote called: Aye: Wedel, Newman, Smith, Tilley and Penner.  
Nay: Hicks, McLaughlin and Dunlap

Motion carried: Aye: 5  
Nay: 3

**Consider, discuss and/or possible take action to approve Resolution #2019-21 Authorizing and Directing the Mayor to Submit an Application for Financial Assistance Under the Plains First**

**Responder Grant Program for Cordell Fire Department Equipment. (Two Self Contained Breathing Apparatus with Backup Cylinder and Battery.)**

Council Member Wedel made a motion to approve Resolution #2019-21 Authorizing and Directing the Mayor to Submit an Application for Financial Assistance Under the Plains First Responder Grant Program for Cordell Fire Department Equipment. (Two Self Contained Breathing Apparatus with Backup Cylinder and Battery.) Motion was seconded by Council Member Tilley.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**Consider, discuss and/or possible take action to approve purchase of 2018 Police Pursuit Vehicle(s) from Kansas Highway Patrol Fleet Sales.**

Council Member McLaughlin made a motion to approve purchase of 2018 Police Pursuit Vehicle(s) from Kansas Highway Patrol Fleet Sales and was seconded by Council Member Wedel.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**Consider, discuss and/or possible take action to deny the claim from Cheryl (Suzie) Attaway Claim # 207164-ME as recommended by OMAG.**

Council Member McLaughlin made a motion to deny the claim from Cheryl (Suzie) Attaway Claim # 207164-ME as recommended by OMAG. Motion was seconded by Council Member Wedel.

Vote called: Aye: McLaughlin, Dunlap, Wedel, Newman, Smith, Tilley, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**EXECUTIVE SESSION:** (Board shall vote to enter into Executive Session and state the approximate time to be allowed for the Executive Session.)

**ii: Discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of Public Works Director, Charlie Brown. pursuant to Title 25 O.S., Section 307(B)1.**

Council Member McLaughlin made a motion to enter into executive session at 6:27 pm and to allow (1) one hour to discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of Public Works Director, Charlie Brown. *pursuant to Title 25 O.S., Section 307(B)1.* Motion was seconded by Council Member Dunlap.

Vote called: Aye: McLaughlin, Dunlap, Newman, Tilley, Wedel, Smith, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

At 6:46 pm Public Works Director, Charlie Brown entered into executive session.

At 6:59 pm Public Works Director, Charlie Brown came out of executive session.

At 7:01 Council Member McLaughlin made a motion to reconvene and was seconded by Council Member Dunlap.

Vote called: Aye: McLaughlin, Dunlap, Newman, Tilley, Wedel, Smith, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

**Consider and/or possible take action on items discussed in Executive Session.**

City Attorney Johnny Beech advised that council members discussed Charlie Brown's employment as Public Works Director.

**NEW BUSINESS: (Non-Agenda items or business. Discussion can be held, but action will be deferred until the next or some subsequent Regular or Special Meeting.)**

City Attorney Johnny Beech asked for a re-vote on potential voting item 6b asking that Council Member Tilley recuse herself from the vote.

Council Member Dunlap made a motion to reconsider potential voting item 6b, on Ordinance #2019-05 concerning medical marijuana cultivator and processors prohibited within the City Limits. Motion was seconded by Council Member McLaughlin.

Vote called: Aye: McLaughlin, Dunlap, Newman, Wedel, Smith, Hicks and Penner.  
Nay: 0

Recuse: Tilley

Motion carried: Aye: 7  
Nay: 0

Council Member Dunlap made a motion to approve the emergency clause and was seconded by Council Member McLaughlin.

Vote called: Aye: McLaughlin, Dunlap, Newman, Wedel, Smith, Hicks and Penner.  
Nay: 0

Recuse: Tilley

Motion carried: Aye: 7  
Nay: 0

#### **COUNCIL REMARKS:**

Council Member Penner noted that the First Methodist Church of Cordell honored First Responders. Council Member Tilley stated that she thought the Spook the Square event this year turned out to be “awesome”. Council Member Penner asked if Suzie Attaway’s insurance claim should have been through the Chamber of Commerce? City Administrator Moser replied that any person can submit a claim for any reason.

#### **ADJOURNMENT:**

Motion was made by Council Member McLaughlin to adjourn. Motion was seconded by Council Member Dunlap.

Vote called: Aye: McLaughlin, Dunlap, Newman, Tilley, Wedel, Smith, Hicks and Penner.  
Nay: 0

Motion carried: Aye: 8  
Nay: 0

Meeting adjourned at 7:08 p.m.

---

Jerry Beech, Mayor

---

Christie Cherry, City Clerk