

OWASSO CITY COUNCIL

MINUTES OF REGULAR MEETING Tuesday, October 5, 2021

The Owasso City Council met in regular session on Tuesday, October 5, 2021, in the Council Chambers at Old Central, 109 North Birch, Owasso, Oklahoma per the Notice of Public Meeting filed Friday, December 11, 2020; and the Agenda filed in the office of the City Clerk and posted at City Hall, 200 South Main Street, at 2:00 pm on Friday, October 1, 2021; and, the Addendum filed and posted on Monday, October 4, 2021, at 1:30pm.

1. Call to Order

Mayor Bill Bush called the meeting to order at 6:30pm.

2. Roll Call

Present	Absent
Mayor – Bill Bush	None
Vice Mayor – Kelly Lewis	
Councilor – Alvin Fruga	
Councilor – Doug Bonebrake	
Councilor – Lyndell Dunn	

A quorum was declared present.

Staff:

City Manager - Warren Lehr
City Attorney - Julie Lombardi

3. Invocation

The Invocation was offered by Dr. Jim Cinocca, Pastor, Owasso First United Methodist Church.

4. Flag Salute

Councilor Alvin Fruga led the flag salute.

5. Presentation of Character Trait of Thoroughness

Chad Balthrop, Character Council Member, presented the character trait for the month of October.

6. Consideration and appropriate action relating to a request for an executive session, as provided for in Title 25, O.S. § 307(B)(4), for the purpose of discussing confidential communication between the City Council and its Attorney concerning the case of State of Oklahoma vs. Victor Manuel Castro-Huerta, a Petition for Writ of Certiorari filed in the United States Supreme Court, urging reconsideration of the McGirt ruling handed down by the United States Supreme Court

Julie Lombardi presented the item, recommending the City Council enter into executive session.

Mr. Bonebrake moved, seconded by Mr. Dunn to enter into executive session, as recommended.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

Motion carried: 5-0

At 6:36 pm, the City Council along with Warren Lehr, Chris Garrett, Julie Lombardi, Beth Anne Childs, and Dan Yancey, entered into executive session. At 7:21 pm, the City Council returned to open session.

7. Consideration, discussion, and appropriate action following executive session, including direction to file an amicus brief, concerning the case of State of Oklahoma vs. Victor Manuel Castro-Huerta, a Petition for Writ of Certiorari filed in the United States Supreme Court, urging reconsideration of the McGirt ruling handed down by the United States Supreme Court

Beth Anne Childs presented the item, requesting consideration of a proposal to retain counsel for the filing of an amicus brief in the case of State of Oklahoma vs. Victor Manuel Castro-Huerta, a Petition for Writ of Certiorari filed in the United States Supreme Court, and authorization to execute all necessary documents.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Mr. Dunn to retain counsel and authorize execution of all necessary documents, as requested.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

Motion carried: 5-0

8. Consideration, discussion and appropriate action, including approval of an Operating Agreement for Detention Services Between the Cherokee Nation and the City of Owasso

Beth Anne Childs presented the item, and discussion was held.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Ms. Lewis to approve the agreement.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

Motion carried: 5-0

9. Consideration, discussion and appropriate action, including approval of a Memorandum of Agreement Between the Cherokee Nation and the City of Owasso, Oklahoma, a Municipal Corporation

Beth Anne Childs presented the item, and discussion was held.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Ms. Lewis to approve the agreement.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

Motion carried: 5-0

10. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the City Council to be routine and will be enacted by one motion. Any Councilor may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)

A. Approve minutes – September 21, 2021, Regular Meeting

B. Approve claims

C. Accept the Walmart Community Grant Award and approve a budget amendment in the General Fund, increasing the estimated revenue and the appropriation for expenditures in the Fire Department by \$1,500.00

D. Accept the 2022 Safe Oklahoma Grant, authorize execution of the contract with the Oklahoma Attorney General's Office, and approve a budget amendment in the General Fund, increasing the estimated revenue and the appropriation for expenditures in the Police Department by \$30,000.00

Mr. Dunn moved, seconded by Ms. Lewis to approve the Consent Agenda, as presented with claims totaling \$168,867.33.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

Motion carried: 5-0

11. Consideration and appropriate action relating to items removed from the Consent Agenda
None

12. Consideration and appropriate action relating to bids received for the 5K Heart Healthy Trail Project

Larry Langford presented the item, recommending to award the base bid to Magnum Construction, Inc., of Broken Arrow, Oklahoma, in the amount of \$295,592.00, and authorization to execute all necessary documents.

There were no comments from the audience. After discussion, Mr. Dunn moved, seconded by Mr. Fruga to award the bid and authorize execution of all necessary documents, as recommended.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

Motion carried: 5-0

13. Consideration and appropriate action relating to a sole source purchase of traffic signal radar detection systems

Larry Escalanta presented the item, recommending authorization for a sole source purchase of the Wavetronix SmartSensor Radar Systems from Wavetronix, of Provo, Utah, in the amount of \$86,625.00.

There were no comments from the audience. After discussion, Ms. Lewis moved, seconded by Mr. Bonebrake to authorize the purchase, as recommended.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

Motion carried: 5-0

14. Consideration and appropriate action relating to the acquisition of right-of-way for the East 96th Street North Improvements from North 119th East Avenue to North 129th East Avenue and an agreed variance from certain sections of the Owasso Zoning Code

Roger Stevens presented the item, recommending authorization for payment in the amount of \$25,700.00 to Chick-Fil-A, Incorporated, for the acquisition of right-of-way and damages, located at 12015 East 96th Street North; approval of the Agreed Variance between the City of Owasso and Chick-Fil-A, Incorporated; and, authorization to execute the agreement.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Mr. Dunn to authorize payment, approve the Agreed Variance, and authorize execution of the agreement, as recommended.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

Motion carried: 5-0

15. Report from City Manager

Warren Lehr introduced Roger Stevens to provide the monthly Public Works project status report. Mr. Lehr reported on the City's Comprehensive Annual Financial Report qualifying for the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting; and Oklahoma Department of Transportation's approved 8-Year Plan for roadways and bridges in Owasso.

16. Report from City Attorney

None

17. Report from City Councilors

Mr. Bonebrake and Mr. Bush commented on the recent deaths of two current employees and one former employee of the Police Department. Mr. Fruga commented on the Tulsa Regional Chamber's DC Fly-In. Mr. Dunn commented on the Government Finance Officers Association Certificate of Achievement.

18. Official Notices (documents for acknowledgment of receipt or information only, no discussion or action will be taken)

The Mayor acknowledged receipt of the following:

- Payroll Payment Report – Pay Period Ending Date September 25, 2021
- Health Care Self-Insurance Claims – dated as of September 30, 2021

19. New Business (New Business is any item of business which could not have been foreseen at the time of posting of the agenda)

None

20. Adjournment

Ms. Lewis moved, seconded by Mr. Dunn to adjourn the meeting.

YEA: Bonebrake, Dunn, Fruga, Lewis, Bush

NAY: None

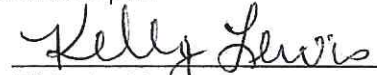
Motion carried: 5-0 and the meeting adjourned at 8:28 pm.



Juliann M. Stevens, City Clerk



The seal is circular with a double-line border. The outer ring contains the text "CITY OF OWASSO" at the top and "OKLAHOMA" at the bottom. The inner circle contains the text "OFFICIAL SEAL" in the center.



~~Bill Bush, Mayor~~
Kelly Lewis, Vice Mayor