

**CITY OF SAPULPA, OKLAHOMA**  
**COUNCIL PROCEEDINGS**  
Meeting of July 5, 2016

The City Council of Sapulpa, Oklahoma, met in regular session Tuesday, July 5, 2016, at 7:00 o'clock P.M. in the City Hall Council Chambers, 425 East Dewey Avenue, Sapulpa, Oklahoma.

Councilors Present: Reg Green, Mayor  
Louis Martin, Jr., Vice-Mayor  
John Anderson  
Marty Cummins  
Wes Galloway  
Craig Henderson  
Alan Jones  
Hugo Naifeh  
Charles Stephens  
Carla Stinnett

Staff Present: City Clerk Shirley Burzio, City Manager Joan Riley, City Treasurer Pam Vann and City Attorney David Widdoes'

**INVOCATION:**

The invocation was given by Mr. Kevin Day.

**PLEDGE OF ALLEGIANCE:**

The "Pledge of Allegiance" was led by Mayor Reg Green.

**PUBLIC COMMENTS:**

Mr. Charles Edwards, property owner at 49th W. Avenue and 65th Street, spoke about the annexation of property adjacent to him.

Mr. Edwards was advised there is a public hearing on the proposed annexation, and he should address the council at that time.

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**CONSIDER ADOPTING A PROCLAMATION FROM THE OKLAHOMA WATER ENVIRONMENT ASSOCIATION PROCLAIMING JULY AS "WATER'S WORTH IT" MONTH IN THE CITY OF SAPULPA, OKLAHOMA:**

Motion was made by Councilor Craig Henderson, seconded by Vice-Mayor Louis Martin, to proclaim the month of July, 2016, as "Water's Worth It" month in the City of Sapulpa.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens. NAY-None. Motion carried 9-0.

**CONSENT AGENDA:**

Motion was made by Vice-Mayor Louis Martin, seconded by Councilor Charles Stephens, to approve the consent agenda, which had the following items of business listed on it:

1. Approve the regular claims in the amount of \$119,900.25;
2. Approve payroll claims in the amount of \$450,087.07;
3. Approve payment in the amount of \$40.00 to the State of Oklahoma Board of Veterinary Medical Exam for renewal of euthanasia certification for the animal control officer.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens. NAY-None. Motion carried 9-0.

**CONSIDER CONFIRMING A NOMINATION FROM WARD 5 COUNCILOR, ALAN JONES, TO FILL THE EXISTING VACANT CITY COUNCILOR POSITION IN WARD 5:**

Nomination was made by Councilor Alan Jones to appoint Carla Stinnett to fill the existing vacant city councilor position in Ward 5, which was formerly held by Mr. Mike Hurt.

Motion was made by Councilor Hugo Naifeh, seconded by Vice-Mayor Louis Martin, to approve the appointment of Carla Stinnett to the existing vacant city councilor position for Ward 5.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens. NAY-None. Motion carried 9-0.

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**ADMINISTRATION OF OATH OF OFFICE:**

City Clerk Shirley Burzio administered the oath of office to Carla Stinnett.

**CONSIDER CONDUCTING A PUBLIC HEARING ON THE QUESTION OF ANNEXING INTO MUNICIPAL LIMITS CERTAIN TERRITORY LOCATED IN SECTION 5, TOWNSHIP 18 NORTH, RANGE 12 EAST, AT THE SOUTHEAST CORNER OF SOUTH 50TH WEST AVENUE AND WEST 65TH STREET SOUTH, DESCRIBED AS LOTS 1 - 4, BLOCK 4, OAKS ESTATES 2ND, AN ADDITION TO CREEK COUNTY, OKLAHOMA:**

According to Mr. Charles Edwards his property is located north of the proposed annexed area, and it is for sale. He also spoke about signage being needed in the area.

Mr. Edwards was advised to contact the county about the signage because his property is located in the county, not the city limits of Sapulpa. And the annexation does not affect his property.

**CURRENT BUSINESS:**

Motion was made by Vice-Mayor Louis Martin, seconded by Councilor Hugo Naifeh, to approve the following items of business:

1. Approve the temporary street closure of Elm Street from Lincoln Avenue to Lee Avenue and Thompson Avenue from Elm Street to the alleyway between Elm Street and Oak Street on Wednesday, July 27, 2016, from 1:00 o'clock P.M. until 8:30 o'clock P.M. for Vacation Bible School Block Party sponsored by the First Baptist Church;
2. Approve the temporary street closure of Water Street from Dewey Avenue to Lee Avenue on Thursday, July 14th, July 28th and August 11th, 2016, from 6:00 o'clock P.M. to 9:30 o'clock P.M. for Concert on Martha's Corner sponsored by Sapulpa Main Street;
3. Approve SUP-004-Specific Use Permit for automobile sales, new or used, for the property located at 15 East Lee Avenue;

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**CURRENT BUSINESS - continued:**

4. Approve the rules and regulations for the City of Sapulpa's Wiggley Field Dog Park.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

**ORDINANCE:**

Motion was made by Vice-Mayor Louis Martin, seconded by Councilor Marty Cummins, to approve the adoption of the following ordinance:

1. ORDINANCE NO. 2755 CLOSING TO PUBLIC USE THAT PORTION OF EAST HILL AVENUE LYING EAST OF NORTH MAIN STREET AND WEST OF HIGHWAY 97, FRISCO PLACE ADDITION TO THE CITY OF SAPULPA, OKLAHOMA, AND DECLARING AN EMERGENCY

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

Motion was made by Councilor Charles Stephens, seconded by Councilor Craig Henderson, to approve the passage and adoption of the emergency clause.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

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**ORDINANCES - continued:**

Motion was made by Vice-Mayor Louis Martin, seconded by Councilor Alan Jones, to approve the adoption of the following ordinance:

1. ORDINANCE NO. 2756 EXTENDING THE CORPORATE LIMITS OF THE CITY OF SAPULPA, OKLAHOMA, MAKING FINDINGS OF FACT; ANNEXING AN AREA ADJACENT TO THE CITY OF SAPULPA IN SECTION 5, TOWNSHIP 18 NORTH, RANGE 12 EAST, CREEK COUNTY, OKLAHOMA, INTO AND AS A PART OF THE CORPORATE LIMITS OF THE CITY OF SAPULPA OKLAHOMA, DESIGNATING THE TRACT TO BE ANNEXED; PROVIDING FOR THE ZONING OF THE ANNEXED AREA; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

Motion was made by Vice-Mayor Louis Martin, seconded by Councilor Charles Stephens, to approve the passage and adoption of the emergency clause.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

**RESOLUTION:**

Motion was made by Vice-Mayor Louis Martin, seconded by Councilor Hugo Naifeh, to approve the adoption of the following resolution:

1. RESOLUTION NO. 4452 OF THE CITY OF SAPULPA, OKLAHOMA, AMENDING THE FY 2016-2017 WATER RESOURCES FUND ANNUAL BUDGET BY INCREASING APPROPRIATIONS TO PROVIDE FUNDS FOR DEBT SERVICE PAYMENTS

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

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**BID AWARD:**

Motion was made by Councilor Hugo Naifeh, seconded by Councilor Charles Stephens, to reject the apparent low bid of \$11,900.00 received from ARM Construction for the demolition of the building at 14 North Water Street for failure to meet bid specifications, and reject the bid received from S & J Construction in the amount of \$96,840.00 for the demolition of the building at 14 North Water as exceeding available and budgeted funds. And staff is authorized to contract for the demolition of the building at 14 North Water Street from open market.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

**CONTRACTS:**

Motion was made by Vice-Mayor Louis Martin, seconded by Councilor John Anderson, to approve the following contracts:

1. Approve a one year renewal of the lease with purchase option agreement with American Heritage Bank for the financing of the meter reading equipment at the cost of \$50,745.00 to be paid from the Water Resources Fund;
2. Approve the agreement with Broomin' Janitorial Services for cleaning services at the Sapulpa Public Library in the amount of \$11,400.00 to be paid from the Library Fund;
3. Approve the agreement with Broomin' Janitorial Services for cleaning services at the Literacy Annex of the Library in the amount of \$4,140.00 to be paid from the Library Fund;
4. Approve the rental agreement with Pitney Bowes for lease of a mailing machine and accessories in the amount of \$2,040.00 to be paid from the non-department accounts of the General Fund and the SMA Fund;
5. Approve Addendum 1 to the Reserve Fund Escrow Agreement with the Sapulpa Parks Friends providing for rainy day funds for the Sapulpa Aquatics Center at no cost to the city;

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**CONTRACTS - continued:**

6. Approve the credit application from WesTech Engineering;
7. Approve the agreement with Wendy Campbell for cost tracking coordinator services associated with the Park Department cost-tracking program in the amount of \$8,280.00, which is to be paid from the Park and Recreation Fund;
8. Approve the agreement with Titan Commercial Services, LLC, for janitorial services for the Booker T. Washington Recreation Center and park restroom building in the amount of \$19,800.00 to be paid from the Park and Recreation Fund;
9. Approve the agreement with J. Tom Chandler for lake caretaker services for the operation of Sapulpa's Lake Sahoma bait and concession facility in the amount of \$7,800.00 to be paid from the Hunting and fishing Fund;
10. Approve the agreement with Jan-Pro Cleaning Systems for janitorial services for the Sapulpa Senior Citizen Community Center in the amount of \$16,718.00 to be paid from the Park and Recreation Fund.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

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**CONSIDER AND APPROVE A PLUGGING AGREEMENT WITH INLAND OIL CORPORATION, LLC, FOR OIL WELL REMEDIATION WORK AT THE SAPULPA SPORTS COMPLEX SITE AT A TOTAL COST OF \$17,836.00, TO BE PAID FROM GENERAL OBLIGATION BOND CONSTRUCTION FUND:**

According to Park and Recreation Director John Waytula, the agreement provides for the plugging and clean-up of two active oil well sites on the property for the new sports facility. The Corporation Commission was contacted. He was told by the Corporation Commission the city would need to pay for the costs associated with the plugging of the wells since they are still actively producing oil wells.

Motion was made by Vice-Mayor Louis Martin, seconded by Councilor Marty Cummins, to approve the plugging agreement with Inland Oil Corporation, LLC, for oil well remediation work at the Sapulpa Sports Complex Site at a total Cost of \$17,836.00.

It was discussed by the council there needed to be further communication with the Oklahoma Corporation Commission regarding the plugging of the two oil wells.

Councilor Marty Cummins withdrew his second. The motion died for lack of a second.

**CONSIDER APPROVING AN AGREEMENT WITH RETAIL ATTRACTIONS, LLC, FOR RETAIL DEVELOPMENT CONSULTING SERVICES AT THE COST OF \$36,000.00 PAID FROM ECONOMIC INCENTIVE MONIES ALLOCATED IN NON-DEPARTMENT GENERAL FUND:**

Motion was made by Councilor Craig Henderson, seconded by Councilor Alan Jones, to approve the agreement with Retail Attractions, LLC, for retail development consulting services at a cost of \$36,000.00.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

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**INFORMATIONAL ITEMS FROM MAYOR, CITY COUNCIL, CITY MANAGER OR CITY ATTORNEY:**

The project status report from Tetra Tech, Inc., regarding various city and trust authority projects was submitted for discussion, no action was taken.

**CONSIDER ENTERING INTO AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE STATUS OF NEGOTIATIONS WITH FRATERNAL ORDER OF POLICE, LODGE #94 (25 O.S. SECTION 307(B)(2), AND DISCUSSING INVESTIGATION OF CONFLICT OF INTEREST ISSUES AND THE EMPLOYMENT OF THE CITY ATTORNEY (25 O.S. SECTION 307(B)(1) AND (4)):**

Motion was made by Councilor Alan Jones, seconded by Vice-Mayor Louis Martin, to approve entering into an executive session for the purpose of discussing the status of negotiations with the Fraternal Order of Police, Lodge #94, and discussing the investigation of conflict of interest issues and the employment of the city attorney.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

The council convened into an executive session at 8:40 o'clock P.M.

At 9:30 o'clock P.M. and in open session, Mayor Reg Green called the regular council meeting to order.

**CONSIDER RATIFYING AND APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SAPULPA AND THE FRATERNAL ORDER OF POLICE, LODGE NO. 94, EFFECTIVE JULY 1, 2016, THROUGH JUNE 30, 2017:**

Motion was made by Councilor Craig Henderson, seconded by Vice-Mayor Louis Martin, to ratify and approve the collective bargaining agreement between the City of Sapulpa and the Fraternal Order of Policy, Lodge No. 94, effective July 1, 2016, through June 30, 2017.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

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**CONSIDER ACTION IN OPEN SESSION REGARDING MATTERS DISCUSSED IN EXECUTIVE SESSION:**

Motion was made by Councilor Craig Henderson, seconded by Councilor John Anderson, to approve the mayor releasing to the media the findings of the independent counsel on the investigation of conflict of interest issues by the city attorney.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens. NAY-Carla Stinnett (Abstained). Motion carried 9-1.

**ADJOURNMENT:**

There being no further business, motion was made by Councilor Alan Jones, seconded by Councilor Charles Stephens, to adjourn the meeting.

ROLL CALL: AYE-John Anderson, Marty Cummins, Wes Galloway, Reg Green, Craig Henderson, Alan Jones, Louis Martin, Hugo Naifeh, Charles Stephens, Carla Stinnett. NAY-None. Motion carried 10-0.

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Mayor

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Vice-Mayor

\_\_\_\_\_  
Councilor

Attest:

\_\_\_\_\_  
City Clerk