

CITY OF WILBURTON
REGULAR SCHEDULED MEETING
November 12, 2015

Public Notice posted November 10, 2015, 11:00 a.m.
Front Entrance Door, Wilburton City Hall

The Wilburton City Council convened in a **Regular Scheduled** Meeting held on the 12th day of **November, 2015 at 6:00p.m.** in the Wilburton City Hall Council Chambers, Mayor Stephen Brinlee presiding. After Rev Bryan Colwell, Powers Baptist Church gave the opening prayer, Mayor Brinlee led the assembly in the Pledge of Allegiance, the City Clerk then conducted the roll call with members responding:

LITTLEJOHN	PRESENT	MINGS	ABSENT
HAYNES	PRESENT	KENDALL	PRESENT
SIMS	PRESENT		

CITIZEN COMMENTS: None.

1. DISCUSS AND TAKE ACTION TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING ON OCTOBER 8, 2015.
2. DISCUSS AND TAKE ACTION TO APPROVE OCTOBER 2015 CLAIMS FOR PAYMENT.
3. DISCUSS AND TAKE ACTION TO APPROVE PAYMENT OF THE PAYROLL NOVEMBER 13 THRU DECEMBER 10, 2015.

MOTION BY LITTLEJOHN, SECOND BY SIMS, TO COMBINE AND APPROVE ITEMS #1, #2, AND #3 ON THE AGENDA: APPROVE THE MINUTES OF OCTOBER 8, 2015 REGULAR MEETING AFTER ADDING TO ITEM 9. "...SIGNATURE CARDS AT LATIMER STATE BANK 'AND WILBURTON STATE BANK'; APPROVE PAYMENT CLAIMS FOR OCTOBER 2015; AND APPROVE PAYMENTS OF PAYROLL FOR NOVEMBER 13 THRU DECEMBER 10, 2015.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Absent
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

4. DISCUSS AND TAKE ACTION TO APPROVE RE-ENCUMBERING FUNDS FOR FY15-16 IN FUND #01 FOR \$1,623; FUND #5 FOR \$2376; AND FUND #20, \$3,600. City Clerk Blankenship stated the funds were encumbered, but not spent, on FY 14-15 Purchase Orders. The auditors suggested the need to re-encumber for FY15-16 for accuracy.

MOTION BY HAYNES, SECOND BY KENDALL, TO APPROVE RE-ENCUMBERING FUNDS FOR FY15-16 IN FUND #01 FOR \$1,623; FUND #5 FOR \$2376; AND FUND #20 FOR \$3,600.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Absent
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

5. DISCUSS AND TAKE ACTION TO APPROVE RESOLUTION NO.15-1197, COUNCIL MEETINGS FOR 2016. Mayor Stephen Brinlee discussed the possibility of starting the City Council Meetings earlier than 6:00pm. It was determined that 5:30pm would work with all five councilmen/women's schedules and be a better start time. The second Thursday of each month will remain the meeting date.

MOTION BY LITTLEJOHN, SECOND BY HAYNES, TO APPROVE RESOLUTION #15-1197, COUNCIL MEETINGS FOR 2016.

LITTLEJOHN	Yes	MINGS	Absent
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

6. **DISCUSS AND TAKE ACTION TO APPROVE RESOLUTION NO.15-1198, HOLIDAYS FOR 2016.** Mayor Brinlee stated the holidays listed were in accordance with the State holidays and had been coordinated with Latimer County.

MOTION BY SIMS, SECOND BY KENDALL, TO APPROVE RESOLUTION NO.15-1198, APPROVED HOLIDAYS FOR 2015.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Absent
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

7. **DISCUSS AND TAKE ACTION TO APPROVE OKLAHOMA TAX COMMISSION (OTC) SALES AND USE TAX ADMINISTRATION AGREEMENT.** Mayor Brinlee stated this contract was a result of new terms worked out between OTC and the State and reflects the new terms.

MOTION BY HAYNES, SECOND BY SIMS, TO APPROVE OKLAHOMA TAX COMMISSION SALES AND USE TAX ADMINISTRATION AGREEMENT.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Absent
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

8. **DISCUSS AND TAKE ACTION TO APPROVE ORDINANCE #15-1094 AMENDING CITY CODE 2007, CHAPTER 22, ADDING ARTICLE 20: COMPOSING, SENDING, AND READING TEXT MESSAGES WHILE VEHICLE IN MOTION.** Chief Bias stated Oklahoma passed a law effective 1 November making it illegal to compose, send, or read text messages while the vehicle is in motion. Because the City of Wilburton does not have an ordinance supporting the new law at this time, if a patrolman gives a ticket to enforce the new law, any fees collected would be awarded to the Latimer County Sheriffs Department because they do have an approved ordinance.

MOTION BY HAYNES, SECOND BY SIMS, TO APPROVE ORDINANCE #15-1094 AMENDING CITY CODE 2007, CHAPTER 22, BY ADDING ARTICLE 20: COMPOSING, SENDING, AND READING TEXT MESSAGES WHILE VEHICLE IS IN MOTION.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Absent
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

9. **DISCUSSION: POSSIBLE ORDINANCE TO AMEND CITY CODE, CHAPTER 22 TRAFFIC, ARTICLE 2. TRAFFIC ADMINISTRATION, SECTION 22-6A, TO INCLUDE OPERATION OF ALL TERRAIN VEHICLES AND SIDE-BY-SIDE VEHICLES.** Chief Bias stated he was against the amendment because of the safety factors. Mayor Brinlee stated several residents had requested the amendment to allow capability of driving ATVs and side-by-side vehicles on the City streets. PWA Secretary Richardson stated one person who had requested amendment does not own a car. Water Maintenance Supervisor Mike Elder that person has a path to the grocery store which does not require her to go on a highway, but can stay on secondary streets. The resident who requested review of the ordinance has a side-by-side with lights and a good motor. Ordinance currently states vehicle cannot drive on highway/street, but is allowed to cross it. Councilman Littlejohn asked if ordinance can stipulate approval if elderly. City Attorney Brown stated ordinance cannot stipulate a special group like elderly. Rules must be made across the board, sunrise to sunset.

Mr. Elder stated his department uses a side-by-side vehicles to read meters. Councilman Littlejohn asked if Council approval is needed for the City to use it in line of duty. Attorney Brown stated the best method would be to approve through an ordinance. Mayor Brinlee stated if the City Council wants to pursue an ordinance, he will come up with an amendment to the ordinance. NO ACTION REQUIRED.

10. NEW BUSINESS.

- A. Councilman Haynes stated the city sales tax received is 15% less than last October. Does the Mayor know why? Mayor Brinlee stated he did not know of a specific reason. He was discussing budget with both City Clerk and PWA Secretary to review budget to make changes, if necessary.

B. Councilman Sims ask if there was news on the former ALCO building. Mayor Brinlee stated Tractor Supply has a contract and permit to work on the building. They have scheduled a grand opening for February as published in the 12 November News Tribune article.

C. Mayor Brinlee stated the SHOPCO project is still being pursued; hopefully, they will find an approved property by next year.

11. ADJOURN:

MOTION BY HAYNES, SECOND BY SIMS, TO ADJOURN AT 6:25pm.

Upon roll call, members present voted as follows:

LITTLEJOHN	Yes	MINGS	Absent
HAYNES	Yes	KENDALL	Yes
SIMS	Yes		

Cindee Blankenship
CINDEE BLANKENSHIP, City Clerk

Stephen Brinlee
STEPHEN BRINLEE, Mayor

Allen Littlejohn
ALLEN LITTLEJOHN, Ward 1

Terry Haynes
TERRY HAYNES, Ward 2

Doug Sims
DOUG SIMS, Ward 3

//ABSENT//

MAE MINGS, Ward 4

Julia Kendall
JULIA KENDALL, Ward 5