THE CITY OF CHEROKEE IN THE STATE OF OKLAHOMA MET IN A REGULAR MEETING OF THE CDA IN THE CITY OF CHEROKEE IN THE CITY HALL, 112 N. GRAND, CHEROKEE, OK THIS 12TH DAY OF OCTOBER 2022.

PRESENT:

KOLBY ARNOLD, MAYOR CHELSEY GUFFY, COUNCIL MEMBER LUKE HAGUE, COUNCIL MEMBER

ABSENT:

ADRIENNE WESSELS, MAYOR PRO-TEM CHRISTOPHER MUHLBAIER, COUNCIL MEMBER

PRESENT:

CHAD ROACH, CITY MANAGER AMBER K. WILHITE, CITY CLERK

ALSO IN ATTENDANCE:

LOGAN DAVIS, ORWA
MATT COE, MYERS ENGINEERING
CHRIS WOLFF - MFS
TRISTAN HALL
CHASE PHILLIPS, RS MEACHUM CPA
AMY MADISON, CHEROKEE MESSENGER & REPUBLICAN

MAYOR KOLBY ARNOLD CALLED THE MEETING TO ORDER AT 6:00 P.M.

AMBER WILHITE CALLED ROLL AND MAYOR KOLBY ARNOLD DECLARED A QUORUM WAS PRESENT.

MAYOR KOLBY ARNOLD THEN PRESENTED THE CONSENT AGENDA. THE CONSENT AGENDA INCLUDED THE FOLLOWING ITEMS:

- 1. CONSIDER AND VOTE TO APPROVE, DENY, AMEND OR REVISE MINUTES FROM THE SEPTEMBER 20TH, 2022, REGULAR MEETING.
- CONSIDER AND VOTE TO APPROVE, DENY, AMEND OR REVISE THE CLAIMS LIST.

MAYOR KOLBY ARNOLD THEN MADE A MOTION, SECONDED BY LUKE HAGUE, TO APPROVE THE CONSENT AGENDA.

AYE: CHELSEY GUFFY

NAY: NONE ABSENT: CHRIS MUHLBAIER

ABSTAIN: NONE

LUKE HAGUE

ADRIENNE WESSELS

KOLBY ARNOLD

ROLDI ARNOLD

COUNCIL CONSIDERED ADOPTING RESOLUTION 2022-11, A RESOLUTION AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD (THE "OWRB") FOR FINANCIAL ASSISTANCE THROUGH THE DRINKING WATER STATE REVOLVING FUND (DWSRF) PROGRAM, WITH LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING WATER SYSTEM IMPROVEMENTS SERVING

THE CITY OF CHEROKEE, OKLAHOMA; APPROVING PROFESSIONAL SERVICES AGREEMENTS; AND CONTAINING PROVISIONS RELATED THERETO.

IN ADDITION, COUNCIL MOVED #5 FROM THE BUSINESS PORTION TO BE INCORPORATED WITH THE DISCUSSION OF RESOLUTION 2022-11. THIS DISCUSSION TO CONSIDER TAKING ACTION WITH RESPECT TO A RESOLUTION AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD (THE "OWRB") FOR FINANCIAL ASSISTANCE THROUGH THE DRINKING WATER STATE REVOLVING FUND (DWSRF) PROGRAM, WITH LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING WATER SYSTEM IMPROVEMENTS SERVING THE CITY OF CHEROKEE, OKLAHOMA; APPROVING PROFESSION AL SERVICES AGREEMENTS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

CHELSEY GUFFY THEN MADE A MOTION, SECONDED BY LUKE HAGUE, TO APPROVE RESOLUTION 2022-11 AND AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD FOR FINANCIAL ASSISTANCE THROUGH THE DRINKING WATER STATE REVOLVING FUND (DWSRF) WITH LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING WATER SYSTEM IMPROVEMENTS SERVING THE CITY OF CHEROKEE, OKLAHOMA; APPROVING PROFESSIONAL SERVICES AGREEMENTS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

AYE: CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER

ABSTAIN: NONE

ABSTAIN: NONE

LUKE HAGUE

ADRIENNE WESSELS

KOLBY ARNOLD

COUNCIL CONSIDERED ADOPTING RESOLUTION 2022-13, A RESOLUTION OF THE CITY OF CHEROKEE/CHEROKEE DEVELOPMENT AUTHORITY FOR THE CITY OF CHEROKEE TO MAKE IMPROVEMENTS TO OHIO STREET AND AUTHORIZING THE MAYOR OF THE CITY OF CHEROKEE TO DIRECT TO BE SUBMITTED THE REQUIRED 25% MATCH TO MUNICIPAL ROAD DRILLING ACTIVITY FUNDS FOR THE OHIO STREET OVERLAY PROJECT.

KOLBY ARNOLD THEN MADE A MOTION, SECONDED BY CHELSEY GUFFY, TO APPROVE RESOLUTION 2022-13.

AYE: CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER

ADRIENNE WESSELS

LUKE HAGUE KOLBY ARNOLD

CHASE PHILLIPS WITH RS MEACHAM CPAS PRESENTED THE SEPEMBER 2022 FINANCIAL REPORT.

CHAD ROACH PRESENTED THE CITY MANAGER'S REPORT:

- NEW MOTOR HAS ARRIVED FOR WELL 7.
- THE CITY CREW HAS FIXED MULTIPLE WATER LEAKS THIS MONTH. THERE IS CURRENTLY A LEAK IN THE ALLEY BETWEEN 7TH AND 8TH STREET THAT IS PLANNED TO BE FIXED BY NEXT MONDAY.
- THE CREW CONTINUES TO VAC METERS FOR THE INSTALLATION CREW.
- DEQ PERMIT WILL BE APPROVED IN THE NEXT 30 DAYS FOR THE DISCHARGE OF THE R.O. PLANT.
- DEQ INSPECTION OF THE WATER TOWERS AND R.O. PLANT AS WELL.

AMBER HAD TO STEP OUT TO RETRIEVE INFORMATION ON LEAK ADJUSTMENTS.

COUNCIL DECIDED TO ALLOW MATTHEW COE WITH MEYERS ENGINEERING TO DISCUSS ARPA FUNDING WITH RESPECT TO FINANCING OPTIONS RELATING TO NEW WATER PROJECT INCLUDING BUT NOT LIMITED TO \$1 MILLION PRINCIPAL FORGIVENESS AND Z41 MILLION ARPA GRANTS.

COUNCIL THEN CONSIDERED A LEAK ADJUSTMENT ON THE STEVEN STAUFFER PROPERTY IN WHICH THE CITY MANAGER HAS ALREADY APPROVED A FIRST TIME LEAK ADJUSTMENT. LEAK OCCURRED OVER TWO BILLING CYCLES. CUSTOMER IS REQUESTING THAT COUNCIL CONSIDER AN ADJUSTMENT ON THE SECOND BILL.

COUNCIL DECIDED TO ALLOW MATTHEW COE WITH MEYERS ENGINEERING TO DISCUSS ARPA FUNDING WITH RESPECT TO FINANCING OPTIONS RELATING TO NEW WATER PROJECT INCLUDING BUT NOT LIMITED TO \$1 MILLION PRINCIPAL FORGIVENESS AND Z41 MILLION ARPA GRANTS.

LUKE HAGUE THEN MADE A MOTION, SECONDED BY KOLBY ARNOLD, TO APPROVE ADJUSTING THE SEWER PORTION OF THE STEVEN STAUFFER BILLING.

AYE: CH

CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER

ABSTAIN: NONE

LUKE HAGUE

KOLBY ARNOLD

ADRIENNE WESSELS

COUNCIL THEN CONSIDERED A LEAK ADJUSTMENT ON THE DUANE JUDD PROPERTY IN WHICH THE CITY MANAGER HAS ALREADY APPROVED A FIRST TIME LEAK ADJUSTMENT. LEAK OCCURRED OVER TWO BILLING CYCLES. CUSTOMER IS REQUESTING THAT COUNCIL CONSIDER AN ADJUSTMENT ON THE SECOND BILL.

CHELSEY GUFFY THEN MADE A MOTION, SECONDED BY LUKE HAGUE, TO APPROVE ADJTING THE SEWER PORTION OF THE DUANE JUDD BILLING.

AYE:

CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER

ADRIENNE WESSELS

ABSTAIN: NONE

LUKE HAGUE

KOLBY ARNOLD

COUNCIL THEN CONSIDERED TAKING ACTION ON THE ORWA'S (OKLAHOMA RURAL WATER ASSOCIATION) LONG RANGE SUSTAINABILITY PLAN AND LETTER OF INTENT TO BEGIN WORK WITH THE CITY OF CHEROKEE AS PRESENTED BY LOGAN DAVIS THE PROGRAM SPECIALIST FOR SUSTAINABILITY WITH THE ORWA.

LUKE HAGUE THEN MADE A MOTION, SECONDED BY CHELSEY GUFFY, TO APPROVE PARTICIPATING ON THE ORWA'S LONG RANGE SUSTAINABILITY PLAN AND LETTER OF INTENT TO BEGIN WORK.

AYE:

CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER

ABSTAIN: NONE

LUKE HAGUE

ADRIENNE WESSELS

KOLBY ARNOLD

COUNCIL THEN CONSIDERED TAKING ACTION WITH RESPECT TO APPROVAL OF A PROFESSIONAL SERVICE AGREEMENT WITH MYERS ENGINEERING RELATING TO WATER SYSTEM IMPROVEMENTS.

LUKE HAGUE THEN MADE A MOTION, SECONDED BY CHELSEY GUFFY, TO APPROVE CONTRACTING WITH MYERS ENGINEERING WITH A PROFESSIONAL SERVICE AGREEMENT RELATING TO WATER SYSTEM IMPROVEMENTS.

AYE:

CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER

ABSTAIN: NONE

LUKE HAGUE

KOLBY ARNOLD

ADRIENNE WESSELS

COUNCIL DID NOT TAKE ANY ACTION REGARDING EXECUTIVE SESSION.

THE NEXT SCHEDULED MEETING WILL BE HELD ON NOVEMBER 9TH, 2022.

THERE BEING NO FURTHER BUSINESS MAYOR KOLBY ARNOLD THEN ADJOURNED THE MEETING AT 7:12P.M.

ATTEST:

AMBER K. WILHITE, CITY CLERK

KOLBY ARNOLD; MAYOR

DRIENNE WESSELS; MAYOR PRO-TEM

Hally K amelo

THE CITY OF CHEROKEE IN THE STATE OF OKLAHOMA MET IN A REGULAR MEETING OF THE CITY OF CHEROKEE IN THE CITY HALL, 112 N. GRAND, CHEROKEE, OK THIS 12TH DAY OF OCTOBER 2022.

PRESENT:

KOLBY ARNOLD MAYOR CHELSEY GUFFY, COUNCIL MEMBER LUKE HAGUE, COUNCIL MEMBER

ABSENT:

ADRIENNE WESSELS, MAYOR PRO-TEM CHRIS MUHLBAIER, COUNCIL MEMBER

PRESENT:

CHAD ROACH, CITY MANAGER AMBER K. WILHITE, CITY CLERK

ALSO IN ATTENDANCE:

TRISTAN HALL CHRIS WOLFF, MFS LOGAN DAVIS, ORWA MATT COE, MYERS ENGINEERING CHASE PHILLIPS, RS MEACHAM CPAS AMY MADISON, CHEROKEE MESSENGER AND REPUBLICAN

MAYOR KOLBY ARNOLD CALLED THE MEETING TO ORDER AT 7:13 P.M.

AMBER WILHITE CALLED THE ROLL AND MAYOR KOLBY ARNOLD DECLARED A QUORUM WAS PRESENT.

MAYOR KOLBY ARNOLD THEN PRESENTED THE CONSENT AGENDA. THE CONSENT AGENDA INCLUDED THE FOLLOWING ITEMS:

- 1. CONSIDER AND VOTE TO APPROVE, DENY, AMEND, OR REVISE THE MINUTES FROM THE SEPTEMBER 20TH, 2022, REGULAR MEETING.
- 2. CONSIDER AND VOTE TO APPROVE, DENY, AMEND OR REVISE THE CLAIMS LIST.

LUKE HAGUE THEN MADE A MOTION, SECONDED BY CHELSEY GUFFY, TO APPROVE THE CONSENT AGENDA.

AYE:

CHELSEY GUFFY NAY: NONE ABSENT: CHRIS MUHLBAIER

ABSTAIN: NONE

LUKE HAGUE

ADRIENNE WESSELS

KOLBY ARNOLD

COUNCIL THEN CONSIDERED ORDINANCE 2022-07, AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHEROKEE, OKLAHOMA, AMENDING CHAPTER 10 OF THE CHEROKEE MUNICIPAL CODE 2021; BY THE REPEAL OF SECTION 10-1003 WHICH PROVIDES FOR THE OFFENSE OF A MINOR PURCHASING OR POSSESSING TOBACCO AND FURTHER REPEALING THE PROVISIONS IN SECTION 1-111C PROVIDING FOR THE PENALTY FOR THE PURCHASE OR POSSESSION OF TOBACCO PRODUCTS; PROVIDING FOR AN EFFECTIVE DATE; DECLARING AN EMERGENCY.

AS THERE WERE NOT ENOUGH COUNCIL MEMBERS PRESENT TO PROPERLY VOTE ON THE ORDINANCE, NO ACTION WAS TAKEN. ORDINANCE 2022-07 WILL BE DISUCSSED AT THE NEXT COUNCIL MEETING.

NO ACTION WAS TAKEN ON VOTING ORDINANCE 2022-07 AN EMERGENCY, AS NO ACTION WAS TAKEN ON THE ORIGINAL ITEM OF BUSINESS.

COUNCIL THEN CONSIDERED APPROVING RESOLUTION 2022-11 A RESOLUTION AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD (THE "OWRB") FOR FINANCIAL ASSISTANCE THROUGH THE DRINKING WATER STATE REVOLVING FUND (DWSRF) PROGRAM, WITH LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING WATER SYSTEM IMPROVEMENTS SERVING THE CITY OF CHEROKEE, OKLAHOMA; APPROVING PROFESSIONAL SERVICES AGREEMENTS; AND CONTAINING PROVISIONS RELATED THERETO.

KOLBY ARNOLD THEN MADE A MOTION, SECONDED BY LUKE HAGUE TO APPROVE RESOLUTION 2022-11.

AYE: CHELSEY GUFFY NAY: NONE ABSENT: CHRIS MUHLBAIER ABSTAIN: NONE

LUKE HAGUE ADRIENNE WESSELS

KOLBY ARNOLD

COUNCIL THEN CONSIDERED APPROVING RESOLUTION 2022-12, A RESOLUTION DESIRING TO AMEND THE 2015 CAPTIAL IMPROVEMENTS PLAN (CIP) FOR THE CITY OF CHEROKEE; AND IT IS IN THE BEST INTEREST OF THE RESIDENTS OF THE CITY OF CHEROKEE TO EXPEDITE THE FOLLOWING CHANGES TO THE CIP FOR APPLICATIONS FOR FINANCIAL ASSISTANCE FROM VARIOUS FUNDING AGENCIES/PROGRAMS, IN THE FORM OF GRANTS: PAGE 13, UTILITIES (WATER, SEWER) SECTION ADD NEW ITEM UNDER "M" MANDATORY; REHABILITATE THE WATER TOWER AND FILL STATION. ESTIMATED COST IS \$150,000.

LUKE HAGUE THEN MADE THE MOTION, SECONDED BY CHELSEY GUFFY, TO APPROVE RESOLUTION 2022-12.

AYE: CHELSEY GUFFY NAY: NONE ABSENT: CHRIS MUHLBAIER ABSTAIN: NONE

LUKE HAGUE ADRIENNE WESSELS

KOLBY ARNOLD

COUNCIL THEN CONSIDERED APPROVING RESOLUTION 2022-13, A RESOLUTION OF THE CITY OF CHEROKEE/CHEROKEE DEVELOPMENT AUTHORITY FOR THE CITY OF CHEROKEE TO MAKE IMPROVEMENTS TO OHIO STREET AND AUTHORIZING THE MAYOR OF THE CITY OF CHEROKEE TO DIRECT TO BE SUBMITTED THE REQUIRED 25% MATCH TO MUNICIPAL ROAD DRILLING ACTIVITY FUNDS FOR THE OHIO STREET OVERLAY PROJECT.

CHELSEY GUFFY THEN MADE THE MOTION, SECONDED BY KOLBY ARNOLD, TO APPROVE RESOLUTION 2022-13.

AYE: CHELSEY GUFFY NAY: NONE ABSENT: CHRIS MUHLBAIER ABSTAIN: NONE

LUKE HAGUE KOLBY ARNOLD

ADRIENNE WESSELS

CHASE PHILLIPS, RS MEACHAM CPAS PRESENTED THE SEPTEMBER 2022 FINANCIALS.

MANAGER'S REPORT

CHAD ROACH PRESENTED THE MANAGER'S REPORT:

- FEMA HAS PREPARED A COST ESTIMATE FOR THE OLD CITY HALL.
- WITH THE METER CREW NOT GETTING THE NEEDED INFORMATION TO US, BILLING HAS BEEN A HUGE CHALLENGE. AMBER AND BOBBIE HAVE WENT ABOVE AND BEYOND THEIR DUTIES.
- CHAD WILL BE UPDATING THE CITY FIVE-YEAR CIP.
- PARKS/CEMETERY
 - THE POCKET PARK WALL BEHIND THE STAGE PLASTER HAS BEEN REMOVED AND REPLACED TO BE USED AS A MOVIE SCREEN.
 - THE ROOF AT THE CITY PARK IS SCHEDULED TO BE INSTALLED AT THE END OF THIS MONTH.

COMMUNITY

 OCTOBER 29TH WE WILL BE HAVING MOVIE NIGHT FEATURING HOCUS POCUS 2. THERE WILL BE GAMES, HOT DOGS, AD CANDY PROVIDED FOR THE KIDS.

FIRE DEPARTMENT

 THE TANKER TRAILER IS HERE AND ALFALFA COUNTY IS CURRENTLY OUT ON BIDS FOR A SEMI TRUCK

AIRPORT

O THE CITY HAS A GRANT TO UPDATE THE APRON AND TAXI WAYS. THE STATE CORPORATION COMMISSION INSPECTED OUR RECORDS AND FUEL TANKS AND WE MEET COMPLIANCE FOR EVERYTHING.

LIBRARY

- o NO PRESENTATION WAS GIVEN.
- CITY CLERK REPORT
 - AMBER PRESENTED HER LICENSE AND PERMITS REPORT.
- POLICE REPORT
 - NO REPORT WAS GIVEN

COUNCIL TOOK NO ACTION ON DISCUSSING FINANCING OPTIONS RELATING TO NEW WATER PROJECT INCLUDING BUT NOT LIMITED TO \$1 MILLION PRINCIPAL FORGIVENESS AND \$1 MILLION ARPA GRANTS.

COUNCIL THEN DISCUSSED TAKING ACTION WITH RESPECT TO APPROVAL OF A PROFESSIONAL SERVICE AGREEMENT WITH MYERS ENGINEERING RELATING TO WATER SYSTEM IMPROVEMENTS.

KOLBY ARNOLD THEN MADE A MOTION, SECONDED BY CHELSEY GUFFY, TO APPROVE A PROFESSIONAL SERVICE AGREEMENT WITH MYERS ENGINEERING RELATED TO WATER SYSTEM IMPROVEMENTS.

AYE: CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER ABSTAIN: NONE

ADRIENNE WESSELS

LUKE HAGUE

KOLBY ARNOLD

COUNCIL THEN CONSIDERED COVENING INTO EXECUTIVE SESSION FOR A CONFIDENTIAL COMMUNICATION WITH THE CITY ATTORNEY REGARDING A CLAIM AGAINST WESTERN MUNICIPAL SUPPLY, LLC, THE THIRD-PARTY CONTRACTOR ON THE AMI WATER METER PROJECT, IF THE GOVERNING BODY DETERMINES, WITH THE ADVICE OF THE CITY ATTORNEY, THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE GOVERNING BODY TO PROCESS THE CLAIM IN THE PUBLIC INTEREST. THIS

CHELSEY GUFFY THEN MADE THE MOTION, SECONDED BY LUKE HAGUE, TO CONVENE INTO EXECUTIVE SESSION.

COUNCIL THEN CONVENED INTO EXECUTIVE SESSION AT 7:30 P.M.

EXECUTIVE SESSION PERMITTED BY (25 O.S. 307 (B) (4).

AYE:

CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER

ADRIENNE WESSELS

ABSTAIN: NONE

LUKE HAGUE

KOLBY ARNOLD

LUKE HAGE THEN MADE A MOTION, SECONDED BY CHELSEY GUFFY, TO ACKNOWLEDGE RETURN TO **REGULAR SESSION AT 8:19.**

AYE:

CHELSEY GUFFY

NAY: NONE

ABSENT: CHRIS MUHLBAIER

ADRIENNE WESSELS

ABSTAIN: NONE

LUKE HAGUE

KOLBY ARNOLD

NO ACTION WAS TAKEN IN REGARDS CONCERNING MATTERS DISCUSSED IN EXECUTIVE SESSION.

MAYOR KOLBY ARNOLD THEN ASKED IF THERE WAS ANY NEW BUSINESS TO DISCUSS.

THE NEXT SCHEDULED MEETING WILL BE HELD ON OCTOBER 12TH, 2022.

THERE BEING NO FURTHER BUSINESS MAYOR KOLBY ARNOLD THEN ADJOURNED THE MEETING AT 8:21 P.M.

ATTEST:

KOLBY ARNOLD; MAYOR

ADRIENNE WESSELS; MAYOR PRO-TEM

Hally K and