

The City of Muskogee encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28 CFR/36).

(Public Comment during Public Hearing or Agenda item comment)

Council Rules of Decorum limit citizen comments on agenda items and public hearings to five (5) minutes and general comments for non-agenda items to three (3) minutes. Any person desiring to address the Committee during such period is required to sign in with the City Clerk prior to the meeting between 5:00 p.m. and 5:15 p.m. on the third floor of City Hall or anytime between 8:00 a.m. and 5:00 p.m. in the Office of the City Clerk. They shall provide their name, address and specify the agenda item they wish to address. Remarks shall be directed to the matter being considered and the speaker is allowed to speak only one time. If written materials are to be submitted twelve (12) copies should be made available, and may not be returned.

Agenda
Public Works Committee
June 4, 2018
5:30 P.M. - City Council Chambers

1. Consider approval of Public Works Committee minutes of May 21, 2018.
2. Hold a Public Hearing and take action on the approval of Ordinance No. 4048-A rezoning the property located at 100 N. York Street, more particularly described in the Ordinance, from "C-1" Local Commercial District to "C-2" General Commercial District, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Gary D. Garvin)

LOT 1 BLOCK 1 ,YORK 1ST ADDITION, CITY OF MUSKOGEE, LOCATED IN THE
NORTHWEST QUARTER (NW1/4) OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 19
EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

RECOGNIZE CITIZENS WISHING TO SPEAK TO CHAIRMAN AND COMMITTEE MEMBERS.

Council Rules of Decorum limit citizen comments to three (3) minutes. Any person desiring to speak is required to sign-in with the City Clerk, provide their name, address, and the particular issue they wish to address. Under Oklahoma law, the Committee Members are prohibited from discussing or taking any action on items not on today's agenda. If written materials are to be submitted to the Committee twelve (12) copies should be made available, and may not be returned.

Public Works Committee

1.

Meeting Date: 06/04/2018
Initiator: Ashley Wallace, Office Adm 1
Department: City Clerk
Staff Information Source:

Information

AGENDA ITEM TITLE:

Consider approval of Public Works Committee minutes of May 21, 2018.

BACKGROUND:

RECOMMENDED ACTION:

Fiscal Impact

Attachments

05-21-2018 pwmin

MINUTES
PUBLIC WORKS COMMITTEE
May 21, 2018

The Public Works Committee of the City of Muskogee, Oklahoma, met at 5:30 p.m. on Monday, May 21, 2018 in Council Chambers, Third Floor, Municipal Building, with the following in attendance:

Present: Deputy Mayor Janey Boydston; Committee Member Jaime Stout; Committee Member Patrick Cale; Committee Member Marlon Coleman; Committee Member Dan Hall; Committee Member Wayne Johnson; Committee Member Derrick Reed; Committee Member Ivory Vann

Absent: Mayor John R. Coburn

Staff Present: Mike Miller, City Manager; Mike Stewart, Assistant City Manager; Roy Tucker, City Attorney; Carolyn Jones, Revenue Manager; Gary Garvin, City Planner; Greg Riley, Public Works Director; Matthew Beese, Assistant City Attorney; Michael O'Dell, Fire Chief; Kelly Plunkett, Human Resources Director; Rex Eskridge, Police Chief; Prag Mahajan, Civil Engineer; Tish Callahan, Assistant Planning Director; Jean Kingston, Treasurer; Marcie Gilliam, Strategic Financial Analyst; Drew Saffell, Airport Manager

1. Consider approval of Public Works Committee minutes of May 7, 2018.

Motion was made by Deputy Mayor Janey Boydston, seconded by Committee Member Jaime Stout to approve Public Works Committee minutes of May 7, 2018.

AYE: Deputy Mayor Janey Boydston, Committee Member Jaime Stout, Committee Member Patrick Cale, Committee Member Marlon Coleman, Committee Member Dan Hall, Committee Member Wayne Johnson, Committee Member Derrick Reed, Committee Member Ivory Vann

Carried - Unanimously

2. Consider approval of Resolution No. 2723 adopting and amending Appendix A of the City of Muskogee Code pertaining to all fees, charges, and rates for the Muskogee Civic Center. (Councilor Wayne Johnson)

Councilmember Wayne Johnson stated the Management Contract between Spectra and the City of Muskogee was terminated on March 1, 2018. Upon the City of Muskogee resuming the management duties of the Civic Center, Staff determined the rates currently set by Spectra needed to be reviewed and modified. As part of the review process, Staff requested the Facilities Board review the current rates (Spectra Rates) and recommend any changes to the fees, charges, and rates.

On February 8, 2018, the Facilities Board established a sub-committee to review the rates. The sub-committee consisted of Perline Boyattia, Wayne Johnson, David Ragsdale, and Pete Roberts. The sub-committee met twice over the past few weeks comparing the current rates with the rates of other centers which included the Martin Luther King Jr. Community

Center, Hamlin's El Toro Event Center, Kilharen's Lodge, Oklahoma Music Hall of Fame, and the Civic Center rates previously charged under the City of Muskogee's management during FY2014-2015). Upon review, the sub-committee recommended these proposed rates to the Facilities Board (see attached comparison.)

On May 10, 2018, the Facilities Board approved the proposed rates and is now recommending City Council approve and adopt these rates. A copy of the resolution and proposed rates are attached for review. The rates decreased approximately 40% from the previous rates charged by Spectra. Below is an example of Spectra's rates and the new proposed rates.

ROOMS C & D	SPECTRA	CITY OF MUSKOGEE
Rental Fee	\$1,000.00	\$1,000.00
20% Service Charge	\$200.00	No Charge
Sound	\$100.00	Included
20% Service Charge	\$20.00	No Charge
Projector	\$100.00	Included
20% Service Charge	\$20.00	No Charge
Utilities	\$35.00	Included
20% Service Charge	\$7.00	No Charge
Internet	\$25.00	Included
Set-up/Take Down	\$100.00	Included
TOTAL	\$1,607.00	\$1,000.00

Councilmember Dan Hall asked Mr. Johnson what would be included in the room rates.

Mr. Johnson stated the rates include all day room rental including sound and projection that is available in the room. This fee will also allow the option to post the event on the Civic Center Marquee. There will be one (1) set fee and it will list everything that is included.

Motion was made by Committee Member Marlon Coleman, seconded by Committee Member Dan Hall to approve Resolution No. 2723 adopting and amending Appendix A of the City of Muskogee Code pertaining to all fees, charges, and rates for the Muskogee Civic Center.

AYE: Deputy Mayor Janey Boydston, Committee Member Jaime Stout, Committee Member Patrick Cale, Committee Member Marlon Coleman, Committee Member Dan Hall, Committee Member Wayne Johnson, Committee Member Derrick Reed, Committee Member Ivory Vann

Carried - Unanimously

3. Consider approval of a Resolution No. 2725 declaring one (1) parcel of property, more particularly described in the resolution, as surplus to the needs of the City and authorize the conveyance of said property, or take other necessary action. (Tish Callahan)

Assistant Planning Director Tish Callahan stated the parcel located on Columbus Street is being requested by Charles Struehmer at no cost through the Incentive Property Program. Mr. Struehmer will be required to obtain a building permit within one year for a new single-family dwelling.

Motion was made by Deputy Mayor Janey Boydston, seconded by Committee Member Jaime Stout to approve Resolution No. 2725 declaring one (1) parcel of property, more particularly described in the resolution, as surplus to the needs of the City and authorize the conveyance of said property.

AYE: Deputy Mayor Janey Boydston, Committee Member Jaime Stout, Committee Member Patrick Cale, Committee Member Marlon Coleman, Committee Member Dan Hall, Committee Member Wayne Johnson, Committee Member Derrick Reed, Committee Member Ivory Vann

Carried - Unanimously

4. Consider approval of a Preliminary and Final Plat of Wallingford Addition, consisting of two (2) lots on 2.28 acres, located at 11 Beckman Drive, or take other necessary action. (Tish Callahan)

Motion was made by Committee Member Patrick Cale, seconded by Committee Member Ivory Vann to approve Preliminary and Final Plat of Wallingford Addition, consisting of two (2) lots on 2.28 acres, located at 11 Beckman Drive.

AYE: Deputy Mayor Janey Boydston, Committee Member Jaime Stout, Committee Member Patrick Cale, Committee Member Marlon Coleman, Committee Member Dan Hall, Committee Member Wayne Johnson, Committee Member Derrick Reed, Committee Member Ivory Vann

Carried - Unanimously

5. Consider approval of the appointment of Monte Wapaha to serve a four (4) year term on the Airport Board, beginning June 1, 2018, and ending May 31, 2022, replacing Weldon Stout, or take other necessary action. (Councilor Derrick Reed)

Motion was made by Committee Member Derrick Reed, seconded by Committee Member Patrick Cale to approve the appointment of Monte Wapaha to serve a four (4) year term on the Airport Board, beginning June 1, 2018, and ending May 31, 2022, replacing Weldon Stout.

AYE: Deputy Mayor Janey Boydston, Committee Member Jaime Stout, Committee Member Patrick Cale, Committee Member Marlon Coleman, Committee Member Dan Hall, Committee Member Wayne Johnson, Committee Member Derrick Reed, Committee Member Ivory Vann

Carried - Unanimously

6. Consider approval of Resolution No. 2724 authorizing the continuation of the account fund for the City of Muskogee entitled "Solid Waste Improvements" and designating the manner in which said account shall be operated for the upcoming budget year 2018-2019, or take other necessary action. (Greg Riley)

Motion was made by Committee Member Derrick Reed, seconded by Committee Member Jaime Stout to approve Resolution No. 2724 authorizing the continuation of the account fund for the City of Muskogee entitled "Solid Waste Improvements" and designating the manner in which said account shall be operated for the upcoming budget year 2018-2019.

AYE: Deputy Mayor Janey Boydston, Committee Member Jaime Stout, Committee Member Patrick Cale, Committee Member Marlon Coleman, Committee Member Dan Hall, Committee Member Wayne Johnson, Committee Member Derrick Reed, Committee Member Ivory Vann

Carried - Unanimously

7. (No action taken) to receive report on 2017-2018 Street Plan, or take other necessary action. (Greg Riley)

8. Consider approval of the highest bids for a five (5) year lease term of Muskogee-Davis Regional Airport's grazing land beginning June 1, 2018 and ending May 31, 2023, or take other necessary action. (Mike Stewart)

Motion was made by Committee Member Dan Hall, seconded by Committee Member Jaime Stout to approve highest bids for a five (5) year lease term of Muskogee-Davis Regional Airport's grazing land beginning June 1, 2018 and ending May 31, 2023.

AYE: Deputy Mayor Janey Boydston, Committee Member Jaime Stout, Committee Member Patrick Cale, Committee Member Marlon Coleman, Committee Member Dan Hall, Committee Member Wayne Johnson, Committee Member Derrick Reed, Committee Member Ivory Vann

Carried - Unanimously

RECOGNIZE CITIZENS WISHING TO SPEAK TO CHAIRMAN AND COMMITTEE MEMBERS.

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Public Works Committee

2.

Meeting Date: 06/04/2018

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and take action on the approval of Ordinance No. 4048-A rezoning the property located at 100 N. York Street, more particularly described in the Ordinance, from "C-1" Local Commercial District to "C-2" General Commercial District, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Gary D. Garvin)

LEGAL DESCRIPTION:

LOT 1 BLOCK 1 ,YORK 1ST ADDITION, CITY OF MUSKOGEE, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 19 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

BACKGROUND:

The applicants, Joe and Rosemary Seabolt, are requesting to rezone the property located 100 N. York Street, from "C-1" Local Commercial District to "C-2" General Commercial District to allow a restaurant to be on the property. The "C-2" zone is necessary to allow a restaurant with a drive-thru to be located on the site ("C-1" allows restaurants, but not a restaurant with a drive thru).

The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates local and general commercial along the York Street corridor. Therefore, the request to rezone to "C-2" General Commercial District complies with the Comprehensive Plan and Land Use Map.

Notices have been sent to the property owners within 300 foot radius, as required, and published in the paper twenty (20) days prior to the Public Hearing. A Public Hearing will be held on the following days:

June 4, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

June 4, 2018, 2017 at 5:30 p.m.: Public Works Committee

June 11, 2018 at 5:30 p.m. Muskogee City Council Meeting

RECOMMENDED STAFF ACTION:

Approve the Ordinance rezoning the property from "C-1" Local Commercial to "C-2" General Commercial, and authorize staff to revise the Official Zoning Map of the City to reflect said change.

Fiscal Impact

Attachments

4048-A 6-4-2018 rezoning ordinance

Notice/Site Plan

ORDINANCE NO. 4048-A

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MUSKOGEE AS PROVIDED BY CHAPTER 90, SECTION 01-03, OF THE MUSKOGEE CITY CODE, SEPTEMBER 2014, BY RE-ZONING LOT 1, BLOCK 1 IN THE YORK 1ST ADDITION, CITY OF MUSKOGEE, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 19 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA, CONTAINING 1.32 ACRES MORE OR LESS, AND PROVIDING FOR SEVERABILITY. (Joe and Rosemary Seabolt, Applicant)

FROM “C-1” LOCAL COMMERCIAL DISTRICT

TO

“C-2” GENERAL COMMERCIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held JUNE 4, 2018, did recommend the approval of the rezoning of the property set out above in the title of the Ordinance, and did authorize the director of the Commission to advise the Council of the City of Muskogee of this recommendation,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA,

Section 1. THAT, the official zoning map of the City of Muskogee as provided by Chapter 90, Section 01-03, of the Muskogee City Code, September 2014, is hereby amended by changing the District Classification by rezoning; LOT 1 BLOCK1 , IN THE YORK 1ST ADDITION, CITY OF MUSKOGEE, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 19 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA FROM “C-1” LOCAL COMMERCIAL DISTRICT TO “C-2” GENERAL COMMERCIAL DISTRICT.

AND that this change be so ordered and declared by the City Council.

Section 2. THAT, the City Clerk is authorized and directed to show such change on the zoning map record.

Section 3: REPEALER. All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Ordinance No. _____

Section 4: SEVERABILITY. Should any part, section, subsection, sentence, provision, clause, or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this Ordinance, and the same are deemed severable for this purpose.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS 11TH DAY OF JUNE, 2018.

JOHN R. COBURN, MAYOR

ATTEST:

TAMMY L. TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this ____ day of _____, 2018.

ROY D. TUCKER, CITY ATTORNEY

Public Hearing Notice



Proposal: To rezone property located at 100 N. York Street, from “C-1” Local Commercial District to “C-2” General Commercial District. The property is more particularly described as:

Lot 1 in Block 1 of York 1st Additon, City of Muskogee, located in the Northwest Quarter (NW1/4) of Section 31, Township 15 North, Range 19 East, according to the official plat therof, Muskogee Couty, Oklahoma. Containing 1.32 acres, more or less.

Applicant: Joe and Rosemary Seabolt

This notice is provided to property owners within 300 feet of the above site to inform them of the following public hearings regarding the above proposal:

June 4, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

June 4, 2018 at 5:30 p.m.: City of Muskogee Public Works Committee

June 11, 2018 at 5:30 p.m.: City Council

All of the public hearings will be held in the Council Chambers, 3rd Floor of the City Municipal Building, 3rd Street and Okmulgee, Muskogee, Oklahoma. The purpose of the public hearing is to discuss the above proposal. You are welcome to attend the meeting and express your opinion. If you have questions about the proposal, or need additional information prior to the public hearing, please contact the Planning Department at 918.684-6232.



(Joe and Rosemary Seabolt, Applicant)

PUBLIC NOTICE

Notice is hereby given that on June 4, 2018, at 9:00 a.m., in the Council Chambers of the Municipal Building, Muskogee, Oklahoma, a public hearing will be conducted by the City of Muskogee Planning & Zoning Commission, on June 4, 2018, at 5:30 p.m., by the Public Works Committee, and on June 11, 2018, at 5:30 p.m., by the City Council to consider an application to rezone property located at 100 N. York Street, from “C-1” *Local Commercial* District to “C-2” General Commercial District. The property is more particularly described as:

Lot 1 in Block 1 of York 1st Additon, City of Muskogee, located in the Northwest Quarter (NW1/4) of Section 31, Township 15 North, Range 19 East, according to the official plat therof, Muskogee Couty, Oklahoma. Containing 1.32 acres, more or less.

And for taking any other actions as authorized by law, of which all interested persons will take notice.

**Mark Luttrull, Chairman
City of Muskogee Planning & Zoning Commission**