

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).

During the pendency of the Declared Emergency, members of the public who wish to speak to the Council on an agenda or non-agenda item may call in to the City Clerk's Office at 918-684-6270 or send an email to cityclerk@muskogeeonline.org between the hours of 8:00 a.m. and 5:00 p.m. providing their name, address, phone number, and indicate the topic or agenda item upon they wish to speak, or in-person at least 15 minutes prior to the beginning of the meeting. The following call-in number and access code may be used for those who wish to listen to the meeting, or who have signed up speak to the Council as outlined above, but do not wish to appear in person:

Phone Number: 346-248-7799

Access Code Number: 811-1820-1793

You may view the meeting live broadcast at:

http://www.muskogeeonline.org/departments/information_technology/mctv_channel_14/mctv-14_live_streaming/index.php

or you may scan the following QR Code for quick access:



AGENDA
MUSKOGEE CITY COUNCIL
FEBRUARY 8, 2021

MAYOR MARLON COLEMAN TO PRESENT PROCLAMATION DECLARING FEBRUARY 2021 AS BLACK AFRICAN AMERICAN HISTORY MONTH

REGULAR SESSION -5:30 P.M., 3RD FLOOR, COUNCIL CHAMBERS MUNICIPAL BUILDING,
229 W. OKMULGEE, MUSKOGEE, OKLAHOMA

INVOCATION - MAYOR MARLON COLEMAN

FLAG SALUTE - MAYOR MARLON COLEMAN

ROLL CALL - MAYOR MARLON COLEMAN

APPROVAL OF MINUTES: CITY COUNCIL REGULAR SESSION JANUARY 25, 2021.

CONSENT AGENDA

The following items are considered to be routine by the City Council and will not be read aloud. The Consent Agenda will be enacted with one motion and should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately prior to the Regular Agenda.

1. Approval of claims for all City departments December 27, 2020 through January 22, 2021.
2. Approval to authorize submission of Letters of Intent to the City of Muskogee Foundation for FY2021-2022 grant cycle for City projects as follows: a) Juvenile and Adult Community Service Program - \$100,000.00; b) Muskogee Police Department Bearcat Armored Vehicle, Special Operations - \$200,679.00; c) Teen Center and Youth Volunteer Corps Program - \$130,000.00; d) Mobile Stage - \$100,000.00; e) Hatbox Baseball Improvements - \$115,000.00; f) Depot District Train/Tram- \$100,000.00; and g) Demolition Cleanup - \$300,000.00, or take other necessary action. (Mike Miller)
3. Approval to receive donated funds for the months of September, October, November, and December 2020, for a total of \$7,569.00 for the City's Animal Shelter Sponsorship Program as per the attached list, or take other necessary action. (Gary Garvin)

REGULAR AGENDA

4. Hold a Public Hearing and consider approval of Ordinance No. 4112-A to close the 60' right-of-way shown as Even Par Avenue lying between Lots 1-3 of Bushwod Circle Addition, more particularly described in the Ordinance, providing for severability and setting an effective date, or take other necessary action. (Tish Callahan)

A SIXTY FOOT RIGHT-OF-WAY LYING BETWEEN AND ADJACENT TO LOTS 1-3 OF BUSHWOOD CIRCLE ADDITION ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA. LOCATED IN THE (SE 1/4) OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

5. Hold a Public Hearing and consider approval of Ordinance 4113-A annexing into the City limits property located at 6000 West Broadway, more particularly described in the Ordinance, and authorize Staff to revise the Official Map of the City to reflect said change, or take other necessary action. (Tish Callahan)

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT 308.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°31'21" WEST 858.33 FEET TO A POINT; THENCE NORTH 01°19'51" WEST 1012.00 FEET TO A POINT ON THE NORTH LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 19; THENCE NORTH 88°31'21" EAST 360.00 FEET TO A POINT; THENCE SOUTH 01°19'51" EAST 732.05 FEET; THENCE NORTH 88°31'02" EAST 496.88 FEET; THENCE SOUTH 01°37'58" EAST 280.00 FEET TO THE POINT OF BEGINNING.

TRACT B:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST

QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT 308 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE RUNNING WEST 858.33 FEET TO A POINT; THENCE RUNNING NORTH 1012 FEET TO A POINT; THENCE EAST 853 FEET TO THE NORTHEAST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 19, TOWNSHIP 15 NORTH, RANGE 18 EAST; THENCE SOUTH 1012 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT BEGINNING AT A POINT 308.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°31'21" WEST 858.33 FEET TO A POINT; THENCE NORTH 01°19'51" WEST 1012.00 FEET TO A POINT ON THE NORTH LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 19; THENCE NORTH 88°31'21" EAST 360.00 FEET TO A POINT; THENCE SOUTH 01°19'51" EAST 732.05 FEET; THENCE NORTH 88°31'02" EAST 496.86 FEET; THENCE SOUTH 01°37'58" EAST 280.00 FEET TO THE POINT OF BEGINNING.

6. Hold a Public Hearing and consider approval of Ordinance 4114-A to rezone property addressed as 3210 North York Street, from P, Port Industrial to I-1, Light Industrial, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Tish Callahan)

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SW1/4 AND THE WEST 176.22 FEET OF THE NW1/4 OF THE NW1/4 OF THE SE¼ OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ½" IRON PIN FOR THE SOUTHEAST CORNER OF THE SW1/4 OF SAID SECTION 7; THENCE N01°40'25"W ALONG THE EAST LINE THEREOF 1314.15 FEET TO THE POINT OF BEGINNING; THENCE S87°56'52"W 926.56 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 201.45 FEET, A CHORD BEARING OF N13°36'18"E AND A CHORD LENGTH OF 201.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE N88°36'21"E 174.81 FEET; THENCE N10°24'21"E 211.65 FEET; THENCE S88°08'39"W 172.35 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 230.96 FEET, A CHORD BEARING OF N09°08'27"E AND A CHORD LENGTH OF 230.94 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY N13°05'58"E 102.15 FEET; THENCE N04°32'07"E 218.92 FEET TO THE SOUTHERLY LINE OF THE MUSKOGEE CITY-COUNTY PORT AUTHORITY; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 729.49 FEET, AN ARC LENGTH OF

345.80 FEET, A CHORD BEARING OF N67°21'05"E AND A CHORD LENGTH OF 342.57 FEET; THENCE N80°55'52"E 118.76 FEET ALONG THE PORT AUTHORITY LINE TO WHERE IT INTERSECTS THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°38'21"E ALONG SAID RAILROAD RIGHT OF WAY 263.81 FEET TO THE INTERSECTION OF THE NORTH/SOUTH ¼ SECTION LINE; THENCE N88°38'21"E CONTINUING ALONG SAID RAILROAD RIGHT OF WAY 176.22 FEET; THENCE S01°40'25"E 653.37 FEET TO THE SOUTH LINE OF THE NW1/4 OF THE NW1/4 OF THE SE1/4; THENCE S88°08'39"W 176.22 FEET TO THE NORTH/SOUTH ¼ SECTION LINE; THENCE S01°40'25"E ALONG THE ¼ SECTION LINE 665.39 FEET TO THE POINT OF BEGINNING. CONTAINING 25.22 ACRES.

7. Consider approval to authorize submission of Letters of Intent to the City of Muskogee Foundation for FY2021-2022 grant cycle for a downtown revitalization grant in the amount of \$350,000.00, or take other necessary action. (Mayor Marlon Coleman)
8. Discuss and take action on a trails maintenance program, overseen by the Parks and Recreation Department and organized through groups of volunteers interested in making a better Muskogee. (Mayor Marlon Coleman)
9. Receive report on the progress of the installation of solar panels at the Muskogee Civic Center, and take other necessary action. (Mayor Marlon Coleman)

RECOGNIZE CITIZENS WISHING TO SPEAK TO THE MAYOR AND COUNCIL.

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 Council 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 Council twelve (12) copies should be made available, and may not be returned.

10. Consider an Executive Session to discuss and take possible action on the following:
 - a. Pursuant to Section 307 C.11, Title 25, Oklahoma Statutes, consider convening in Executive Session for the purpose of conferring on matters pertaining to economic development within the Northwest quadrant of the City, and if necessary, take appropriate action in Open Session. (Gary D. Garvin)

ADJOURN

Regular City Council

Meeting Date: 02/08/2021

Initiator: Ashley Wallace, Office Adm 1

Department: City Clerk

Staff Information Source:

Information

AGENDA ITEM TITLE:

APPROVAL OF MINUTES: CITY COUNCIL REGULAR SESSION JANUARY 25, 2021.

BACKGROUND:

RECOMMENDED ACTION:

Fiscal Impact

Attachments

01-25-2021 ccmin

MINUTES

OF THE COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, MET IN REGULAR SESSION IN THE COUNCIL CHAMBERS OF CITY HALL MONDAY, JANUARY 25, 2021

The Council of the City of Muskogee, Oklahoma, met in Regular Session in Council Chambers of City Hall, Monday, January 25, 2021, at 5:30 p.m., with Mayor Coleman presiding.

Mayor Marlon Coleman recognized Michael Hedge as January 2021 Employee of the Month.

Invocation was given by Councilor Traci McGee

Flag Salute was led by Mayor Marlon Coleman

Meeting was called to order by Mayor Marlon Coleman and the City Clerk called the roll as follows:

Present: Mayor Marlon Coleman; Deputy Mayor Derrick Reed; Councilmember Ivory Vann; Councilmember Jaime Stout; Councilmember Evelyn Hibbs; Councilmember Alex Reynolds; Councilmember Stephanie Morgan; Councilmember Traci McGee; Councilmember Tracy Hoos

Staff Present: Mike Miller, City Manager; Roy Tucker, City Attorney; Tammy L. Tracy, City Clerk; Gary Garvin, Assistant City Manager; Tish Callahan, City Planner; Johnny Teehee, Police Chief; Derrell Jones, Fire Chief; Tyler Evans, Emergency Management Director; David Garner, Street Superintendent; Stephen Morton, Assistant Public Works Director; Kenna Terrell, Deputy City Clerk

APPROVAL OF MINUTES: SPECIAL CALL CITY COUNCIL JANUARY 4, 2021 AND CITY COUNCIL REGULAR SESSION JANUARY 11, 2021.

Motion was made by Councilmember Stephanie Morgan, seconded by Councilmember Traci McGee to approve minutes: Special Call City Council January 4, 2021 and City Council Regular Session January 11, 2021.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilmember Ivory Vann, Councilmember Jaime Stout, Councilmember Evelyn Hibbs, Councilmember Alex Reynolds, Councilmember Stephanie Morgan, Councilmember Traci McGee, Councilmember Tracy Hoos

Carried - Unanimously

REGULAR AGENDA

- 1 Receive report on the COVID-19 Pandemic in Muskogee, and if necessary, take appropriate action to authorize and approve a subsequent amendment to Resolution No. 2801 declaring a local emergency, or City-County Joint Resolution No. 2803. (Mike Miller)

Emergency Management Tyler Evans stated to-date there are 615 active cases in the City of Muskogee. He explained over 12% of our population has tested positive since this same time last year. The State of Oklahoma currently has .82 % active cases, while the City of Muskogee has has 1.6%; this is twice the State average.

Mr. Evans stated according to the Facebook page posted by the Oklahoma State Department of Health, they have administered over 300,000 vaccines.

Doug Walton, Muskogee County Health Department, stated has been a decrease in the number of active cases. He explained he Muskogee County Health Department is entering a new phase of the -19 vaccine process and will begin administering the second dose of shots for those who are eligible.

Mr. Evans stated no-cost testing is being performed at Express Wellness, Urgent Care, and CAREATC .

Discussion followed.

Trish German, Muskogee County EMS, stated call volume is up 8.5% and they are executing many long-distance transfers.

Discussion followed.

Mayor Coleman questioned if the Health Department might be able to organize a group of non-profit partners in an effort to set up small hubs to assist seniors who do not have access to technology for scheduling vaccine appointments.

Mr. Walton stated he would share this information with the senior leaders.

City Manager Mike Miller stated an amendment to the resolution has been prepared for City Council consideration, however he would prefer the Public speak at this time.

Bonnie Pierce (RN), 229 Kendall Blvd., Muskogee, Oklahoma, spoke in favor of extending the mask mandate.

Sharica Cole, 725 N. Terrace Blvd., Muskogee, Oklahoma, explained she is the President of Muskogee Education Association. She wished to make the public aware that educators want to return to the classroom with their students. She is in favor of the extending the mask mandate.

Valorie Aldridge, 22 Persimmon Dr., Muskogee, Oklahoma, explained is present on behalf of the Muskogee Education Association; she supports the extension of the mask mandate.

City Manager Miller stated the proposed amendment will extend the existing mask mandate an additional 90 days.

Motion was made by Councilmember Jaime Stout, seconded by Councilmember Traci McGee to approve a sixth amendment to Resolution No. 2801, to extend this mask mandate without any changes for a period of 90 days, expiring Monday, April 26, 2021.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilmember Ivory Vann, Councilmember Jaime Stout, Councilmember Evelyn Hibbs, Councilmember Alex Reynolds, Councilmember Traci McGee, Councilmember Tracy Hoos

NAY: Councilmember Stephanie Morgan

Carried

- 2 **(No Action Taken):** Hold a Public Hearing to discuss the Community Development Block Grant- Coronavirus Response (CDBG-CV 2020) application for funding to prevent, prepare for, and respond to Coronavirus, or take other necessary action. (Tish Callahan)

Mayor Marlon Coleman opened the Public Hearing.

Planning Director Tish Callahan stated the City of Muskogee is applying to the Oklahoma Commerce (ODOC) Community Development Block Grant Coronavirus Response (CDBG-CV 2020) funding assistance program. All activities must be in relation to the virus and have started after the first case of the Coronavirus identified in the United States on January 21, 2020.

She explained CDBG-CV grants are a flexible source of assistance for addressing the health and economic challenges brought on by the Coronavirus Pandemic. These funds are intended to pay costs not covered by other forms of assistance and specifically benefit persons of low and moderate income. The Federal Register further details the rules, waivers, and alternative requirements for CDBG-CV (Vol. 85, No.162, 51459).

The total amount of funding available for the 2020 CDBG-CV program is \$8,680,036.00. The funds will be allocated among the participating 18 communities that are eligible (based on population) 2020 Units of Local Governments.

Under the State's CDBG-CV program, a community may request up to three (3) activities under one (1) single application. The eligible activities are:

- Utility Assistance
- Rental/Mortgage Assistance
- Medical Assistance
- Mental Health Assistance
- Nutrition Assistance

Mark Hughes, 907 Nelson Dr., Muskogee, Oklahoma, stated the requirement by the ODOC plan states the Citizen Participation Plan requirements does not constitute a valid plan. All written Citizen Participation Plans must explain how an applicant of Local Government will provide for and encourage citizen participation. He feels if there is need from the low income population, then there needs to be a way to reach these people.

Mayor Marlon Coleman closed the Public Hearing.

City Manager Miller explained Mr. Hughes is actually speaking in reference to Agenda Item

#3, which is the Applicant Resolution.

Motion was made by Councilor Jaime Stout, seconded by Councilor Ivory Vann to suspend the rules and allow Mark Hughes additional time to speak.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilor Jaime Stout, Councilor Ivory Vann, Councilor Evelyn Hibbs, Councilor Alex Reynolds, Councilor Stephanie Morgan, Councilor Traci McGee, Councilor Tracy Hoos
Carried - Unanimously

Mr. Hughes stated he spoke to Mr. Kevin Dickson who is in charge of the CDBG-CV Fund, and was told that submitting the Citizen Participation Plan in its current state will be rejected. The Citizen Participation Plan is due by February 1, 2021, but he will work with the City to extend the deadline.

- 3 Consider approval of the Community Development Block Grant- Coronavirus Response (CDBG-CV) Community Development Block Grant 2020 Application Documents; Citizen Participation Plan and Applicant Resolution No. 2845, or take other necessary action. (Tish Callahan)

Planning Director Tish Callahan stated the City of Muskogee is applying to the Oklahoma Commerce (ODOC) Community Development Block Grant Coronavirus Response (CDBG-CV 2020) funding assistance program. All activities must be in relation to the virus and have started after the first case of the Coronavirus identified in the United States on January 21, 2020. The application process requires an application phase, Public Hearing, and the approval of application documents, the Citizen Participation Plan and Applicant Resolution No. 2845.

Motion was made by Councilmember Jaime Stout, seconded by Councilmember Stephanie Morgan to approve authorizing the submission of the CDBG-CV Grant and the associated documents, including the resolution, but further directing Staff to work with the Department of Commerce, addressing any defects, and any new defects that are necessary and required to come before Council for further action.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilmember Ivory Vann, Councilmember Jaime Stout, Councilmember Evelyn Hibbs, Councilmember Alex Reynolds, Councilmember Stephanie Morgan, Councilmember Traci McGee, Councilmember Tracy Hoos
Carried - Unanimously

- 4 Consider approval of Resolution No. 2846, amending the City of Muskogee, Oklahoma, Municipal Budget for FY 2020-2021, providing for additional revenues to be transferred to the Muskogee Redevelopment Authority, or take other necessary action. (Mike Miller)

City Manager Mike Miller explained after closing the FY2020 financial records pursuant to its contract with the Muskogee Redevelopment Authority to operate a Tourism Program, the Greater Muskogee Area Chamber of Commerce is refunding unexpended revenue in the amount of \$180,599.88 to the Muskogee Redevelopment Authority. These funds are earmarked by City Ordinance No. 3855-A for the operation of the City's Tourism Program and as such must be used exclusively for this purpose. This resolution further restricts use of

these particular funds for future capital projects related to tourism. The resolution allows the City to accept those monies back and transfer the funds to the agency Council has selected to conduct tourism activities for the City moving forward; the Muskogee Tourism Authority.

Motion was made by Councilmember Stephanie Morgan, seconded by Councilmember Traci McGee to approve Resolution No. 2846, amending the City of Muskogee, Oklahoma, Municipal Budget for FY 2020-2021, providing for additional revenues to be transferred to the Muskogee Redevelopment Authority.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilmember Ivory Vann, Councilmember Jaime Stout, Councilmember Evelyn Hibbs, Councilmember Alex Reynolds, Councilmember Stephanie Morgan, Councilmember Traci McGee, Councilmember Tracy Hoos

Carried - Unanimously

- 5 Discuss and consider receiving tourism assets from former City contractor and transfer said assets to the Muskogee Tourism Authority, or take other necessary action. (Councilor Jaime Stout)

Councilor Jaime Stout stated The City of Muskogee formerly contracted with the Greater Muskogee Area Chamber of Commerce for tourism services; the contract ended in late 2020. The tourism assets purchased with hotel/motel tax dollars are being returned to the City and assigned to the Muskogee Tourism Authority, which the Council has tasked with carrying forward the City's tourism mission.

Motion was made by Councilmember Stephanie Morgan, seconded by Councilmember Evelyn Hibbs to approve receiving tourism assets from former City contractor and transfer said assets to the Muskogee Tourism Authority.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilmember Ivory Vann, Councilmember Jaime Stout, Councilmember Evelyn Hibbs, Councilmember Alex Reynolds, Councilmember Stephanie Morgan, Councilmember Traci McGee, Councilmember Tracy Hoos

Carried - Unanimously

- 6 Consider approval to authorize the City Manager to negotiate and execute a site ground lease agreement with Branch Towers III, LLC, to operate a telecommunications facility on the site, including the installation of a cell tower and supporting equipment and structures, or take other necessary action. (Gary D. Garvin)

Assistant City Manager Gary Garvin stated Branch Towers III, LLC, is requesting approval of a site ground lease agreement to operate a telecommunication facility on property owned by the City of Muskogee, located on South 34th Street, north of the Muskogee County Health Department. The lease would allow the lessee to install, maintain, and operate an antenna tower or pole and foundation, utility lines, transmission lines, air conditioned equipment shelter, electronic equipment, radio transmitting and receiving antennas, supporting equipment, and structures.

The basic terms of the lease include the following:

- The initial term of the lease will be five (5) years with option to renew automatically up to nine (9) additional five (5) year terms under the same terms and conditions.
- Lessee shall notify lessor within ninety 90 days if lessee intention is to not renew the Agreement.
- Lease shall be \$600.00 a month with an annual increase of two (2) percent of the base rent.
- Lessee shall maintain the property to ensure compliance with all City property maintenance codes.
- Lessor shall provide the lessee access to the tower to allow the City to place an antenna on the tower at no cost.
- Lessee shall obtain at their expense all licenses, permits, and approvals required for use of the property.

Staff is recommending approval to authorize the City Manager to negotiate and execute a site ground lease agreement.

Motion was made by Councilmember Jaime Stout, seconded by Councilmember Stephanie Morgan to approve to authorize the City Manager to negotiate and execute a site ground lease agreement with Branch Towers III, LLC, to operate a telecommunications facility on the site, including the installation of a cell tower and supporting equipment and structure.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilmember Ivory Vann, Councilmember Jaime Stout, Councilmember Evelyn Hibbs, Councilmember Alex Reynolds, Councilmember Stephanie Morgan, Councilmember Traci McGee, Councilmember Tracy Hoos

Carried - Unanimously

- 7 **(No Action Taken):** Receive report on new sanitation solid waste trucks, including proposed changes to sanitation cart procedures for residents and related public education program, and take other necessary action. (Mike Stewart)

Assistant Public Works Director Stephen Morton presented a report on the new solid waste trucks. The new system is scheduled to begin February 1, 2021.

Mr. Morton explained new guidelines for the solid waste containers:

1. All carts shall be placed within two (2) feet of the curb or curb line;
2. Carts shall be placed on a level surface with the lid opening facing the street;
3. Carts shall not be placed on any driveway;
4. Carts are not to be obstructed from the sanitation workers view such as behind a parked car, hedges, etc.;
5. Carts must be placed a minimum of six (6) feet away from any parked cars and not be place within two (2) feet of a mailbox or other obstructions;
6. If a residence has two (2) carts, there must be a separation of two (2) feet between each cart;
7. The cart shall be placed for collection no earlier than 7:00 p.m. the day prior to pickup, and no earlier than 7:00 a.m. the day of collection, and returned to its storage place no lather than 7:00 p.m. the day of collection;
8. The cart shall not be filled to a level that obstructs the unaided complete closure of the

cart lid;

9. No bags or weights shall be placed on the cart lid to keep it closed;

10. The cart, when full, may not exceed 200 pounds; and

11. Residents are allowed five (5) extra 32 gallon bags, but cannot weigh in excess of 35 pounds.

- 8 Consider approval of Ordinance No. 4115-A, Amending the City of Muskogee Code of Ordinances, Chapter 82, Utilities, Article VI, Refuse Collection; Section 82-735, Definitions; Section 82-742, Collection Carts; Owner Responsibility; Section 82-744, Extra Collectible Solid Waste; Unlawful Possession of Carts; Termination Of Service; Section 82-747, Return Pick-Ups; Section 82-748, Syringe Disposal; Section 82-749, Collection Of Charges Guidelines; Providing For Repealer, Severability, and Setting An Effective Date, or take other necessary action. (Mike Stewart)

Assistant Public Works Director Stephen Morton stated this is an amendment to the original solid waste ordinance, outlining new procedures regarding the new sanitation trucks, and revised protocol for placement and filling of solid waste carts.

Motion was made by Councilmember Jaime Stout, seconded by Councilmember Stephanie Morgan to approve Ordinance No. 4115-A, Amending the City of Muskogee Code of Ordinances, Chapter 82, Utilities, Article VI, Refuse Collection; Section 82-735, Definitions; Section 82-742, Collection Carts; Owner Responsibility; Section 82-744, Extra Collectible Solid Waste; Unlawful Possession of Carts; Termination Of Service; Section 82-747, Return Pick-Ups; Section 82-748, Syringe Disposal; Section 82-749, Collection Of Charges Guidelines; Providing For Repealer, Severability, and Setting An Effective Date.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilmember Ivory Vann, Councilmember Jaime Stout, Councilmember Evelyn Hibbs, Councilmember Alex Reynolds, Councilmember Stephanie Morgan, Councilmember Traci McGee, Councilmember Tracy Hoos

Carried - Unanimously

- 9 Receive report on the City of Muskogee Martin Luther King, Jr. Day parade, and take other necessary action. (Mayor Coleman)

Mayor Marlon Coleman was honored to participate in the Martin Luther King, Jr. Day parade.

Deputy Mayor Derrick Reed thanked the City of Muskogee for allowing the Martin Luther King, Jr. Day parade to take place. He feels the City came together in unity and love to celebrate the life and legacy of Dr. Martin Luther King.

RECOGNIZE CITIZENS WISHING TO SPEAK TO THE MAYOR AND COUNCIL.

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 Council 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 Council twelve (12) copies should be made available, and may not be returned.

Motion was made by Mayor Marlon Coleman, seconded by Councilor Stephanie Morgan to allow Ivory Vann additional time to speak.

AYE: Mayor Marlon Coleman, Deputy Mayor Derrick Reed, Councilor Jaime Stout, Councilor Evelyn Hibbs, Councilor Alex Reynolds, Councilor Stephanie Morgan, Councilor Traci McGee, Councilor Tracy Hoos
Carried - Unanimously

Ivory Vann, 4338 Columbus, Muskogee, Oklahoma, discussed the issues occurring at the Eagle Crest Addition. He explained the issue is caused by a home built on top of a hill without a barrier. When it rains, mud and water rush down Eagle Crest Drive. The drainage system in this addition still remains to be a problem and this issue needs to be addressed.

Robin Hopkins, 4104 Eagle Crest Drive, Muskogee, Oklahoma stated when it rains, mud runs into the cul de sac and down the street, which can be dangerous. He would like for this problem to be corrected.

ADJOURN

MARLON J. COLEMAN, MAYOR

TAMMY L. TRACY, CITY CLERK

Regular City Council

1.

Meeting Date: 02/08/2021
Initiator: Marcie Gilliam, Strategic Financial Analyst
Department: Finance
Staff Information Source:

Information

AGENDA ITEM TITLE:

Approval of claims for all City departments December 27, 2020 through January 22, 2021.

BACKGROUND:

Claims for all City departments December 27, 2020 through January 22, 2021.

RECOMMENDED ACTION:

Approve claims

Fiscal Impact

Attachments

No file(s) attached.

Regular City Council**2.****Meeting Date:** 02/08/2021**Submitted For:** Mike Miller, City Manager**Initiator:** Marsha Wiseman,
Admin Assistant**Department:** City Manager**Staff Information Source:**

Information**AGENDA ITEM TITLE:**

Approval to authorize submission of Letters of Intent to the City of Muskogee Foundation for FY2021-2022 grant cycle for City projects as follows: a) Juvenile and Adult Community Service Program - \$100,000.00; b) Muskogee Police Department Bearcat Armored Vehicle, Special Operations - \$200,679.00; c) Teen Center and Youth Volunteer Corps Program - \$130,000.00; d) Mobile Stage - \$100,000.00; e) Hatbox Baseball Improvements - \$115,000.00; f) Depot District Train/Tram - \$100,000.00; and g) Demolition Cleanup - \$300,000.00, or take other necessary action. (Mike Miller)

BACKGROUND:

City Staff submits for Council consideration the following projects for Letters of Intent (LOI) submission to the City of Muskogee Foundation (COMF):

\$100,000.00 - JUVENILE AND ADULT COMMUNITY SERVICE PROGRAM

The City of Muskogee City Attorney's Office is re-applying for funding to continue operating an adult and juvenile community service program for those who have been criminally charged and adjudicated through our municipal court program.

Over the years, the community service program has been managed by the City Attorney's office and the juvenile program has been operated by Muskogee County Council on Youth Services with funding provided by the foundation. Statistically, there are generally thirty (30) new juvenile cases filed in our court per month. On either a plea or finding of guilty, the juvenile is assessed a range of sixteen (16) to fifty-six (56) hours of community service depending on the nature of the charge. These hours must be completed before the juvenile is released from court supervision. The Municipal Court Judge, has ordered that community service hours for adults may be credit toward fines at the rate of \$15 per hour. This year we have included allowing offenders to get out of jail that are there on municipal fines. They are in jail because of the inability to pay their fines. By allowing them to participate in community service, it is allowing the jail additional needed space for other uses, provides the inmate with credits for 2 days for each 1 day served. This has allowed a significant increase in participation. We believe this will have a substantial impact on community beautification and revitalization. Unfortunately, for approximately the last 8 or so months, we have not been permitted to check out inmates. This is due in part because of the pandemic and due to the influx of contraband into the jail. We are confident that we will be able to restart inmate check out in the coming year. The Juvenile program has been run for 8 full years with great success. The adult program has been operational for 7 years and appears to be of great benefit.

\$200,679 – MPD BEARCAT ARMORED VEHICLE- SPECIAL OPERATIONS

This is a request for a matching grant to accompany the \$150,000 the council appropriated last month

for this purpose. This vehicle will replace the current special operations vehicle which we acquired as federal surplus several years ago and is well past its useful life.

The City of Muskogee is unique due to its geographical location, demographics, economic level, and diverse population. The types of calls for service that the Muskogee Police Department responds to are comparable to larger cities across the nation. On average the police department responds to approximately 45,000 calls for service each year. In those calls officers responded to shootings, stabbings, armed robberies, armed and barricaded subjects, armed and suicidal subjects, and high risk search warrants. The Muskogee Police Department holds the safety of the public and its officers at the highest level. This requires our officers to respond to and resolve any situation they are confronted with as safely and effectively as possible. This requires our officers to be trained to handle these high risk situations and to have the necessary tools and safety equipment at their disposal. The City of Muskogee, with its limited budget, has done the best it can to provide much needed equipment and training. This limited budget has made the police department use forfeited drug funds and grant money from multiple organizations to supplement its needs. Over the last twelve years the police department has received over \$1.5 million dollars from these grants: Weed and Seed, Buffer Zone Protection Plan (railroad), Justice Assistance Grants, and the City of Muskogee Foundation. The money from these grants has allowed us to purchase equipment that the City of Muskogee did not have the money to provide. This equipment includes: laptop computers and software, digital cameras, vehicles, Tasers, body armor, night vision, binoculars, spike strips, weapons, body cameras, and MDTs in every patrol car.

\$130,000 – TEEN CENTER & YVC PROGRAM

The Teen Center provides a safe and supervised environment that offers participants a chance to learn new skills, socialize with peers in a positive manner, enjoy recreational activities, and receive homework help and encouragement from caring adults- the Teen Center is filling real needs. It is centrally located in the Old Amory Building on Callahan St. Our programming offers a full gym for basketball, volleyball and futsal (indoor soccer), a weight room with fixed weights and cardio equipment, a six station computer lab, and game room with video games, air hockey, and pool and ping pong tables. The Youth Volunteer Corps of Muskogee offers volunteer opportunities for teen participants for civic engagement, leadership and skill building. Through our collaboration with MPS, members may ride the bus from Alice Robertson, Muskogee High School, Rougher Alternative Academy or Sadler Elementary School. Neighborhood youth walk or ride bikes and others are dropped off by parents, siblings or may even drive themselves. We are open every afternoon from 3-7 p.m. and offer extended hours for special events or when school is not in session.

\$100,000 - MOBILE STAGE

The mobile stage will enhance current and new events planned by the Parks and Recreation Department as well as other partners. The Parks and Recreation Department will manage the stage for city and community use. Events planned in Honor Heights Park, Hatbox Field and Hangars, and downtown Depot Green events will all benefit with use of this stage. The stage is a self-contained unit that is easily transportable by a truck. The stage set up is easy with minimal man power and use of hydraulic system.

\$115,000 - HATBOX BASEBALL IMPROVEMENTS

(50/50 match with CIP funding-\$230,000 project)

Hatbox Improvements are included in the projects for the current list of CIP projects for the city. Improvements to the Sports Complex include a new restroom building at the baseball complex, renovation of the south concession, and concrete walkways throughout the complex. These improvements are critical to the continued success of the existing sports programs and facilities. Local youth sports programs are an important aspect of Quality of Life and supported by the hundreds of

families who participate in sports programs at Love-Hatbox each year. The economic impact of sports events and weekend tournaments positively impacts the entire community through hotel stays, restaurants, and additional spending by visitors during these events.

\$100,000 – DEPOT DISTRICT TRAIN

Trackless train to be utilized year round for community events, private rentals, and seasonal holiday activities. The train will be used to enhance our “depot” theme and the Depot District community events, activities, and tourism.

\$300,000 - DEMOLITION/CLEAN-UP PROGRAM

This program is to demolish up to sixty (60) severely dilapidated structures within the City, all of which have gone through all of the hearings processes. Removal of these unsafe and severely dilapidated structures will enhance the “live, work and play” for residents and guests along with providing safety, security and beautification.

RECOMMENDED ACTION:

Approve request to submit Letters of Intent to City of Muskogee Foundation.

Fiscal Impact

Attachments

No file(s) attached.

Regular City Council

3.

Meeting Date: 02/08/2021
Submitted For: Gary Garvin, Assistant City Manager
Initiator: Robin Orman, Office Administrator
Department: Assistant City Manager
Staff Information Source:

Information

AGENDA ITEM TITLE:

Approval to receive donated funds for the months of September, October, November, and December 2020, for a total of \$7,569.00 for the City's Animal Shelter Sponsorship Program as per the attached list, or take other necessary action. (Gary Garvin)

BACKGROUND:

City Council approved a Resolution authorizing a Sponsorship Program for the City's Animal Shelter with said funds to be used for the purpose of neutering and spaying shelter animals.

RECOMMENDED ACTION:

Approve receiving donated funds for the months of September, October, November, and December 2020 in the amount of \$7,569.00 for the City's Animal Shelter Sponsorship.

Fiscal Impact

Attachments

No file(s) attached.

Regular City Council

4.

Meeting Date: 02/08/2021

Initiator: Tish Callahan, Planning Director

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and consider approval of Ordinance No. 4112-A to close the 60' right-of-way shown as Even Par Avenue lying between Lots 1-3 of Bushwod Circle Addition, more particularly described in the Ordinance, providing for severability and setting an effective date, or take other necessary action. (Tish Callahan)

LEGAL DESCRIPTION:

A SIXTY FOOT RIGHT-OF-WAY LYING BETWEEN AND ADJACENT TO LOTS 1-3 OF BUSHWOOD CIRCLE ADDITION ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA. LOCATED IN THE (SE 1/4) OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

BACKGROUND:

City of Muskogee Public Works Department, upon inspection of the newly constructed Even Par Avenue cul-de-sac, could not determine that the east half of the cul-de-sac met the City of Muskogee street design requirements of a six inch depth of concrete. The west half of the cul-de-sac does meet the City's requirements. The developers chose not to do numerous core sample drilling and then possible excavation of the existing street and re-pour of concrete, and therefore agreed to have the street right of way closed to public use, resulting in the cul-de-sac area not maintained by the City of Muskogee. Subdivision Review Committee reviewed the request and OG+E and the City of Muskogee Water and Sewer Divisions, requested that an easement be retained for their existing utilities.

RECOMMENDED STAFF ACTION:

Approve Ordinance 4112-A to close the 60' right-of-way shown as Even Par Avenue lying between Lots 1-3 of Bushwod Circle Addition and retaining an easement.

Fiscal Impact

Attachments

ORD 4112-A 02-01-2021

Notice - Even Par Ave Closure

Aerial - Even Par Ave Cul-de-sac

ORDINANCE NO. 4112-A

AN ORDINANCE CLOSING THE 60 FOOT RIGHT OF WAY LOCATED IN BUSHWOOD CIRCLE ADDITION, KNOWN AS EVEN PAR AVENUE. LOCATED IN THE SE1/4 OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA; SUBJECT TO RETAINING UTILITY EASEMENT; AND PROVIDING FOR SEVERABILITY. (City of Muskogee, Petitioners)

WHEREAS, a petition has been filed by the property owner requesting said 60 foot right-of-way to be closed and discontinued from public use, and;

WHEREAS, the City of Muskogee Planning & Zoning Commission in a meeting held February 1, 2021, did approve the petition and did recommend approval of official action by closing a public utility easement Right of Way as stated;

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

Section 1: THAT THE 60 FOOT RIGHT OF WAY LOCATED IN BUSHWOOD CIRCLE ADDITION, KNOWN AS EVEN PAR AVENUE. LOCATED IN THE SE1/4 OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA; SUBJECT TO RETAINING UTILITY EASEMENT; AND PROVIDING FOR SEVERABILITY; is hereby closed, annulled and discontinued from public use.

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

Section 2: REPEALER. All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Section 3: 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.

Section 4: EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after date of publication.

Ordinance No. __4112-A_____

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
MUSKOGEE, OKLAHOMA THIS 8th DAY OF FEBRUARY, 2021.

MARLON J. COLEMAN, MAYOR

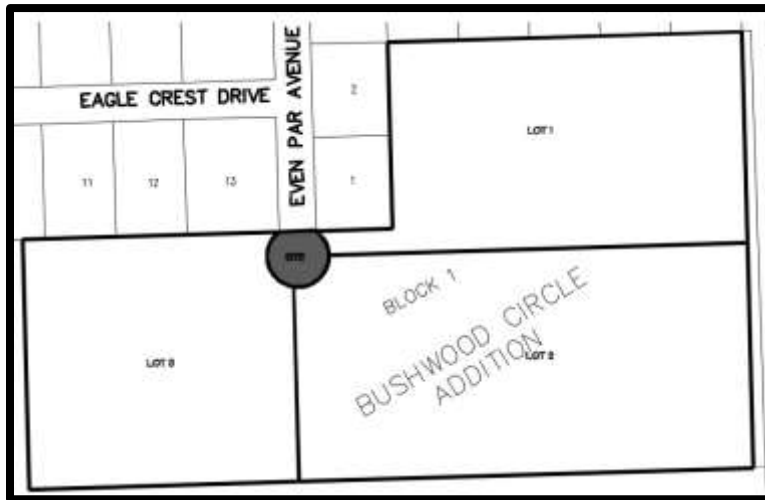
ATTEST:

TAMMY L. TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this ____ day of _____, 2021.

ROY D. TUCKER, CITY ATTORNEY

Public Hearing Notice



Proposal: To close and vacate the sixty foot (60') right-of-way located within Bushwood Circle Addition, known as Even Par Avenue. The property is more particularly described as:

A SIXTY FOOT RIGHT-OF-WAY LYING BETWEEN AND ADJACENT TO LOTS 1-3 OF BUSHWOOD CIRCLE ADDITION ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA. LOCATED IN THE (SE 1/4) OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

Applicant: City of Muskogee

This notice is provided to property owners that abut the above site to inform them of the following public hearings regarding the above proposal:

February 1, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission
February 1, 2021, 2020 at 5:30 p.m.: City of Muskogee Public Works Committee
February 8, 2021 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.

City of Muskogee Planning & Zoning Commission



S 40TH ST W

EVEN PAR AVE
8
EVEN PAR AVE
01

12

Meeting Date: 02/08/2021

Initiator: Tish Callahan, Planning Director

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and consider approval of Ordinance 4113-A annexing into the City limits property located at 6000 West Broadway, more particularly described in the Ordinance, and authorize Staff to revise the Official Map of the City to reflect said change, or take other necessary action. (Tish Callahan)

LEGAL DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT 308.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°31'21" WEST 858.33 FEET TO A POINT; THENCE NORTH 01°19'51" WEST 1012.00 FEET TO A POINT ON THE NORTH LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 19; THENCE NORTH 88°31'21" EAST 360.00 FEET TO A POINT; THENCE SOUTH 01°19'51" EAST 732.05 FEET; THENCE NORTH 88°31'02" EAST 496.88 FEET; THENCE SOUTH 01°37'58" EAST 280.00 FEET TO THE POINT OF BEGINNING.

TRACT B:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT 308 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE RUNNING WEST 858.33 FEET TO A POINT; THENCE RUNNING NORTH 1012 FEET TO A POINT; THENCE EAST 853 FEET TO THE NORTHEAST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 19, TOWNSHIP 15 NORTH, RANGE 18 EAST; THENCE SOUTH 1012 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT BEGINNING AT A POINT 308.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°31'21" WEST 858.33 FEET TO A POINT; THENCE NORTH 01°19'51" WEST 1012.00 FEET TO A POINT ON THE NORTH LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 19; THENCE NORTH 88°31'21" EAST 360.00 FEET TO A POINT; THENCE SOUTH 01°19'51" EAST 732.05 FEET; THENCE NORTH 88°31'02" EAST 496.86 FEET; THENCE SOUTH 01°37'58" EAST 280.00 FEET TO THE POINT OF BEGINNING.

BACKGROUND:

The applicants, Cincy Properties, LLC is requesting that the property located at 6000 West Broadway be annexed into the corporate limits of the City of Muskogee. Cincy Properties, LLC is requesting the annexation in order to receive City services. The property abuts the existing City limits and upon annexation would receive the R-5 Mobile Home zoning classification to be in compliance with its current use.

The Subdivision Review Committee has reviewed this request and there were no objections to the annexation.

RECOMMENDED STAFF ACTION:

Approve Ordinance 4113-A and authorize staff to revise the Official Map of the City to reflect said change.

Fiscal Impact

Attachments

Ordinance 4113-A

Notice - Annexation 6000 W Broadway

Aerial Map - 6000 W. Broadway

ORDINANCE NO. 4113-A

AN ORDINANCE ANNEXING TERRITORY ADJACENT TO THE CITY LIMITS UPON PETITION OF THE OWNER, SAID TERRITORY BEING DESCRIBED AS FOLLOWS:

TRACT A:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT 308.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°31'21" WEST 858.33 FEET TO A POINT; THENCE NORTH 01°19'51" WEST 1012.00 FEET TO A POINT ON THE NORTH LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 19; THENCE NORTH 88°31'21" EAST 360.00 FEET TO A POINT; THENCE SOUTH 01°19'51" EAST 732.05 FEET; THENCE NORTH 88°31'02" EAST 496.88 FEET; THENCE SOUTH 01°37'58" EAST 280.00 FEET TO THE POINT OF BEGINNING.

TRACT B:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT 308 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE RUNNING WEST 858.33 FEET TO A POINT; THENCE RUNNING NORTH 1012 FEET TO A POINT; THENCE EAST 853 FEET TO THE NORTHEAST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 19, TOWNSHIP 15 NORTH, RANGE 18 EAST; THENCE SOUTH 1012 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

BEGINNING AT A POINT 308.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°31'21" WEST 858.33 FEET TO A POINT; THENCE NORTH 01°19'51" WEST 1012.00 FEET TO A POINT ON THE NORTH LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 19; THENCE NORTH 88°31'21" EAST 360.00 FEET TO A POINT; THENCE SOUTH 01°19'51" EAST 732.05 FEET; THENCE NORTH 88°31'02" EAST 496.86 FEET; THENCE SOUTH 01°37'58" EAST 280.00 FEET TO THE POINT OF BEGINNING, IN MUSKOGEE COUNTY, STATE OF OKLAHOMA; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY. (CINCY PROPERTIES, Petitioner)

WHEREAS, the owner of the acres described in Section 1 of this Ordinance, said land being contiguous to and adjacent to the City of Muskogee, have requested in writing that the same be annexed to and added to the City.

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

Section 1: The area by which the petition seeks annexation is described as follows:

TRACT A:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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TRACT B:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER

(SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT 308 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE RUNNING WEST 858.33 FEET TO A POINT; THENCE RUNNING NORTH 1012 FEET TO A POINT; THENCE EAST 853 FEET TO THE NORTHEAST CORNER OF THE SE/4 OF THE SW/4 OF SAID SECTION 19, TOWNSHIP 15 NORTH, RANGE 18 EAST; THENCE SOUTH 1012 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT

BEGINNING AT A POINT 308.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°31'21" WEST 858.33 FEET TO A POINT; THENCE NORTH 01°19'51" WEST 1012.00 FEET TO A POINT ON THE NORTH LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 19; THENCE NORTH 88°31'21" EAST 360.00 FEET TO A POINT; THENCE SOUTH 01°19'51" EAST 732.05 FEET; THENCE NORTH 88°31'02" EAST 496.86 FEET; THENCE SOUTH 01°37'58" EAST 280.00 FEET TO THE POINT OF BEGINNING, IN MUSKOGEE COUNTY, STATE OF OKLAHOMA; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Section 2: The increase of the City by the annexation of the hereinbefore described property will redound to the benefit of the City and the same is hereby annexed.

Section 3: A copy of the Ordinance, together with an accurate map of the territory annexed, certified by the Mayor and the City Clerk, shall be filed in the office of the County Clerk of Muskogee County, Oklahoma.

Section 4: SEVERABILITY. Should any 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.

Section 5: EMERGENCY. This Ordinance being designated to protect the health and safety of the inhabitants of the City of Muskogee, Oklahoma, an emergency is hereby declared to exist whereby the same shall be in full force and effect from and after its adoption and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA THIS 8TH DAY OF FEBRUARY, 2021.

MARLON J. COLEMAN, MAYOR

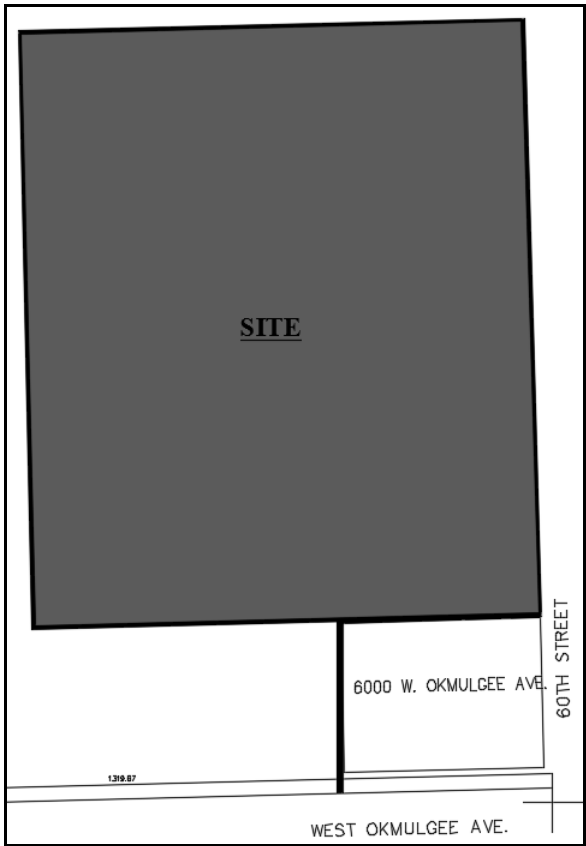
ATTEST:

TAMMY L. TRACY, CITY CLERK

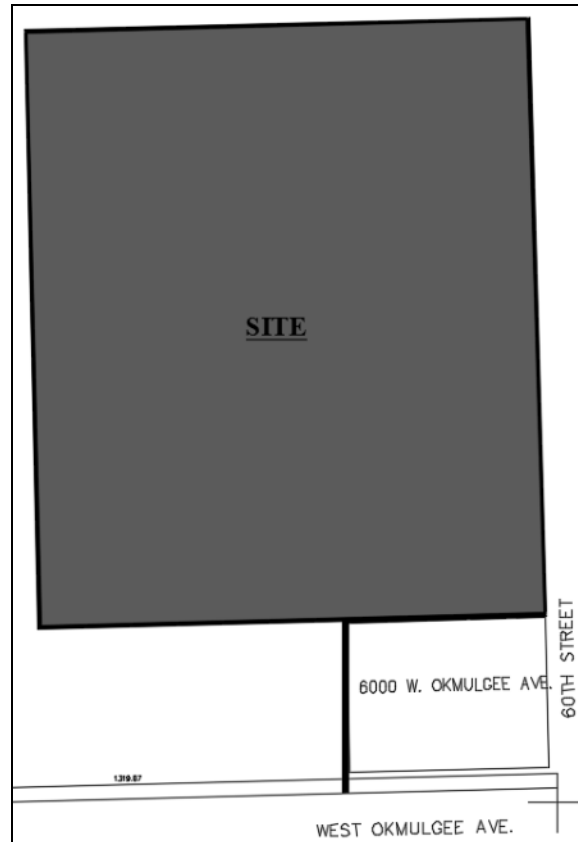
(SEAL)

APPROVED as to form and legality this ____ day of _____, 2021.

ROY D. TUCKER, CITY ATTORNEY



CITY OF MUSKOGEE
PUBLIC NOTICE OF HEARING FOR ANNEXATION



Notice is hereby given that on **February 1, 2021, 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 **February 1, 2021, at 5:30 p.m.** by the Public Works Committee, and on **February 8, 2021, at 5:30 p.m.** by the City Council, to consider the proposed annexation into the City Limits property shown on the map and being described below. The map is available for review at the Planning Department, Third Floor, Municipal Building, Third Street and West Okmulgee Ave., Muskogee Oklahoma. The property proposed for annexation is shown on the City atlas as 6000 West Broadway., being more particularly described as follows:

TRACT A:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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TRACT B:

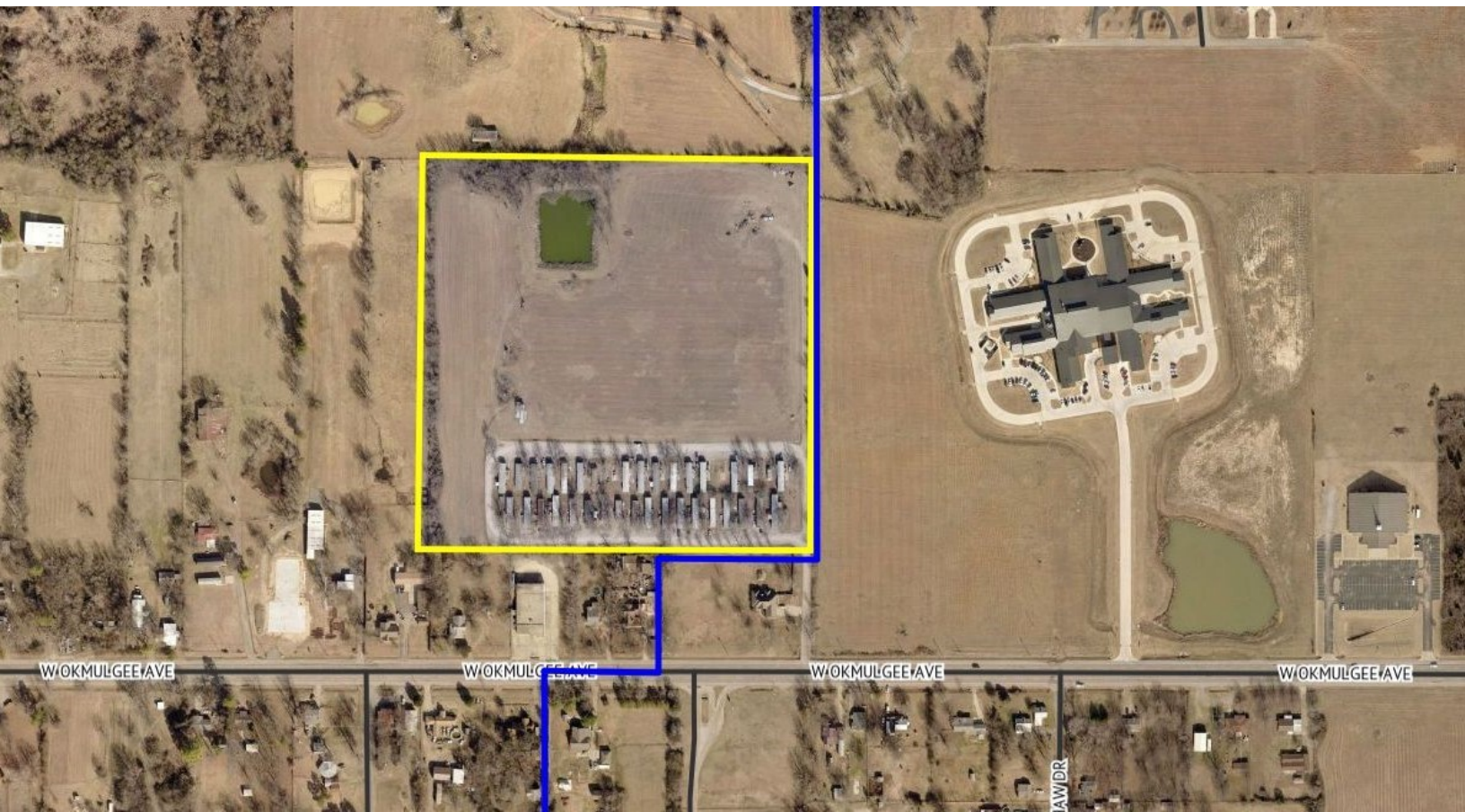
A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE I.B.&M., MUSKOGEE COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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LESS AND EXCEPT

BEGINNING AT A POINT 308.00 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 88°31'21" WEST 858.33 FEET TO A POINT; THENCE NORTH 01°19'51" WEST 1012.00 FEET TO A POINT ON THE NORTH LINE OF THE SE/4 OF THE SW/4 OF SAID SECTION 19; THENCE NORTH 88°31'21" EAST 360.00 FEET TO A POINT; THENCE SOUTH 01°19'51" EAST 732.05 FEET; THENCE NORTH 88°31'02" EAST 496.86 FEET; THENCE SOUTH 01°37'58" EAST 280.00 FEET TO THE POINT OF BEGINNING.

Tammy L. Tracy
City Clerk



Meeting Date: 02/08/2021

Initiator: Tish Callahan, Planning Director

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and consider approval of Ordinance 4114-A to rezone property addressed as 3210 North York Street, from P, Port Industrial to I-1, Light Industrial, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Tish Callahan)

LEGAL DESCRIPTION:

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SW1/4 AND THE WEST 176.22 FEET OF THE NW1/4 OF THE NW1/4 OF THE SE¼ OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND ½" IRON PIN FOR THE SOUTHEAST CORNER OF THE SW1/4 OF SAID SECTION 7; THENCE N01°40'25"W ALONG THE EAST LINE THEREOF 1314.15 FEET TO THE POINT OF BEGINNING; THENCE S87°56'52"W 926.56 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 201.45 FEET, A CHORD BEARING OF N13°36'18"E AND A CHORD LENGTH OF 201.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE N88°36'21"E 174.81 FEET; THENCE N10°24'21"E 211.65 FEET; THENCE S88°08'39"W 172.35 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 230.96 FEET, A CHORD BEARING OF N09°08'27"E AND A CHORD LENGTH OF 230.94 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY N13°05'58"E 102.15 FEET; THENCE N04°32'07"E 218.92 FEET TO THE SOUTHERLY LINE OF THE MUSKOGEE CITY-COUNTY PORT AUTHORITY; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 729.49 FEET, AN ARC LENGTH OF 345.80 FEET, A CHORD BEARING OF N67°21'05"E AND A CHORD LENGTH OF 342.57 FEET; THENCE N80°55'52"E 118.76 FEET ALONG THE PORT AUTHORITY LINE TO WHERE IT INTERSECTS THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°38'21"E ALONG SAID RAILROAD RIGHT OF WAY 263.81 FEET TO THE INTERSECTION OF THE NORTH/SOUTH ¼ SECTION LINE; THENCE N88°38'21"E CONTINUING ALONG SAID RAILROAD RIGHT OF WAY 176.22 FEET; THENCE S01°40'25"E 653.37 FEET TO THE SOUTH LINE OF THE NW1/4 OF THE NW1/4 OF THE SE¼; THENCE S88°08'39"W 176.22 FEET TO THE NORTH/SOUTH ¼ SECTION LINE; THENCE S01°40'25"E ALONG THE ¼ SECTION LINE 665.39 FEET TO THE POINT OF BEGINNING. CONTAINING 25.22 ACRES.

BACKGROUND:

The owner, Behee Properties, LLC (Brady Ross) has made application to rezone property addressed as 3120 North York Street from P, Port Industrial to I-1, Light Industrial to allow for the existing motor cross track to open to the public that is currently being used by the owners. The P, Port Industrial district is intended to provide industries and establishments that require access to port and terminal facilities. Uses included in this district are those where their existence is enhanced by a location adjacent to a navigable waterway. This property is not adjacent to the port, terminal facilities or a navigable waterway. The motor cross track, as an Outdoor Amusement Enterprise is an allowed use under the I-1, Light Industrial zone.

Existing zoning and land use:

North: P, Port Industrial (Rosasco Construction Company)

South: I-1, Light Industrial (Muskogee Church of Christ)

East: R-1, Single Family Residential (Vacant Land)

West: North York Street/Hwy 16 and railroad

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. Public Hearings will be held on the following days:

February 1, 2021 9:00 a.m.: City of Muskogee Planning & Zoning Commission

February 1, 2021 5:30 p.m.: Public Works Committee

February 8, 2021 5:30 p.m. Muskogee City Council Meeting

RECOMMENDED STAFF ACTION:

Approve Ordinance 4114-A rezoning property addressed as 3120 North York Street, from P, Port Industrial to I-1, Light Industrial, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change.

Fiscal Impact

Attachments

Ordinance 4114-A

Notice - Behee Properties LLC Rezone

Aerial Map - 3120 North York

ORDINANCE NO. 4114-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 PROPERTY LOCATED AT 3210 N. YORK STREET. THE PROPERTY IS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 07, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 25.22 ACRES MORE OR LESS, AND PROVIDING FOR SEVERABILITY. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS:

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SW1/4 AND THE WEST 176.22 FEET OF THE NW1/4 OF THE NW1/4 OF THE SE¼ OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND ½" IRON PIN FOR THE SOUTHEAST CORNER OF THE SW1/4 OF SAID SECTION 7; THENCE N01°40'25"W ALONG THE EAST LINE THEREOF 1314.15 FEET TO THE POINT OF BEGINNING; THENCE S87°56'52"W 926.56 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 201.45 FEET, A CHORD BEARING OF N13°36'18"E AND A CHORD LENGTH OF 201.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE N88°36'21"E 174.81 FEET; THENCE N10°24'21"E 211.65 FEET; THENCE S88°08'39"W 172.35 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 230.96 FEET, A CHORD BEARING OF N09°08'27"E AND A CHORD LENGTH OF 230.94 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY N13°05'58"E 102.15 FEET; THENCE N04°32'07"E 218.92 FEET TO THE SOUTHERLY LINE OF THE MUSKOGEE CITY-COUNTY PORT AUTHORITY; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 729.49 FEET, AN ARC LENGTH OF 345.80 FEET, A CHORD BEARING OF N67°21'05"E AND A CHORD LENGTH OF 342.57 FEET; THENCE N80°55'52"E 118.76 FEET ALONG THE PORT AUTHORITY LINE TO WHERE IT INTERSECTS THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°38'21"E ALONG SAID RAILROAD RIGHT OF WAY 263.81 FEET TO THE INTERSECTION OF THE NORTH/SOUTH ¼ SECTION LINE; THENCE N88°38'21"E CONTINUING ALONG SAID RAILROAD RIGHT OF WAY 176.22 FEET; THENCE S01°40'25"E 653.37 FEET TO THE SOUTH LINE OF THE NW1/4 OF THE NW1/4 OF THE SE¼; THENCE S88°08'39"W 176.22 FEET TO THE NORTH/SOUTH ¼

SECTION LINE; THENCE S01°40'25"E ALONG THE ¼ SECTION LINE 665.39 FEET TO THE POINT OF BEGINNING. CONTAINING 25.22 ACRES.

(BRADEN ROSS; BEHEE PROPERTIES, Applicant)

FROM "P" PORT INDUSTRIAL DISTRICT

TO

"I-1" LIGHT INDUSTRIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held FEBRUARY 1, 2021, 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;

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SW1/4 AND THE WEST 176.22 FEET OF THE NW1/4 OF THE NW1/4 OF THE SE¼ OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND ½" IRON PIN FOR THE SOUTHEAST CORNER OF THE SW1/4 OF SAID SECTION 7; THENCE N01°40'25"W ALONG THE EAST LINE THEREOF 1314.15 FEET TO THE POINT OF BEGINNING; THENCE S87°56'52"W 926.56 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 201.45 FEET, A CHORD BEARING OF N13°36'18"E AND A CHORD LENGTH OF 201.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE N88°36'21"E 174.81 FEET; THENCE N10°24'21"E 211.65 FEET; THENCE S88°08'39"W 172.35 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 230.96 FEET, A CHORD BEARING OF N09°08'27"E AND A CHORD LENGTH OF 230.94 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY N13°05'58"E 102.15 FEET; THENCE N04°32'07"E 218.92 FEET TO THE SOUTHERLY LINE OF THE MUSKOGEE CITY-COUNTY PORT AUTHORITY; THENCE NORTHEASTERLY ALONG SAID

SOUTHERLY LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 729.49 FEET, AN ARC LENGTH OF 345.80 FEET, A CHORD BEARING OF N67°21'05"E AND A CHORD LENGTH OF 342.57 FEET; THENCE N80°55'52"E 118.76 FEET ALONG THE PORT AUTHORITY LINE TO WHERE IT INTERSECTS THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°38'21"E ALONG SAID RAILROAD RIGHT OF WAY 263.81 FEET TO THE INTERSECTION OF THE NORTH/SOUTH ¼ SECTION LINE; THENCE N88°38'21"E CONTINUING ALONG SAID RAILROAD RIGHT OF WAY 176.22 FEET; THENCE S01°40'25"E 653.37 FEET TO THE SOUTH LINE OF THE NW1/4 OF THE NW1/4 OF THE SE1/4; THENCE S88°08'39"W 176.22 FEET TO THE NORTH/SOUTH ¼ SECTION LINE; THENCE S01°40'25"E ALONG THE ¼ SECTION LINE 665.39 FEET TO THE POINT OF BEGINNING. CONTAINING 25.22 ACRES.

(BRADEN ROSS; BEHEE PROPERTIES, Applicant)

FROM "P" PORT INDUSTRIAL DISTRICT

TO

"I-1" LIGHT INDUSTRIAL 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.

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, and THIS 8TH DAY OF FEBRUARY 2021.

MARLON J. COLEMAN, MAYOR

Ordinance No. __4114-A__

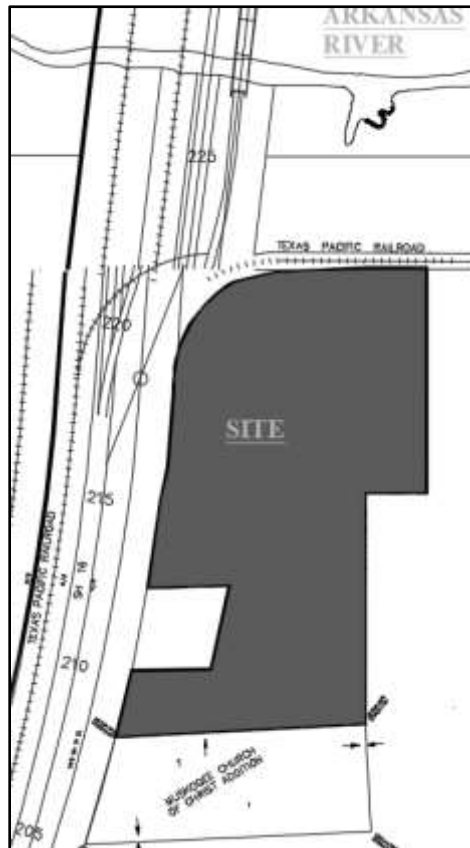
ATTEST:

TAMMY L. TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this ____ day of _____, 2021.

ROY D. TUCKER, CITY ATTORNEY

Public Hearing Notice



Proposal: To rezone property located at 3210 N. York Street, City of Muskogee, Muskogee County, State of Oklahoma, from “P” Port Industrial to “I-1” Light Industrial District.

The property is more particularly described as:

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SW1/4 AND THE WEST 176.22 FEET OF THE NW1/4 OF THE NW1/4 OF THE SE1/4 OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND ½” IRON PIN FOR THE SOUTHEAST CORNER OF THE SW1/4 OF SAID SECTION 7; THENCE N01°40’25”W ALONG THE EAST LINE THEREOF 1314.15 FEET TO THE POINT OF BEGINNING; THENCE S87°56’52”W 926.56 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 201.45 FEET, A CHORD BEARING OF N13°36’18”E AND A CHORD LENGTH OF 201.44 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE N88°36’21”E 174.81 FEET; THENCE N10°24’21”E 211.65 FEET; THENCE S88°08’39”W 172.35 FEET TO THE EASTERLY RIGHT OF WAY

LINE OF STATE HIGHWAY 16; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5819.58 FEET, AN ARC LENGTH OF 230.96 FEET, A CHORD BEARING OF N09°08'27"E AND A CHORD LENGTH OF 230.94 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY N13°05'58"E 102.15 FEET; THENCE N04°32'07"E 218.92 FEET TO THE SOUTHERLY LINE OF THE MUSKOGEE CITY-COUNTY PORT AUTHORITY; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 729.49 FEET, AN ARC LENGTH OF 345.80 FEET, A CHORD BEARING OF N67°21'05"E AND A CHORD LENGTH OF 342.57 FEET; THENCE N80°55'52"E 118.76 FEET ALONG THE PORT AUTHORITY LINE TO WHERE IT INTERSECTS THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°38'21"E ALONG SAID RAILROAD RIGHT OF WAY 263.81 FEET TO THE INTERSECTION OF THE NORTH/SOUTH ¼ SECTION LINE; THENCE N88°38'21"E CONTINUING ALONG SAID RAILROAD RIGHT OF WAY 176.22 FEET; THENCE S01°40'25"E 653.37 FEET TO THE SOUTH LINE OF THE NW1/4 OF THE NW1/4 OF THE SE1/4; THENCE S88°08'39"W 176.22 FEET TO THE NORTH/SOUTH ¼ SECTION LINE; THENCE S01°40'25"E ALONG THE ¼ SECTION LINE 665.39 FEET TO THE POINT OF BEGINNING. CONTAINING 25.22 ACRES.

Applicants: Behee Properties, owner and applicant

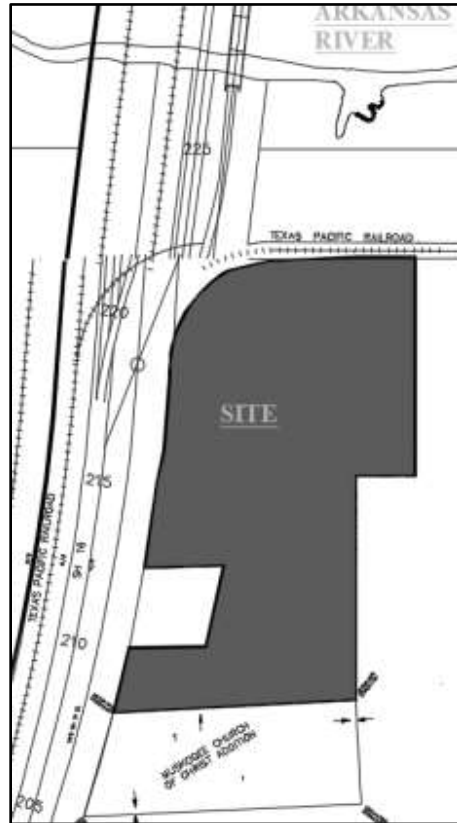
This notice is provided to property owners within 300 feet of the above site to inform them of the following public hearings regarding the above proposal:

February 1, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

February 1, 2021 at 5:30 p.m.: City of Muskogee Public Works Committee

February 8, 2021 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. You must sign up to speak 15 minutes prior to the Public Works Meeting and the City Council meeting. 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.



Applicants: Behee Properties, owner and applicant

PUBLIC NOTICE

Notice is hereby given that on February 1, 2021 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, and on February 1, 2021 at 5:30 p.m., by the Public Works Committee, and on February 8, 2021, at 5:30 p.m., by the City Council to consider an application to rezone property located at 3210 N. York Street, City of Muskogee, Muskogee County, State of Oklahoma, from “P” Port Industrial to “I-1” Light Industrial District.

(Please note that if you wish to speak at the Public Works and/or City Council meeting you must sign up 15 minutes before the meeting starts)

The property is more particularly described as:

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SW1/4 AND THE WEST 176.22 FEET OF THE NW1/4 OF THE NW1/4 OF THE SE¼ OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

Stacy Alexander, Chairperson
City of Muskogee Planning & Zoning Commission



Regular City Council**7.****Meeting Date:** 02/08/2021**Submitted For:** Mike Miller, City Manager**Initiator:** Mike Miller, City Manager**Department:** City Manager**Staff Information Source:**

Information**AGENDA ITEM TITLE:**

Consider approval to authorize submission of Letters of Intent to the City of Muskogee Foundation for FY2021-2022 grant cycle for a downtown revitalization grant in the amount of \$350,000.00, or take other necessary action. (Mayor Marlon Coleman)

BACKGROUND:

The City of Muskogee Foundation gave the City of Muskogee a grant for downtown revitalization in 2017, to be paid out over three years. That grant expires June 30. The City of Muskogee's interest in downtown development continues and the city would like to apply for a grant from the foundation to improve downtown infrastructure, including but not limited to lighting, streetscape, utility improvements, facade improvements, sidewalks, and quality of life improvements. This will also allow the Foundation to repurpose any unexpended amount remaining when the current grant expires.

RECOMMENDED ACTION:

Consider approval of submission of letters of intent

Fiscal Impact**Attachments**

No file(s) attached.

Regular City Council

8.

Meeting Date: 02/08/2021

Submitted For: Mike Miller, City Manager

Initiator: Marsha Wiseman,
Admin Assistant

Department: City Manager

Staff Information Source:

Information

AGENDA ITEM TITLE:

Discuss and take action on a trails maintenance program, overseen by the Parks and Recreation Department and organized through groups of volunteers interested in making a better Muskogee. (Mayor Marlon Coleman)

BACKGROUND:

Rachel Buford and Lacey Wallace, both with the OSU Extension office, are active participants in the AIM Community Infrastructure Subcommittee. They and others would like to establish a formal Adopt-the-Trail program, under the guidance of Parks and Recreation, that would assign sections of the trail to interested individuals or groups who would keep it maintained and report any needed repairs.

This happens annually during the Azalea Cleanup, but this would extend that effort year-round.

RECOMMENDED ACTION:

Take action as necessary.

Fiscal Impact

Attachments

No file(s) attached.

Regular City Council

9.

Meeting Date: 02/08/2021

Submitted For: Mike Miller, City Manager

Initiator: Mike Miller, City Manager

Department: City Manager

Staff Information Source:

Information

AGENDA ITEM TITLE:

Receive report on the progress of the installation of solar panels at the Muskogee Civic Center, and take other necessary action. (Mayor Marlon Coleman)

BACKGROUND:

The City of Muskogee approved a solar panel project for the civic center, and installation and activation is almost complete. The solar array could save the city up to \$2 million in electrical costs over the lifetime of the system and also serves to show Muskogee is moving forward as a community, as we are one of the only cities in the whole state that has any solar whatsoever, much less on this scale. This report will give the council additional information on this project as it becomes operational.

RECOMMENDED ACTION:

Receive report.

Fiscal Impact

Attachments

No file(s) attached.

Regular City Council

10. a.

Meeting Date: 02/08/2021

Initiator: Gary Garvin, Assistant City Manager

Department: Assistant City Manager

Staff Information Source: Gary D. Garvin, Assistant City Manager, Mike Miller, City Manager

Information

AGENDA ITEM TITLE:

Pursuant to Section 307 C.11, Title 25, Oklahoma Statutes, consider convening in Executive Session for the purpose of conferring on matters pertaining to economic development within the Northwest quadrant of the City, and if necessary, take appropriate action in Open Session. (Gary D. Garvin)

BACKGROUND:

City Manager Mike Miller and Assistant City Manager Gary D. Garvin, wish to discuss with the City Council matters pertaining to economic development within the Northwest quadrant of the City, where such matters, if publicly disclosed, would interfere with the development of those products or services in Muskogee.

RECOMMENDED ACTION:

Convene in Executive Session for purposes of conferring on matters pertaining to economic development, and take action in open session.

Fiscal Impact

Attachments

No file(s) attached.
