

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).

POSTING DATE: 09/06/2022

SPECIAL CALL
AGENDA
MUSKOGEE CITY COUNCIL
SEPTEMBER 8, 2022

TO: ALL MEMBERS OF THE MUSKOGEE CITY COUNCIL

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item.

When more information is needed to act on an item, the public body may refer the matter to Staff or back to Committee or the recommending body.

Under certain circumstances, items are deferred to a specific date or stricken from the agenda entirely.

By virtue of the authority vested in me as Mayor of the City of Muskogee, Oklahoma, I do hereby issue a call for a Special Call Meeting of the Muskogee City Council to convene:

DATE: SEPTEMBER 8, 2022
TIME: 12:00 P.M.
PLACE: COUNCIL CHAMBERS, THIRD FLOOR
MUNICIPAL BUILDING, 229 W. OKMULGEE,
MUSKOGEE, OKLAHOMA

ROLL CALL
PURPOSE:

1. Consider approval of Resolution No. 2916 of the City of Muskogee, Oklahoma, approving the incurrance of indebtedness by the Muskogee Redevelopment Authority, issuing a Revenue Note, Series 2022-B, in the aggregate principal amount of \$6,300,000.00, to be used to pay proceeds of a settlement agreement in Vaughn v. City of Muskogee, Case No. CJ-2007-1371, filed in the District Court in and for Muskogee County; Subject to the Note and Loan Agreement and the guarantee by the City of Muskogee Foundation; waiving competitive bidding and authorizing the execution of any and all documents necessary to finalize and fund said transaction, or take other necessary action. (Roy D. Tucker)

2. Consider an Executive Session to discuss and take possible action on the following:

- a. Pursuant to Section 307(B)(1), Title 25, Oklahoma Statutes, consider convening in Executive Session to discuss the employment of City Manager Mike Miller, as it relates to his return from leave under the Family and Medical Leave Act, and the establishment of a period of transition with Interim City Manager Jennifer Swezey, and if necessary, take appropriate action in Open Session. (Mayor Marlon J. Coleman)

- b. Pursuant to Section 307(B)(1), Title 25, Oklahoma Statutes, consider convening in Executive Session to discuss the employment of Interim City Manager Jennifer Swezey, and the establishment of a period of transition resulting from the return of City Manager Mike Miller, and if necessary, take appropriate action in Open Session. (Mayor Marlon J. Coleman)

The City Clerk is hereby authorized to give each member of the Muskogee City Council notice of this Special Call Meeting as provided by the Charter of the City of Muskogee, Oklahoma.

ADJOURN

Special City Council

1.

Meeting Date: 09/08/2022

Submitted For: Roy Tucker, City Attorney

Initiator: Roy Tucker, City Attorney

Department: City Attorney

Staff Information Source:

Information

AGENDA ITEM TITLE:

Consider approval of Resolution No. 2916 of the City of Muskogee, Oklahoma, approving the incurrence of indebtedness by the Muskogee Redevelopment Authority, issuing a Revenue Note, Series 2022-B, in the aggregate principal amount of \$6,300,000.00, to be used to pay proceeds of a settlement agreement in Vaughn v. City of Muskogee, Case No. CJ-2007-1371, filed in the District Court in and for Muskogee County; Subject to the Note and Loan Agreement and the guarantee by the City of Muskogee Foundation; waiving competitive bidding and authorizing the execution of any and all documents necessary to finalize and fund said transaction, or take other necessary action. (Roy D. Tucker)

BACKGROUND:

Recently, the City of Muskogee entered into a settlement agreement for the above styled lawsuit. The proposed loan will allow settlement of the same, and includes \$200,000 interest reserve to be used to pay a portion of the first years’ interest. The proposed loan term is interest only for 5-years, with the principal being due at the end of 5-years. The City of Muskogee has approved issuing a guarantee for the loan. It is anticipated that the loan will be repaid by a transfer of existing assets from the Muskogee Medical Center Authority within the next few years.

The City of Muskogee Foundation was originally funded by the proceeds from a long term lease of the hospital. The advance 40-year lease payment was made to the Muskogee Medical Center Authority, who transferred those assets through the City of Muskogee, creating the City of Muskogee Foundation. Some lease proceeds, however, were retained by the Muskogee Medical Center Authority to offset potential liabilities, as well as, emergency funding to resume operations of the Hospital should the leasee terminate the lease early. Recently, however, following the transfer of the lease to St. Francis Health Systems, the Muskogee Medical Center Authority entered into another agreement with St. Francis Health Systems which will result in the transfer of the Hospital and termination of the lease once certain conditions are met. Once that occurs, assets previously set aside originally held to reestablish hospital operations by the Muskogee Medical Center Authority will no longer be needed, and will be eligible to be transferred to the City of Muskogee. Said assets are sufficient to repay the principle and interest of the loan.

RECOMMENDED ACTION:

Approve Resolution 2916.

Fiscal Impact

Attachments

No file(s) attached.

Special City Council

2. a.

Meeting Date: 09/08/2022

Submitted For: Roy Tucker, City Attorney Initiator: Roy Tucker, City Attorney

Department: City Attorney

Staff Information Source:

Information

AGENDA ITEM TITLE:

Pursuant to Section 307(B)(1), Title 25, Oklahoma Statutes, consider convening in Executive Session to discuss the employment of City Manager Mike Miller, as it relates to his return from leave under the Family and Medical Leave Act, and the establishment of a period of transition with Interim City Manager Jennifer Swezey, and if necessary, take appropriate action in Open Session. (Mayor Marlon J. Coleman)

BACKGROUND:

The Mayor would like to discuss with the Council the transition between Mike Miller and Jennifer Swezey, as well as, the possibility of establishing a transition period and authorize the Mayor to execute any necessary personnel action forms recognizing the return from FMLA by Mr. Miller.

RECOMMENDED ACTION:

Convene in Executive Session to discuss the employment of Mike Miller, and if necessary and take action in open session to establish a transition period, and authorize the Manager to execute any necessary personnel action forms to recognize Mr. Miller's return from FMLA.

Fiscal Impact

Attachments

No file(s) attached.

Special City Council

2. b.

Meeting Date: 09/08/2022

Submitted For: Roy Tucker, City Attorney

Initiator: Roy Tucker, City Attorney

Department: City Attorney

Staff Information Source:

Information

AGENDA ITEM TITLE:

Pursuant to Section 307(B)(1), Title 25, Oklahoma Statutes, consider convening in Executive Session to discuss the employment of Interim City Manager Jennifer Swezey, and the establishment of a period of transition resulting from the return of City Manager Mike Miller, and if necessary, take appropriate action in Open Session. (Mayor Marlon J. Coleman)

BACKGROUND:

The Mayor would like to discuss with the Council the transition between Mike Miller and Jennifer Swezey, as well as, the possibility of establishing a transition period.

RECOMMENDED ACTION:

Convene in Executive Session and take appropriate action in open session.

Fiscal Impact

Attachments

No file(s) attached.
