

*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**  
**FEBRUARY 12, 2024**

*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.*

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

1. Consider approval of Public Works Committee minutes of January 8, 2024, or take other necessary action.
2. Consider approval of Ordinance No. 4224-A, an ordinance amending the City of Muskogee Code of Ordinances, by amending Chapter 82, Utilities, Article VI, Refuse Collection, Section 82-743, Other Trash Containers, Adding Repealer, Severability and Setting an Effective Date, or take other necessary action. (Mike Stewart)
3. Consider approval of Resolution No. 2975 declaring the property located at 1016 South C. Street in the City of Muskogee as surplus property, and authorize the City Manager to negotiate and execute a Quit Claim Deed for the subject property, or take other necessary action.(Jody King)
4. Consider approval of final payment to TLS Group, Inc., in the amount of \$71,036.27, for Four Corners Signalization, Project No. 2016040, or take other necessary action. (Mike Stewart)
5. Consider approval of final payment to Mason Enterprise Group, in the amount of \$3,519.00, for Sewer Plant Chiller, Project No. 2022038, or take other necessary action. (Mike Stewart)
6. Receive an update from the City of Muskogee Health Committee regarding renewals for Plan Year 2024, and take other necessary action. (Maggie Eaton)
7. Consider approval of the appointment of Joy Sloan to the Parks and Recreation Board, to serve a four (4) year term, filling the expiring term of Evelyn Hibbs, beginning March 1, 2024, and ending February 29, 2028, or take other necessary action. (Councilor Perline Boyattia-Craig)

## 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: 02/12/2024  
Initiator: Jennifer Sharp, Admin II  
Department: City Clerk  
Staff Information Source:

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Information

AGENDA ITEM TITLE:

Consider approval of Public Works Committee minutes of January 8, 2024, or take other necessary action.

BACKGROUND:

RECOMMENDED ACTION:

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Fiscal Impact

Attachments

1-8-2024 pwmin

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## MINUTES

### OF THE PUBLIC WORKS COMMITTEE OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN REGULAR SESSION IN COUNCIL CHAMBERS OF CITY HALL JANUARY 8, 2024

The Public Works Committee of the City of Muskogee, Oklahoma, met in Regular Sessions at 5:30 p.m., January 8, 2024, in Council Chambers, Municipal Building, 229 W. Okmulgee Ave., Muskogee, Oklahoma.

Present: Mayor Marlon J. Coleman; Vice Mayor Derrick Reed; Committee Member Jaime Stout; Committee Member Alex Reynolds; Committee Member Traci McGee; Chair Tracy Hoos; Committee Member Shirley Hilton-Flanary; Committee Member Perline Boyattia-Craig; Committee Member Patrick Cale

Staff Present: Mike Miller, City Manager; Roger Kolman, Assistant City Manager; Katrina Bodenhamer, City Attorney; Tammy L. Tracy, City Clerk; Jeff Reeves, Project Manager; Johnny Teehee, Police Chief; Avery Rigney, Assistant Public Works Director; Austin Witt, Deputy City Attorney; Jody King, Planning Director; Robert Swepston, Fleet Director

1. Consider approval of Public Works Committee minutes of November 13, 2023, or take other necessary action.

Motion was made by Committee Member Jaime Stout, seconded by Committee Member Perline Boyattia-Craig to approve Public Works Committee minutes of November 13, 2023.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

2. (Stricken) Hold a Public Hearing to discuss the outcome of the Community Development Block Grant - Coronavirus Response (CDBG-CV 2020), an application for funding to prevent, prepare for, and respond to Coronavirus. (Jody King)

3. Consider approval of Ordinance No. 4221-A, an ordinance amending the City of Muskogee Code of Ordinances by repealing Chapter 18, Buildings and Building Regulations, Article II, Registration Certificates and Fees; Permits, Bonds and Insurance, Division 6, Vacant Building Registration, or take other necessary action. (Katrina Bodenhamer)

Deputy City Attorney Austin Witt stated amendments to state statutes have rendered this ordinance unenforceable. It requires the owner of vacant, abandoned, commercial buildings to pay a fee and be placed on a registry maintained by the City Clerk. Changes to Title 11 prohibit municipalities from compelling lists that require a fee. This proposed ordinance will repeal former regulations, and the next Agenda Item with proposed Ordinance No. 4222-A, will replace it with a statutory compliant version, not requiring participation or imposing a fee on property owners. Mr. Witt stated the list will not be subject to the Open Meetings Act, but will provide the City with information necessary to ensure vacant, abandoned, commercial buildings are not creating a public nuisance.

Motion was made by Committee Member Jaime Stout, seconded by Committee Member Perline Boyattia-Craig to approve Ordinance No. 4221-A, an ordinance amending the City of Muskogee Code of Ordinances by repealing Chapter 18, Buildings and Building Regulations, Article II, Registration Certificates and Fees; Permits, Bonds and Insurance, Division 6, Vacant Building Registration.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

4. (No Action) Consider approval of Ordinance No. 4222-A, an Ordinance amending the City of Muskogee Code of Ordinances, by adopting Chapter 18, Buildings and Building Regulations, Article X, Vacant and Abandoned Commercial Buildings, or take other necessary action. (Katrina Bodenhamer)

City Attorney Katrina Bodenhamer stated this is a new ordinance based on the new State Legislature. The new ordinance will allow the City to maintain an internal list for City purposes that would not be subject to the Open Records Act. The State Legislature determined revealing property owner names and addresses was a violation of their rights, and potentially discriminating. Ms. Bodenhamer stated the purpose of the ordinance is to identify these vacant structures by establishing an internal list to monitor the property, to implement vacant building registration, and work with the owners to bring the property up to code. These buildings are still subject to the dilapidation process if necessary.

Ms. Bodenhamer stated vacant, abandoned, commercial buildings are a security risk, inviting the homeless population, and often using police and fire resources. There are provisions in the ordinance to ensure property grounds are kept clean, the building is

safe and secure, utilities are active, property insurance is current, and designating an appeal process to protect the civil rights of our citizens with proper notice.

Planning Director Jody King stated the ordinance is aimed at protecting the public as well, as potentially revitalizing vacant structures. Code enforcement would use a standard process, open a case, have the building inspector verify findings, and notify the property owner. Mr. King stated the hope is to attract new life and business, boosting economic development.

Discussion followed.

Mayor Marlon J. Coleman suggested the Committee take no action at this time and bring back the Agenda Item to Council on January 22, 2024, addressing the Main Street buildings and other concerns mentioned.

5. Consider Approval of Resolution No. 2971 to allow Neighbors Building Neighborhoods (NBN) to issue Certificates of Appropriateness (COA) on behalf of the Historic Preservation Commission for the Muskogee Historic Revitalization Subgrant Program, or take other necessary action. (Jody King)

Planning Director Jody King stated in 2023, Neighbors Building Neighborhoods applied for the Paul Bruhn Grant from the National Parks Service and were awarded \$750,000.00 to subgrant to federally registered historic districts in Muskogee. This program is called the Muskogee Historic Revitalization Subgrant Program. Mr. King stated residential and commercial structures within those historic districts will be eligible for exterior or interior remodels, which will promote economic vitality in our historic area. When a citizen wishes to remodel in this district, they must first appear before the Historic Preservation Commission to receive a Certificate of Appropriateness (COA) before being issued any other permits. Under this resolution, Neighbors Building Neighborhoods would be allowed to issue COAs for approved applicants to the subgrant program on behalf of the Historic Preservation Commission. For any other COA, anyone not applying for the program would still go to the Historic Preservation Commission in the normal capacity.

Mr. King stated the Historic Preservation Commission approved this at the Special Call meeting on December 14, 2023. Staff recommends approval.

Motion was made by Committee Member Perline Boyattia-Craig, seconded by Committee Member Shirley Hilton-Flanary to approve Resolution No. 2971 to allow Neighbors Building Neighborhoods (NBN) to issue Certificates of Appropriateness (COA) on behalf of the Historic Preservation Commission for the Muskogee Historic Revitalization Subgrant Program.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

6. Consider approval of amended City Council Policy 1-6, Records Retention and Authority to Destroy, or take other necessary action. (Katrina Bodenhamer)

City Attorney Katrina Bodenhamer stated the State is requiring each municipality to maintain a retention policy for records. Our current policy does not reference photographs, audio recordings, or video recordings. Current State law states it is the discretion of the City to decide how long to maintain these records. This amendment places us in compliance with State Law.

Motion was made by Committee Member Perline Boyattia-Craig, seconded by Committee Member Patrick Cale to approve amended City Council Policy 1-6, Records Retention and Authority to Destroy.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

7. Consider approval of Final Payment to APAC Central, Inc., in the amount of \$138,439.58, for the NW Zone Mill & Overlay Project No. 2022042, or take other necessary action. (Mike Stewart)

Assistant Public Works Director Avery Rigney stated this is part of the CIP zone of street improvements and is the final pay for mill and overlay. The original contract was just over \$2.7 million, and a change order in late July brought the total to \$2.9 million. However, changes in the field dropped the total back down to \$2.7 million. There were 33 streets that received mill and overlay, and 19 streets received overlay only. Mr. Rigney presented a PowerPoint with pictures and diagrams of the project.

Motion was made by Committee Member Jaime Stout, seconded by Committee Member Perline Boyattia-Craig to approve the Final Payment to APAC Central, Inc., in the amount of \$138,439.58, for the NW Zone Mill & Overlay Project No. 2022042.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

8. Consider approval of Change Order No. 1 for the Four Corners Signal Improvements, Project No. 2016040, with Traffic & Lighting Systems, LLC, in the amount of \$68,295.60, or take other necessary action. (Mike Stewart)

Project Manager Jeff Reeves stated this change order has two elements; striping and concrete improvements. On Broadway Street from Main to Cherokee Street, traffic striping and parking spaces have been completed. Around the Four Corners Signalization Project, there were deteriorated sidewalks and ADA-compliant matting that needed replacing. Staff recommended approval.

Motion was made by Committee Member Traci McGee, seconded by Committee Member Jaime Stout to approve Change Order No. 1 for the Four Corners Signal Improvements, Project No. 2016040, with Traffic & Lighting Systems, LLC, in the amount of \$68,295.60.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

9. Consider approval of the lowest and best bid in the amount of \$450,000.00, from Cook Consulting, LLC, for the Haskell Pump Station, Project No. 2022021, as recommended by Cowan Group Engineering, or take other necessary action. (Mike Stewart)

Project Manager Jeff Reeves stated this project includes a new 26 gauge roof, new generator with transfer switch, new fencing around the perimeter of the building and parking lot, concrete drive, split system HVAC, electrical improvements and new paint.

Assistant Public Works Director Avery Rigney stated this was part of ARPA funding and finished just under budget. Cowan Group Engineering recommended approval. Staff recommended approval.

Motion was made by Committee Member Traci McGee, seconded by Committee Member Perline Boyattia-Craig to approve of the lowest and best bid in the amount of \$450,000.00, from Cook Consulting, LLC, for the Haskell Pump Station, Project No. 2022021, as recommended by Cowan Group Engineering.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously



10. Consider approval of the lowest and best bid in the amount of \$87,001.00, from Anytime Roofing Inc., for the Facilities Building Roof Replacement, Project No. 2023028, as recommended by Cowan Group Engineering, or take other necessary action. (Mike Stewart)

Project Manager Jeff Reeves stated this is the maintenance building located at the fairgrounds; its roof has been leaking and is in need of replacement. The project includes a new 24 gauge roof, with framing members and subservice panels replaced as needed. Foam insulation will be sprayed on after the old foam and insulation have been removed. Staff recommended approval.

Motion was made by Committee Member Perline Boyattia-Craig, seconded by Committee Member Alex Reynolds to approve of the lowest and best bid in the amount of \$87,001.00, from Anytime Roofing Inc., for the Facilities Building Roof Replacement, Project No. 2023028, as recommended by Cowan Group Engineering.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

11. Consider approval of the appointment of Cleta Mullins to serve on the Wellness Initiative Coalition, filling the unexpired term of Linda Milton, commencing upon appointment, and ending on August 31, 2024, or take other necessary action. (Councilor Perline Boyattia-Craig)

Motion was made by Committee Member Alex Reynolds, seconded by Committee Member Perline Boyattia-Craig to approve of the appointment of Cleta Mullins to serve on the Wellness Initiative Coalition, filling the unexpired term of Linda Milton, commencing upon appointment, and ending on August 31, 2024.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

Motion was made by Committee Member Alex Reynolds, seconded by Committee Member Perline Boyattia-Craig to approve of the appointment of Cleta Mullins to serve on the Wellness Initiative Coalition, filling the unexpired term of Linda Milton, commencing upon appointment, and ending on August 31, 2024.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

12. Consider approval of the appointment of Perry Hewitt to the Parks and Recreation Board, filling the unexpired term of Julie Macomb, commencing upon appointment, and ending April 30, 2025, or take other necessary action. (Councilor Shirley Hilton-Flanary)

Motion was made by Committee Member Shirley Hilton-Flanary, seconded by Committee Member Jaime Stout to approve of the appointment of Perry Hewitt to the Parks and Recreation Board, filling the unexpired term of Julie Macomb, commencing upon appointment, and ending April 30, 2025.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

13. Consider approval of the appointment of Dr. Jack Weaver to the Wellness Initiative Coalition to serve a four (4) year term, filling the expired term of Dr. James Baker, beginning February 1, 2024, and ending on January 31, 2028, or take other necessary action. (Councilor Tracy Hoos)

Motion was made by Chair Tracy Hoos, seconded by Committee Member Perline Boyattia-Craig to approve of the appointment of Dr. Jack Weaver to the Wellness Initiative Coalition to serve a four (4) year term, filling the expired term of Dr. James Baker, beginning February 1, 2024, and ending on January 31, 2028.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

14. Consider approval of the appointment of Melony Carey to the Historic Preservation Commission, to serve a three (3) year term, beginning February 1, 2024, and ending on January 31, 2027, or take other necessary action. (Mayor Marlon J. Coleman)

Motion was made by Mayor Marlon J. Coleman, seconded by Committee Member Patrick Cale to approve of the appointment of Melony Carey to the Historic Preservation Commission, to serve a three (3) year term, beginning February 1, 2024, and ending on January 31, 2027.

AYE: Mayor Marlon J. Coleman, Vice Mayor Derrick Reed, Committee Member Jaime Stout, Committee Member Alex Reynolds, Committee Member Traci McGee, Chair Tracy Hoos, Committee Member Shirley Hilton-Flanary, Committee Member Perline Boyattia-Craig, Committee Member Patrick Cale

Carried - Unanimously

## **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 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.**

Vice Mayor Derrick Reed, 550 S. 7th, welcomed the community to celebrate in Muskogee on January 15, 2024, which is Dr. Martin Luther King's 95th birthday, and the 50th Anniversary of the Muskogee Martin Luther King Center.

There being no further business, the meeting was adjourned.

CHAIR STEPHANIE JONES  
PUBLIC WORKS COMMITTEE

pwmin  
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**Public Works Committee**

**2.**

**Meeting Date:** 02/12/2024

**Submitted For:** Avery Rigney, Public Works

**Initiator:** Kristal Keim, PW  
Office Admin II

**Department:** Public Works

**Staff Information Source:**

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of Ordinance No. 4224-A, an ordinance amending the City of Muskogee Code of Ordinances, by amending Chapter 82, Utilities, Article VI, Refuse Collection, Section 82-743, Other Trash Containers, Adding Repealer, Severability and Setting an Effective Date, or take other necessary action. (Mike Stewart)

**BACKGROUND:**

This proposed ordinance amends Section 82-743, Other Trash Containers, by amending the language in this section which authorizes other forms of trash containers. This allows us to continue to improve our trash service and helps to prevent injury to our city workers. In addition, this amendment :

- Makes the city more aesthetically pleasing.
- Improves our public image.
- Improves cost-effectiveness
- Helps with Stormwater concerns

**RECOMMENDED ACTION:**

Approve Ordinance 4224-A

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**Fiscal Impact**

**Attachments**

Ordinance 4224-A

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ORDINANCE NO. 4224-A

AN ORDINANCE AMENDING THE CITY OF MUSKOGEE CODE OF ORDINANCES, BY AMENDING CHAPTER 82, UTILITIES, ARTICLE VI, REFUSE COLLECTION; SECTION 82-743, OTHER TRASH CONTAINERS, BY AMENDING SECTION 82-743, ADDING REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

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

Section 1. The City of Muskogee Code of Ordinances, Chapter 82, Utilities, Article VI, Refuse Collection, Section 82-743, Other Trash Containers, is hereby amended to read as follows:

82-742, COLLECTION CARTS; OWNER RESPONSIBILITY

- (a) Except as otherwise provided in this article, all residential customers shall place their trash and garbage in carts of the type and size as shall be specified by the city.
- (b) The city shall provide one cart for each residence. The resident shall be responsible for the safekeeping of the cart until such time as an inspection is made by the sanitation department and service is terminated. Should any person change his residence they should promptly notify the sanitation department whose duty it shall be to transfer responsibility for the cart to the new resident. If the cart is lost, stolen or damaged beyond normal wear and tear, the cost of replacement, plus ten percent, shall be charged to the resident at current replacement costs. All carts shall remain the property of the city even though the resident has been charged for a replacement cart.
- (c) All carts to be emptied shall be placed at the curb or curblin. Carts are not to be obstructed from the sanitation collectors' view (i.e., behind parked cars, behind hedges, etc.). The cart shall be placed for collection no earlier than 7:00 p.m. the day before collection and no later than 7:00 a.m. the day of collection. The cart shall be returned to its storage place by 7:00 a.m. the day after collection.

82-743, OTHER TRASH CONTAINERS

Residents are only allowed to use the trash carts provided by the City of Muskogee for the collection of refuse by the City. No other forms of trash containers shall be placed at the curb or curblin.

- ~~(a) Residents will be allowed to place at the cart other types of containers for collection. The authorized containers shall be as follows:~~
  - ~~(1) Plastic bags, limit of five for leaf and lawn residue only. The bags shall be securely tied or fastened to prevent spillage and shall weigh no more than 35 pounds each; and~~
  - ~~(2) Cardboard boxes shall be picked up if they are broken down, folded flat and weigh no more than 35 pounds each.~~

~~(b) The following items are deemed to be improper containers and should not be placed at the curb for collection:~~

- ~~(1) Paper shopping bags;~~
- ~~(2) Metal or plastic trash cans;~~
- ~~(3) Wastebaskets;~~
- ~~(4) Baskets;~~
- ~~(5) Tubs; or~~
- ~~(6) Barrels.~~

~~(c) Any improper containers placed at the curb will be subject to disposal.~~

82-744, EXTRA COLLECTIBLE SOLID WASTE; UNLAWFUL POSSESSION OF CARTS;  
TERMINATION OF SERVICE

- (a) Any excess collectible waste shall be picked up on Fridays by calling the sanitation department prior to 3:00 p.m. on Thursday. Limbs should be cut in 48-inch lengths and bundled.
- (b) All carts are to remain at the residence to which they are assigned. It shall be unlawful and an offense for any person to be found in possession of a cart in any place other than the cart assigned to a residence.
- (c) Upon a resident terminating his collection service, the resident will account for his cart with the city. The cart should be in good and working condition, normal wear and tear excepted. If a cart has been lost, stolen or damaged beyond normal wear and tear, the cost of replacement, plus ten percent, or repair shall be charged against the resident on his next bill.

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 its publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE,  
OKLAHOMA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CITY OF MUSKOGEE

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MARLON J. COLEMAN, MAYOR

(Seal)

ATTEST:

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TAMMY L. TRACY, CITY CLERK

Approved as to Form and Legality:

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KATRINA BODENHAMER, CITY ATTORNEY

**Public Works Committee**

**3.**

**Meeting Date:** 02/12/2024  
**Submitted For:** Jody King, Planning Dept  
**Initiator:** Cathy Sanders, Planning and Community Development Admin I  
**Department:** Planning Dept  
**Staff Information Source:**

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of Resolution No. 2975 declaring the property located at 1016 South C. Street in the City of Muskogee as surplus property, and authorize the City Manager to negotiate and execute a Quit Claim Deed for the subject property, or take other necessary action.(Jody King)

**BACKGROUND:**

The application for surplus property was submitted by Mr. Reameatez Hopkins Sr. on January 4, 2024. The property was posted on January 9, 2024 to begin the bidding process and ended on January 19, 2024. The lot is currently zoned as R-5 Mobile Home, and the lot size is 14,000 square feet, with the lot width being approximately 98 feet and the lot depth being approximately 139 feet which meets all the requirements as listed in Chapter 90-08(B) to be a buildable lot. This property was deeded to the City of Muskogee on March 7, 2016 by the Muskogee County Board of Commissioners. Mr. Reameatez's application opened the bidding period, and no one else submitted a bid on the subject property.

**RECOMMENDED ACTION:**

Approve the Resolution.

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**Fiscal Impact**

**Attachments**

Resolution 2975  
Staff Report &  
Quit Claim Deed

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RESOLUTION NO. 2975

A RESOLUTION DECLARING CERTAIN REAL PROPERTIES PRESENTLY IN THE POSSESSION OF THE CITY OF MUSKOGEE, SAID TRACT OF LAND DESCRIBED AS MUSKOGEE O.T. BLOCK 310 LOT 12, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA, TO BE SURPLUS TO THE NEEDS OF THE CITY OF MUSKOGEE AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID REAL PROPERTIES.

WHEREAS, the City of Muskogee, Oklahoma has in its possession certain real properties which are no longer needed; and

WHEREAS, the City of Muskogee desires to dispose of said real properties, which are no longer needed, as surplus properties according to the provisions of the Charter and the Ordinances of said City;

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

SECTION 1: That property described as:

Muskogee O.T. Block 310 Lot 12

are hereby declared to be surplus to the needs of the City of Muskogee, Oklahoma, and the City Manager is authorized to dispose of said real properties.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS \_\_\_\_\_ DAY OF FEBRUARY, 2024.

\_\_\_\_\_  
**MARLON J. COLEMAN, MAYOR**

ATTEST:

\_\_\_\_\_  
**TAMMY L. TRACY, CITY CLERK**

Seal

Approved as to form and legality this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**KATRINA BODENHAMER, CITY ATTORNEY**

## Planning & Community Development Staff Report

City of Muskogee Public Works & Finance Committee

Monday, February 12, 2024 @ 5:30 P.M.

City of Muskogee City Hall, 229 W Okmulgee Ave., 3<sup>rd</sup> Floor Council Chambers

Consider approval of Resolution 2975 declaring the property located at 1016 S. C. Street in the City of Muskogee, as surplus property, or take other necessary action.

### Planning Department Analysis

Current Zoning & Use: R-5; Mobile Home

Proposed Zoning & Use: No change; no change

Quarter Section, Range, Township: NW35-18E-15N

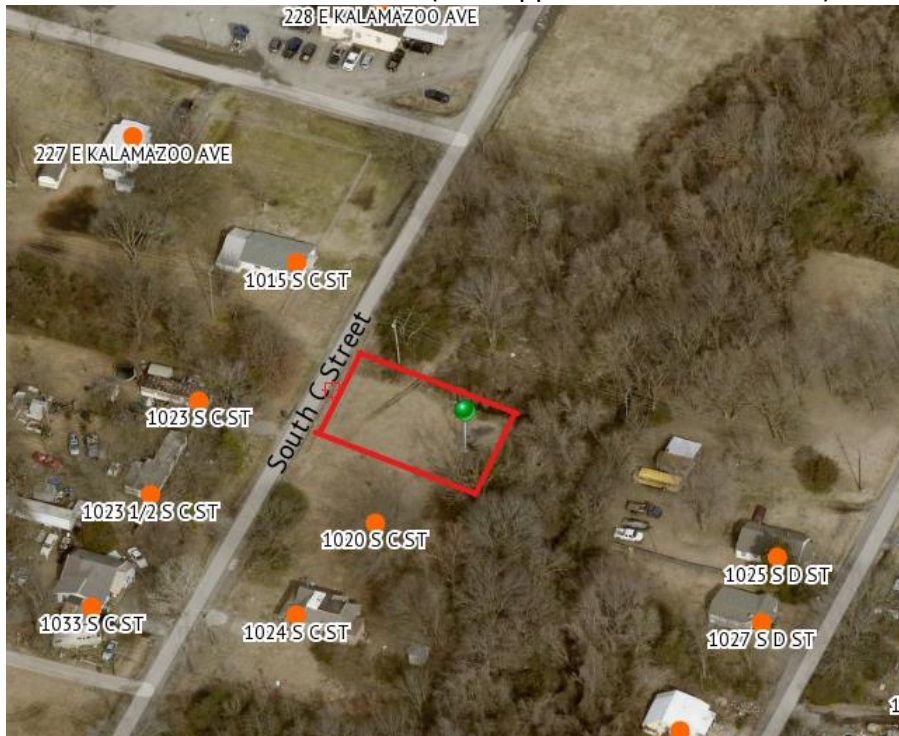
Street Address: 1016 S. C. Street

Legal Description: Muskogee O.T. Block 310 Lot 12

Discussion: The application for surplus property was submitted by Mr. Reameatez Hopkins Sr. on January 4, 2024. The property was posted on January 9, 2024 to begin the bidding process and ended on January 19, 2024. The lot is currently zoned as R-5 Mobile Home, and the lot size is 14,000 square feet, with the lot width being approximately 98 feet and the lot depth being approximately 139 feet which meets all the requirements as listed in Chapter 90-08(B) to be a buildable lot. This property was deeded to the City of Muskogee on March 7, 2016 by the Muskogee County Board of Commissioners.

**RECOMMENDATION:** Approve the resolution.

Aerial Photo of 1016 S. C. Street (with approximate boundaries)



County Assessor Website Photo of Property (Act Data)



# QUIT CLAIM DEED

## *This Indenture,*

Made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the City of Muskogee, a Municipal Corporation duly organized and existing under the laws of the State of Oklahoma, party of the first part, and **Reameatez Hopkins Sr.**, party of the second part,

**WITNESSETH**, that said party of the first part, in consideration of the sum of Ten and No/100 Dollars, and other valuable consideration, the receipt of which is hereby acknowledged, does hereby quitclaim, grant, bargain, sell and convey unto the party of the second part, and to his heirs and assigns forever, all its right, title, interest, estate, and every claim and demand, both at law and in equity, in and to all of the following described property, situated in Muskogee County, State of Oklahoma,

**Muskogee O.T. Block 310 Lot 210**

Subject to the following: Should the grantee, his heirs or assigns, fail to mow weeds and grass or remove trash within three (3) years and because of such failure the City of Muskogee must commence an action for abatement or expend public funds to remedy said condition(s) then the property shall revert to the City of Muskogee. The City's right to said reversion shall lapse if notice thereof is not filed within three (3) years of the date above referenced.

together with all and singular the hereditaments and appurtenances thereunto belonging.

**TO HAVE AND TO HOLD** the above described premises unto the said party of the second part his heirs and assigns forever, so that neither they, the party of the first part or any person in its name and behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof except as heretofore set forth; but shall by these presents be excluded and forever barred.

**IN WITNESS WHEREOF**, the said party of the first part has hereunto set its hand the day and year first above written.

THE CITY OF MUSKOGEE, OKLAHOMA

\_\_\_\_\_  
Tammy L. Tracy, City Clerk

\_\_\_\_\_  
Mike Miller, City Manager

STATE OF OKLAHOMA }

ACKNOWLEDGEMENT

COUNTY OF Muskogee }

SS:

Before me, the undersigned, a Notary Public, in and for said County and State on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared \_\_\_\_\_, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth as the City Manager on behalf of the City of Muskogee.

Given under my hand and seal of office the day and year last above written.

My commission:

\_\_\_\_\_  
Notary Public

**Public Works Committee**

**4.**

**Meeting Date:** 02/12/2024

**Submitted For:** Mike Stewart, Public Works

**Initiator:** Ashley Wallace

**Department:** Public Works

**Staff Information Source:**

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of final payment to TLS Group, Inc., in the amount of \$71,036.27, for Four Corners Signalization, Project No. 2016040, or take other necessary action. (Mike Stewart)

**BACKGROUND:**

This project was for improvements to the traffic signals, wheelchair ramps, intersection modifications, and railroad detection for the Main Street and Cherokee Street downtown corridors.

**RECOMMENDED ACTION:**

Approve Final Pay to TLS Group, Inc., in the amount of \$71,036.27.

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**Fiscal Impact**

**Attachments**

Final Pay App

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**Application and Certificate For Payment**

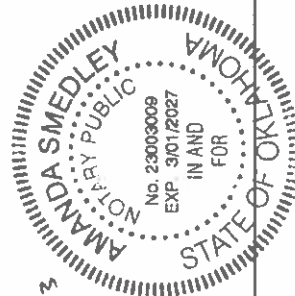
To Owner: MUSKOGEE, CITY OF 229 W OKMULGEE AVE MUSKOGEE, OK 74401  From: TLS Group, Inc. (Contractor): PO Box 14788 Oklahoma City, OK 73113  Phone: (405) 524-1341	Project No: 2016040 Project Location: Four Corners Signal Impro Various Locations Muskogee, OK TLS Job Number: 221012 Contract For:	Application No: 12 RET REL Date: 12/13/2023 Period To: 12/13/23 Architect's Project No: Contract Date:
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**Contractor's Application For Payment**

Change Order Summary	Additions	Deductions
Change orders approved in previous months by owner		
Change orders approved this month	68,295.60	-68,295.60
<b>Totals</b>	<b>68,295.60</b>	
<b>Net change by change orders</b>		<b>68,295.60</b>

Original contract sum	642,067.01
Net change by change orders	68,295.60
Contract sum to date	710,362.61
Total completed and stored to date	710,362.61
Retainage	
10.0% of completed work	0.00
0.0% of stored material	0.00
Total retainage	0.00
Total earned less retainage	639,326.34
Less previous certificates of payment	639,326.34
Current sales tax	
0.000% of taxable amount	0.00
Current sales tax	0.00
Current payment due	71,036.27
Balance to finish, including retainage	0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.



Contractor: [Signature] Date: 12/28/2023  
 By: [Signature] County of: Tulsa  
 Subscribed and sworn to before me this 28 day of Dec 2023 (year).  
 Notary public: Amanda Smedley  
 My commission expires 3/1/27

**Architect's Certificate for Payment**

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the Amount Certified.

Amount Certified: \$ \_\_\_\_\_

Architect: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

This Certification is not negotiable. The Amount Certified is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

**Public Works Committee**

5.

**Meeting Date:** 02/12/2024

**Submitted For:** Mike Stewart, Public Works

**Initiator:** Ashley Wallace

**Department:** Public Works

**Staff Information Source:**

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of final payment to Mason Enterprise Group, in the amount of \$3,519.00, for Sewer Plant Chiller, Project No. 2022038, or take other necessary action. (Mike Stewart)

**BACKGROUND:**

The Sewer Plant Chiller is complete and ready for final payment.

The project consisted of:

- Supply and Install three (3) Trane fan motors for space heaters
- Remove existing piping and re-pipe the supply to the water softener and back flow preventer
- Supply and Install new piping to the boiler loop
- Pressurize new piping, leak check and set pressure regulator
- Supply and Install six (6) actuator motors for the AHU
- Supply and Install six (6) thermostats and wiring for the thermostats to the actuators
- Wire thermostats and actuators, reconnect power to existing circuits and check operation
- Remove the damaged coils from AHU 1
- Supply and install new Trane coil(s) for AHU 1
- Connect new coil(s) to the existing piping system and restore water supply

**RECOMMENDED ACTION:**

Approve Final Payment to Mason Enterprise Group in the amount of \$3,519.00.

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**Fiscal Impact**

**Attachments**

Final Pay App

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Mason Enterprise Group , LLC

P.O. Box 492  
Coweta OK 74429

# Invoice

Date	Invoice #
1/20/2024	7717

Bill To
City of Muskogee 505 Columbus Muskogee, OK 74401

P.O. No.	Terms	Project
	Net 10	Sewer plant 2022038

Quantity	Description	Rate	Amount
	Retainage	3,519.00	3,519.00
		<b>Total</b>	<b>\$3,519.00</b>



Mason Enterprises Group, LLC Pay Application #Retainage/Final

Address: 14479 S. 302nd E. Ave.

Coweta, OK 74429

Phone: 918-266-3606

Project #: 2022038  
 Project: Muskogee Sewer Plant AHU change out  
 Date: January 22, 2024

A	B	C	D	E	F	G	H	I	J
Cost Code	Description of Work	Scheduled Value	Previous Applications	This App. Work in Place	This App. Stored Mat.	Total Compl. & Stored to Date	Balance to Finish	Percent Complete	Retainage
23100	AHU	23,434	23,434		0	23,434	0	100%	1,172
	Duct and install	26,732	26,732			26,732	0	100%	1,337
	Controls	10,918	7,200	3,718		10,918	0	100%	546
	Hydronic Piping	4,400	4,400			4,400	0	100%	220
	Repair Heaters	2,200	2,000	200		2,200	0	100%	110
	DEMO	4,254	4,254			4,254	0	100%	213
	Electrical	3,350	3,350			3,350			
	Final Test & Balance	1,800		1,800		1,800	0	100%	90
<b>TOTALS</b>		<b>77,088</b>	<b>71,370</b>	<b>5,718</b>	<b>0</b>	<b>77,088</b>	<b>0</b>	<b>100%</b>	<b>3,687</b>

**CERTIFICATE OF THE CONTRACTOR**

- 1) Total Completed & Stored to Date: (Total Col G): 77,088
- 2) Less Retainage (Total Col J): 73,569
- 3) Less Previous Payments Due: 3,519
- 4) Current Pay Due (Line 1 minus line 2 minus line 3): 0
- 5) Less Joint Checks (List & Attach invoices): 0
- 6) Total Payment due Subcontractor/Supplier: 3,519

Original Contract Amount: 77,088

Change Orders (Add/Deduct):

CO #1 #REF!

CO #2 #REF!

CO #3 #REF!

CO #4 #REF!

Revised Contract Amount: #REF!

I hereby certify that the work performed and the materials stored on site are compliant and, as shown above, and represent the value of the contractor's performance on this Project.

Contract Agreement (and all authorized changes thereto) between the undersigned and the Owner. I also certify that payments, less applicable retention, have been made through the period covered by previous payments received from the Owner, to (1) all subcontractors and (2) for all materials and labor used in the performance of this Agreement. I further certify that I have complied with Federal, State and local tax laws, including, Unemployment Compensation laws, and Worker's Compensation laws insofar as applicable to the performance of this Agreement.

**Mason Enterprises Group, LLC**  
 Subcontractor:

By: (authorized signature) *CEO*  
 Title:

**Public Works Committee**

**6.**

**Meeting Date:** 02/12/2024  
**Initiator:** Maggie Eaton, Human Resources Director  
**Department:** Personnel  
**Staff Information Source:** Maggie Eaton

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**Information**

**AGENDA ITEM TITLE:**

Receive an update from the City of Muskogee Health Committee regarding renewals for Plan Year 2024, and take other necessary action. (Maggie Eaton)

**BACKGROUND:**

Staff will be presenting renewal information for the City of Muskogee Health Plan year 2024.

**RECOMMENDED ACTION:**

Receive an update and take any necessary action.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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**Public Works Committee**

7.

**Meeting Date:** 02/12/2024  
**Initiator:** Tammy Tracy, City Clerk  
**Department:** City Clerk  
**Staff Information Source:** Councilor Perline Boyattia-Craig

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of the appointment of Joy Sloan to the Parks and Recreation Board, to serve a four (4) year term, filling the expiring term of Evelyn Hibbs, beginning March 1, 2024, and ending February 29, 2028, or take other necessary action. (Councilor Perline Boyattia-Craig)

**BACKGROUND:**

The term of Ms. Evelyn Hibbs expires on February 29, 2024. This will fill her vacancy.

**RECOMMENDED ACTION:**

Approve the appointment.

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**Fiscal Impact**

**Attachments**

Joy Sloan

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APPLICATION FOR APPOINTMENT TO A BOARD OR COMMISSION

RECEIVED  
NOV 30 2023



CITY OF MUSKOGEE  
CITY COUNCIL

CITY CLERK

APPLICATION FOR CITY COUNCIL APPOINTMENT TO A BOARD OR COMMISSION

Application Instructions:

- Complete the entire application form (copies of the form are acceptable).
- Applicants are strongly encouraged to attach a current resume or biography.
- Specifically list the names of the boards or commissions to which you are applying (multiple selections are allowed). Paperwork cannot be appropriately processed unless specific boards or commissions are listed.
- Return application along with your resume to:  
**Office of the City Clerk, 229 W. Okmulgee, Muskogee, OK 74403 or by fax 918-684-6395.**
- This form can be obtained electronically at <http://www.cityofmuskogee.com>, or by calling the City Clerk's Office at: (918) 684-6270.

Board(s) or Commission(s) for which you would like to be considered:

Any needed

Your Full Legal Name: Joy Raye Sloan Your Preferred Name: Joy

Business Name: Green Country Behavioral Health Services, Inc. Home Address: 3001 Hilltop Avenue

Job Title/Employment Date: CEO 03.04.1992 City Zip: Muskogee, OK, 74403

Business Address: 619 North Main Street Ward: 1 2 3 4

Muskogee, OK, 74401 Home Phone: NA

Business Phone: 918.913.3605 Cell Phone: 918.869.6507

Fax: 918.682.4636 Home Email: jsloan@gcbhs.org

Business Email: jsloan@gcbhs.org

Are you registered to vote in City of Muskogee Elections? Yes No

Are you a citizen of the United States? Yes No

Personal Information:

*The Mayor and Council desire a broad representation of backgrounds on boards and commissions.*

Education (high school, name and location of college or university, year graduated, and degree):

- Muskogee High School graduated 1980
- NEO A & M College, Miami, OK. graduated 1982 AA degree in criminal justice
- Northeastern State University, Tahlequah, OK. graduated 1996 BSW in social work
- University of Oklahoma, Norman, OK. graduated 1992 MSW in social work. Licensed Clinical Social Worker since 1999



APPLICATION FOR APPOINTMENT TO A BOARD OR COMMISSION

CITY CLERK

Current employment (job description, employment date, supervisor):

I have been employed at Green Country Behavioral Health since 1992. I have been the CEO since January 2009. My current board chair is Chief Johnny Teehee

Previous employment or experience:

Smith Ambulance 1984 - 1987?? Worked as an emergency medical technician.

Ran the Green Country Girls Softball Association from 1986 until 2006

Was a state certified umpire for softball since 1984. Umpired locally, throughout the state and region.

Also had the privilege if being chosen to umpire at three National Tournaments.

Umpired at the high school and college level for several years.

Inducted into the National Softball Hall of Fame

Professional Licenses Held (if applicable):

Licensed Clinical Social Worker since 1999

Professional References (name, title, contact phone number):

Johnny Teehee - Muskogee Chief of Police 918.683.8038

Melony (Martin) Carey - retired MPS teacher 918.781.3447

Tom Martindale - Muskogee Community Sentencing Director 918.510.6422

Carrie Slatton-Hodges - State Commissioner of the Department of Mental Health & Substance Abuse Services 405.248.9202

Memberships in professional or civic organizations (please include offices held and dates of terms):

Currently

Founding Board Member and current Secretary of the Alliance for Mental Health Providers of Oklahoma (AMHPOK) - largest provider advocacy organization in the state - 2018-

Muskogee Little Theater BOD - 09.2023 to present

Bridges Out of Poverty served on the commission and moved when we incorporated 2015 - present

Military Service Record (including awards, decorations, etc.):

None

Have you ever been elected or appointed to any public office, board or commission in the City of Muskogee? No Yes (If yes, please list with dates served)

Was a member of the Muskogee Wellness Initiative ?? unsure of dates

Never held public office in any manner

Do you currently hold a public office? Public offices include elected or appointed officials of a municipality (it does not have to be Muskogee it could be any town or city), elected or appointed official of any county or the state or federal government, are a trustee of a public trust, are employed by any entity as a police officer, fire fighter, deputy sheriff, assistant district attorney or similar position or the member of a school board or appointed official of a school system or any other public or similar position.

No

Do you have any financial or other interests that might present a conflict of interest, or the appearance of such a conflict, if you were to be appointed to the position for which you have applied? No Yes (If yes, please explain)

APPLICATION FOR APPOINTMENT TO A BOARD OR COMMISSION

RECEIVED  
NOV 30 2023

NA

CITY CLERK

**Please list any special interests or characteristics which might be important to serve on a Board or Commission:**

Interested in serving my community and understand the value of a committed board member as I answer to a Board of Directors.

**RELEASE OF INFORMATION**

I authorize the use of any information contained in the **APPOINTMENTS APPLICATION** to verify my statements made in the Application. I authorize my past employers, all references, and any other persons to answer all questions asked concerning my ability, character, reputation and previous education or employment record. I release all such persons from any liability or damages on a count of having furnished such information. I consent to such investigations as Tammy Tracy, City Clerk or her authorized representatives may make regarding law enforcement records and my general background.

I certify under penalty of perjury under the laws of the State of Oklahoma, that the above information is true, complete and correct to the best of my knowledge.

Joy R. Sloan  
Signature of Nominee

11.30.2023  
Date

Submitted by the Mayor for approval by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor