

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: JULY 10, 2025

**SPECIAL CALL
AGENDA
MUSKOGEE CITY COUNCIL
JULY 14, 2025**

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: JULY 14, 2025
TIME: 5:30 P.M.
PLACE: COUNCIL CHAMBERS, THIRD FLOOR
MUNICIPAL BUILDING, 229 W. OKMULGEE,
MUSKOGEE, OKLAHOMA

ROLL CALL

1. Hold a Public Hearing and consider approval of Ordinance No. 4266-A, annexing the remaining parcels in the John T. Griffin Industrial Park, as legally described below, and establishing a zoning classification of I-1, Light Industrial, or take other necessary action.
(Sarah Winkle)

2. Consider approval of Resolution No. 3042, a Resolution of the City of Muskogee, Oklahoma authorizing the Muskogee Redevelopment Authority to assist the City in carrying out and administering the Muskogee Urban Renewal Area (Shawnee Avenue) Economic Development Project Plan adopted by the City; approving the incurrence of indebtedness by the Authority issuing its Tax Increment Revenue Note, Taxable Series 2025 (the “Series 2025 Note”); providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of said Series 2025 Note; waiving competitive bidding with respect to the sale of said Series 2025 Note and approving the proceedings of the Authority pertaining to the sale of said Series 2025 Note; ratifying and confirming a Security Agreement by and between the City and the Authority pertaining to the pledge of certain ad valorem and sales tax increment revenues; ratifying and confirming a Development Agreement; approving the use of assistance in development financing; and containing other provisions relating thereto, or take other necessary action. (Tera Shows)
3. Consider approval of Resolution No. 3044 wherein the City of Muskogee, as beneficiary of the Muskogee County Public Safety Authority, approves the Lease Agreement between Muskogee County Emergency Medical Service and the Muskogee County Public Safety Authority for the new Public Safety Building, or take other necessary action. (Katrina Bodenhamer)
4. Consider approval of the appointment of Patrick Herriman as the Ward 1 Commissioner to the Urban Renewal Authority, filling the unexpired term of Mike Brawley, commencing upon appointment, and expiring August 31, 2025, or take other necessary action. (Councilor Mike Brawley)

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 Call City Council

1.

Meeting Date: 07/14/2025

Initiator: Sarah Winkle, Deputy Director of Planning and Community Development

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and consider approval of Ordinance No. 4266-A, annexing the remaining parcels in the John T. Griffin Industrial Park, as legally described below, and establishing a zoning classification of I-1, Light Industrial, or take other necessary action. (Sarah Winkle)

LEGAL DESCRIPTION:

The properties being more particularly described as follows:

1. THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.
2. THE EAST 208.71 FEET OF THE NORTH 1043.55 FEET OF THE WEST HALF OF THE WEST HALF OF THE NE/4 OF THE NW/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL PLAT THEREOF.
3. LOT 3 AND 4 IN BLOCK 3, WEBSTER'S SECOND SUBDIVISION OF THAT PART OF THE WEST HALF OF THE NE/4 IN SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA
4. THE EAST HALF OF THE EAST HALF OF THE NW¼ AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW¼ OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

AND

A TRACT OF LAND IN THE NW/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE WEST HALF OF THE SE/4 OF THE NW/4; THENCE S01°37'08"E ALONG THE EAST LINE THEREOF 180.00 FEET; THENCE S88°45'27"W 400.00 FEET; THENCE N01°37'08"W 180.00 FEET TO THE NORTH LINE OF SAID SW/4 OF THE NW/4; THENCE CONTINUING N01°37'08"W 276.45 FEET; THENCE N88°48'27"E 400.00 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NW/4 AT 1043.58 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE S01°37'08"E ALONG SAID LINE 276.45 FEET TO THE POINT OF BEGINNING

5. SW1/4 OF THE NW1/4 AND WEST HALF OF THE WEST HALF OF THE SE1/4 OF THE

NW1/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

LESS AND EXCEPT A TRACT OF LAND LOCATED IN THE NORTHEAST CORNER OF SAID TRACT BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID WEST HALF OF THE WEST HALF OF THE SE1/4 OF THE NW1/4; THENCE S01°37'08"E A DISTANCE OF 180 FEET; THENCE S88°45'27"W A DISTANCE OF 400.00 FEET; THENCE N01°37'08"W 180 FEET TO THE NORTH LINE OF SAID SW1/4 OF THE NW1/4; THENCE N88°45'27"E A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

BACKGROUND:

The remaining parcels of the John T. Griffin Industrial Park II are located in the NW/4 of Section 15, Township 14 North, Range 18 East; the NE/4 of Section 15, Township 14, Range 18 East; and the SW/4 of Section 15, Township 14, Range 18 East, all which are south of the recently annexed property in John T. Griffith Industrial Park I, which was just south of Dal Tile. The 6 (six) parcels abutt the city limits on 2 (two) sides and are contiguous to the City of Muskogee Corporate limits. The annexation will take in six (6) parcels owned by the City-County Port Authority; OG&E; Core Scientific and Polaris Technologies. The City will also take in surrounding infrastructure, such as the newly completed Smith Ferry Road that touches the northern border of 2 (two) of the parcels which are owned by the City County Port Authority and Core Scientific. The roads are industrial concrete roads with another 30-50 years of expected life before major repairs may occur. This annexation has been requested by the City of Muskogee and is an effort to continue the industrial growth of the community to provide high-quality and high-paying jobs. the City is not annexing any other property at this time other property than the property requested.

Ordinance No. 4266-A annexes the above property while also zoning the property to I-1 Light Industrial as detailed by the 2013 Muskogee Comprehensive Plan and Future Land Use Plan, adopted by City Council on June 25, 2012, by Resolution No. 2404.

City Council passed Resolution No. 3030 to begin the annexation process at the Special Call City Council held on June 9, 2025.

Public notices were published in the local newspaper on June 21, 2025, and June 28, 2025. Notices were also mailed to the property owners within a 300 ft. radius of the parcels described.

The Planning Commission of the City of Muskogee unanimously recommended approval of this ordinance annexing and rezoning the subject property on July 8, 2025.

RECOMMENDED STAFF ACTION:

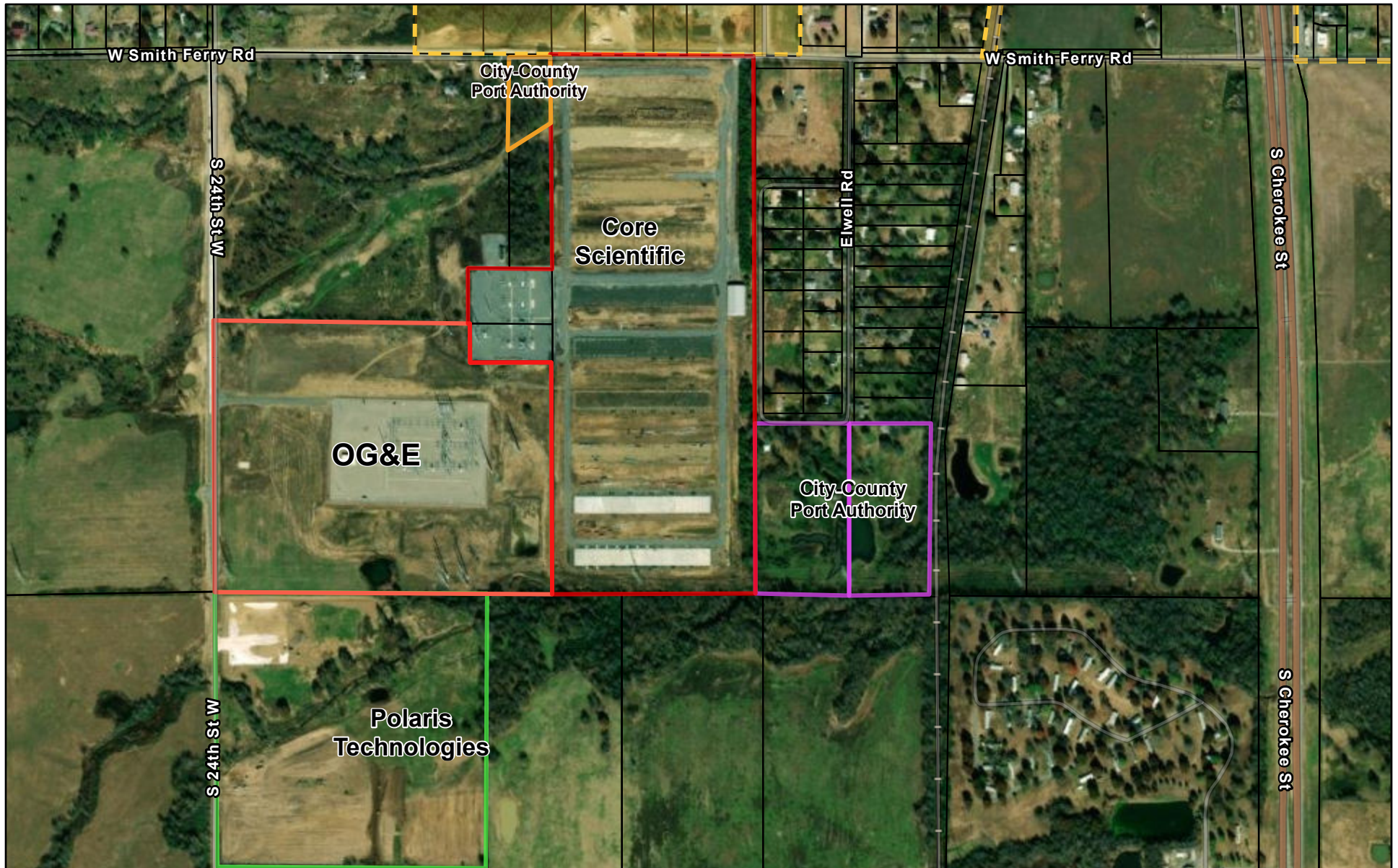
Approve the Ordinance

Fiscal Impact

Attachments

Annexation Map
Ordinance

John T Griffin Annexation Part II

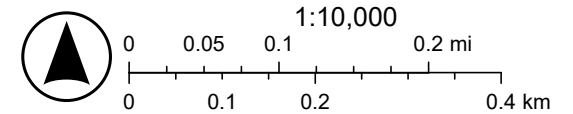


5/27/2025

— Muskogee City Limits

— Muskogee County Parcels, updated Feb. 2024

World Imagery



ORDINANCE NO. 4266-A

AN ORDINANCE ESTABLISHING A ZONING CLASSIFICATION OF “I-1” LIGHT INDUSTRIAL AND ANNEXING TERRITORY ADJACENT TO THE CITY LIMITS UPON PETITION OF THE CITY OF MUSKOGEE, SAID TERRITORY BEING LOCATED IN THE NW SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN AND THE SW SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE MERIDIAN AND THE NE SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE MERIDIAN MUSKOGEE COUNTY, STATE OF OKLAHOMA, ALL THAT CERTAIN REAL ESTATE BEING MORE PARTICULARLY DESCRIBED HEREINAFTER; PROVIDING THAT SAID REAL ESTATE SHALL BE PART OF THE CITY OF MUSKOGEE, OKLAHOMA, AND ALL PROPERTY SITUATED THEREIN CONTAINING 171.324 ACRES MORE OR LESS, SHALL BE SUBJECT TO THE JURISDICTION, CONTROL, LAWS, AND ORDINANCES OF THE CITY OF MUSKOGEE, OKLAHOMA; DIRECTING NOTIFICATION; PROVIDING FOR REPEALER, SEVERABILITY AND DECLARING AN EMERGENCY.

(The City of Muskogee, Petitioner)

WHEREAS, the City of Muskogee in reference to 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 THE PROPERTY BE ANNEXED INTO THE CITY OF MUSKOGEE CITY LIMITS.

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:

1. THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.
2. THE EAST 208.71 FEET OF THE NORTH 1043.55 FEET OF THE WEST HALF OF THE WEST HALF OF THE NE/4 OF THE NW/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICAL PLAT THEREOF.
3. LOT 3 AND 4 IN BLOCK 3, WEBSTER’S SECOND SUBDIVISION OF THAT PART OF THE WEST HALF OF THE NE/4 IN SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA

4. THE EAST HALF OF THE EAST HALF OF THE NW¼ AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW¼ OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

AND

A TRACT OF LAND IN THE NW/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE WEST HALF OF THE SE/4 OF THE NW/4; THENCE S01°37'08"E ALONG THE EAST LINE THEREOF 180.00 FEET; THENCE S88°45'27"W 400.00 FEET; THENCE N01°37'08"W 180.00 FEET TO THE NORTH LINE OF SAID SW/4 OF THE NW/4; THENCE CONTINUING N01°37'08"W 276.45 FEET; THENCE N88°48'27"E 400.00 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NW/4 AT 1043.58 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE S01°37'08"E ALONG SAID LINE 276.45 FEET TO THE POINT OF BEGINNING

5. SW1/4 OF THE NW1/4 AND WEST HALF OF THE WEST HALF OF THE SE1/4 OF THE NW1/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

LESS AND EXCEPT A TRACT OF LAND LOCATED IN THE NORTHEAST CORNER OF SAID TRACT BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID WEST HALF OF THE WEST HALF OF THE SE1/4 OF THE NW1/4; THENCE S01°37'08"E A DISTANCE OF 180 FEET; THENCE S88°45'27"W A DISTANCE OF 400.00 FEET; THENCE N01°37'08"W 180 FEET TO THE NORTH LINE OF SAID SW1/4 OF THE NW1/4; THENCE N88°45'27"E A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

Section 2: The zoning classification of the real estate hereinbefore described in Muskogee County will be zoned I-1 Light Industrial Zoning Classification as approved in the 2013 City of Muskogee Comprehensive Plan and Land Use Map adopted June 25, 2012 upon annexation.

Section 3: 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 zoned and annexed.

Section 4: A copy of the Ordinance, together with an accurate map of the territory zoned and annexed, certified by the Mayor and the City Clerk, shall be filed in the office of the County

Clerk of Muskogee County, Oklahoma.

Section 5: 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 6: 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 _____ DAY OF JULY, 2025.

W. PATRICK CALE, MAYOR

ATTEST:

TAMMY L. TRACY, CITY CLERK

(SEAL)

APPROVED as to form and legality this ____ day of _____, 20____.

KATRINA BODENHAMER, CITY ATTORNEY

**CITY OF MUSKOGEE
ANNEXATION PROPOSAL
SERVICE PLAN**

The property proposed for annexation includes six (6) areas consisting of approximately 123.10 acres (0.19 square miles) and abuts the City limits on two (2) sides or more. The areas considered for annexation are generally described as follows:

- 1) THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.
- 2) THE EAST 208.71 FEET OF THE NORTH 1043.55 FEET OF THE WEST HALF OF THE WEST HALF OF THE NE/4 OF THE NW/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICAL PLAT THEREOF.
- 3) LOT 3 AND 4 IN BLOCK 3, WEBSTER'S SECOND SUBDIVISION OF THAT PART OF THE WEST HALF OF THE NE/4 IN SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA
- 4) THE EAST HALF OF THE EAST HALF OF THE NW¹/₄ AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW¹/₄ OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.
AND
A TRACT OF LAND IN THE NW/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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- 5) SW1/4 OF THE NW1/4 AND WEST HALF OF THE WEST HALF OF THE SE1/4 OF THE NW1/4 OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

LESS AND EXCEPT A TRACT OF LAND LOCATED IN THE NORTHEAST CORNER OF SAID TRACT BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID WEST HALF OF THE WEST HALF OF THE SE1/4 OF THE NW1/4; THENCE S01 37'08"E A DISTANCE OF 180 FEET; THENCE S88 45'27"W A DISTANCE OF 400.00 FEET; THENCE N01 37'08"W 180 FEET TO THE NORTH LINE OF SAID SW1/4 OF THE NW1/4; THENCE N88 45'27"E A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

(See Attached Map)

◆ **Planning and Zoning**

The land use classifications within the area(s) include residential, agricultural and some commercial and industrial. The City of Muskogee Planning and Zoning Commission will designate the zoning classification of "I-1" Light Industrial for all property within the area annexed, taken into consideration the existing land use (see attached zoning map). All zoning decisions are ultimately the responsibility of the City Council. Any existing land use, which does not comply with the designated zoning district, will be considered legal nonconforming and allowed to continue as long as City codes are adhered to.

Very few of the properties in the area have been platted, and it is doubtful they meet the minimum design requirements of the subdivision regulations of the City of Muskogee. Property that is undeveloped (platted or unplatted) shall comply with the City of Muskogee Subdivision Regulations prior to obtaining a building permit. It is not anticipated that any property owners are seeking subdivision development. A copy of the regulations are available for review or purchase in the Planning Department. Zoning and planning services will be available to the area upon annexation.

The Code Enforcement Division of the Planning Department will enforce all city ordinances in reference to derelict structures, dilapidated property and weeds, grass and

trash. For the first two (2) years, enforcement of city ordinances will be on a complaint basis. Thereafter, the City will be the complainant on code violations.

- Cost for services upon annexation will be dependent on the services sought by the property owner from the Planning and Zoning Department. Those services are listed as follows:
- Cost for services/violations upon annexation for Code Enforcement will be dependent on the services/violations provided or incurred.
- Cost for services upon annexation for Inspections will be dependent on the services incurred. The Fee Schedule for Permits and Inspections can be found at https://www.muskogeeonline.org/departments/planning/inspection_fees.php or by calling in to the Inspections Department.

♦ **Police Department**

Upon annexation, Muskogee Police Department will be the primary responders. No additional equipment or personnel will be needed.

Cost analysis for ongoing services to the area being annexed for this department is not able to be quantified since type of call and personnel needed per call cannot be ascertained.

♦ **Fire Department**

Upon annexation, Muskogee Fire Department will become the primary fire protection agency for this area. At least three pumpers and one ladder or rescue truck will respond to any structure fire. Grass, trash and refuse fires will have an initial response of one pumper truck. Outside burning in these areas will be prohibited upon annexation as per city ordinance. No additional equipment or personnel will be needed.

Cost per hr. for MFD response to a single alarm commercial fire alarm which includes a command vehicle, 3 engines, 1 ladder, and 1 rescue.

- Single alarm commercial fire alarm cost for personnel/hr.: \$507.28
- Single alarm commercial fire alarm cost for apparatus/hr.: \$3000

Cost per hr. for MFD response to a single alarm commercial fire alarm which includes a command vehicle, 3 engines, 1 ladder, and 1 rescue.

- Cost for personnel/hr.: \$100.50
- Cost of apparatus/hr.: \$500

♦ **Water Service**

The proposed annexation area currently has water service provided by the City of Muskogee. The size of the water lines varies from 6” in diameter to 12”. Any development is responsible for connecting to the water lines and for improvements if demanded needs are not met. Water service rates will be adjusted to the level of inside-city rates beginning with any bills issued on or after October 15, 2025.

Distribution

- Total Water Distribution Maintenance Cost Annually \$10,211

Treatment

- Cost to supply water annually \$691,880

♦ **Sanitary Sewer Service**

The proposed annexation areas are served by City sewer. The line size is a 12”. Any development is responsible for connecting to existing infrastructure or make improvements if capacity upgrades are needed.

Some of these areas are currently served by city sewer and are paying the outside city rate and will be adjusted to inside of city rate beginning with any bills issued on or after October 15, 2025.

Treatment and Collection Combined

- Cost to collect and treat sewage annually \$350,000

Sanitary Sewer Collection is an unmonitored utility and therefore its service cost is wrapped into the treatment cost.

♦ **Street Department**

The areas of proposed annexation contain a variety of streets consisting of concrete and gravel. Upon annexation, any streets in the area will be maintained to their current level by the Public Works Department.

Street Maintenance

- Total Street Maintenance Cost Annually \$18,906

◆ Sanitation Department

The Sanitation Division of the Public Works Department enforces the ordinance that requires refuse collection at all residences. The City will provide this service, including the furnishing of a trash container, to any residence located on a street that is adequate for the safe operation of the collection vehicle and employees. The resident may use either the City service or may contract with any City-licensed refuse collection service. A complete sanitation collection policy is available from the Public Works Department. Some of these areas currently have sanitation service at the outside city rate and will need to be adjusted to inside of city rate beginning with any bills issued on or after October 15, 2025.

There is no additional cost to this City for expanding into this area.

- The polycarts and containers that will be used come from the City’s pre-existing stockpile. There is a cost associated with adding an additional stop on the route and additional landfill usage. The cost to dump this extra waste will be equivalent to \$10 per cubic yard of waste. This will be absorbed into the utility bill if they choose to use City trash service, if they opt to use a private hauler there will be no increase to the City. The bill accounts for the collection of solid waste, creating not cost.

◆ Environmental Control Department

Any applicable right of way mowing and spraying within these areas will become the responsibility of the Environmental Control Department. Mowing of these areas is expected to take an additional 3-4 days of mowing per month. The property owners are responsible for the maintenance of their right of way per City Code.

Herbicide Cost, Material and Labor

- Labor and Material Annually \$1,320

◆ Storm Water Department

Upon annexation, all areas will be subject to storm water fees in accordance with the fee schedule listed in Appendix “A” of the City of Muskogee Code of Ordinances.

There is a conditional cost to this City for expanding into this area.

- If they are discharging into the City system they will pay a stormwater fee for an appropriate amount of ESU’s or Equivalent Surface Units that will negate the cost of providing any service.

♦ **Conclusion**

This proposed plan sets forth the times that the City of Muskogee considers being a reasonable time to implement the service plan or the various services. This time frame will be confirmed or modified at the public hearing and set forth in the ordinance annexing the territory. The plan may be amended through negotiation at the hearing.

Special Call City Council**2.****Meeting Date:** 07/14/2025**Submitted For:** Katrina Bodenhamer, City Attorney **Initiator:** Tammy Tracy, City Clerk**Department:** City Clerk**Staff Information Source:** City Attorney

Information**AGENDA ITEM TITLE:**

Consider approval of Resolution No. 3042, a Resolution of the City of Muskogee, Oklahoma authorizing the Muskogee Redevelopment Authority to assist the City in carrying out and administering the Muskogee Urban Renewal Area (Shawnee Avenue) Economic Development Project Plan adopted by the City; approving the incurrence of indebtedness by the Authority issuing its Tax Increment Revenue Note, Taxable Series 2025 (the “Series 2025 Note”); providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of said Series 2025 Note; waiving competitive bidding with respect to the sale of said Series 2025 Note and approving the proceedings of the Authority pertaining to the sale of said Series 2025 Note; ratifying and confirming a Security Agreement by and between the City and the Authority pertaining to the pledge of certain ad valorem and sales tax increment revenues; ratifying and confirming a Development Agreement; approving the use of assistance in development financing; and containing other provisions relating thereto, or take other necessary action. (Tera Shows)

BACKGROUND:

Resolution No. 3042 authorizes the Muskogee Redevelopment Authority to assist the City in carrying out and administering the Muskogee Urban Renewal Area (Shawnee Avenue) Economic Development Project Plan which was adopted by the City. It also approves the incurrence of indebtedness by the Authority issuing its Tax Increment Revenue Note, Taxable Series 2025 (the “Series 2025 Note”); waiving competitive bidding with respect to the sale of said Series 2025 Note and approving the proceedings of the Authority pertaining to the sale of said Series 2025 Note; ratifying and confirming a Security Agreement by and between the City and the Authority pertaining to the pledge of certain ad valorem and sales tax increment revenues; ratifying and confirming a Development Agreement; approving the use of assistance in development financing; and containing other related provisions.

RECOMMENDED ACTION:

Approve the Resolution

Fiscal Impact**Attachments**

Resolution 3042

RESOLUTION NO. 3042

A RESOLUTION OF THE CITY OF MUSKOGEE, OKLAHOMA (THE “CITY”) AUTHORIZING THE MUSKOGEE REDEVELOPMENT AUTHORITY (THE “AUTHORITY”) TO ASSIST THE CITY IN CARRYING OUT AND ADMINISTERING THE MUSKOGEE URBAN RENEWAL AREA (SHAWNEE AVENUE) ECONOMIC DEVELOPMENT PROJECT PLAN ADOPTED BY THE CITY; APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE AUTHORITY ISSUING ITS TAX INCREMENT REVENUE NOTE, TAXABLE SERIES 2025 (THE “SERIES 2025 NOTE”); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURE AUTHORIZING THE ISSUANCE OF SAID SERIES 2025 NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID SERIES 2025 NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID SERIES 2025 NOTE; RATIFYING AND CONFIRMING A SECURITY AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE PLEDGE OF CERTAIN AD VALOREM AND SALES TAX INCREMENT REVENUES; RATIFYING AND CONFIRMING A DEVELOPMENT AGREEMENT; APPROVING THE USE OF ASSISTANCE IN DEVELOPMENT FINANCING; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, the Muskogee Redevelopment Authority (the “Authority”) has been created by a Trust Indenture dated as of April 25, 1983, for the use and benefit of the City of Muskogee, Oklahoma (the “City”), under authority of and pursuant to the provisions of Title 60, Oklahoma Statutes 2021, Sections 176 to 180.4, inclusive, as amended and supplemented (the “Act”), the Oklahoma Trust Act and other applicable statutes of the State of Oklahoma; and

WHEREAS, the City has adopted and approved the Muskogee Urban Renewal Area (Shawnee Avenue) Economic Development Project Plan (the “Project Plan”) by Ordinance No. 3957-A on October 27, 2014 (the “TIF Ordinance”), pursuant to the Oklahoma Local Development Act, Title 62, Oklahoma Statutes 2021, Section 850, *et seq.* as amended (the “Local Development Act”); and

WHEREAS, the City, by virtue of the TIF Ordinance, has created Increment District No. 3, City of Muskogee (the “Increment District”), pursuant to the Local Development Act; and

WHEREAS, the Authority has heretofore issued its Tax Increment Revenue Note, Taxable Series 2014 dated December 30, 2014, in the original principal amount of \$6,550,000.00 (the “Series 2014 Note”), pursuant to the terms of a General Bond Indenture dated as of December 1, 2014, as supplemented and amended by a Series 2014 Supplemental Note Indenture dated as of December 1, 2014 (collectively, the “Indenture”), both by and between the Authority and BancFirst, as Trustee Bank (the “Trustee”); and

WHEREAS, the City, the City of Muskogee Urban Renewal Authority (the “URA”), and Muskok AOS Partners, LLC (including its successors and assigns, “Muskok”), have heretofore

entered into that certain Development Agreement dated as of November 25, 2024 (the “Muskok Development Agreement”) for the purpose of incentivizing the Developer to construct public infrastructure and other site improvements, to facilitate the development of an approximately 55,000 square foot national retail store; and

WHEREAS, the City and the Authority reasonably anticipate additional development projects that would be facilitated by certain incentives to respective development groups (collectively with Muskogee, the “Developers”), as evidenced by economic development agreements from time to time (collectively with the Muskogee Development Agreement, the “Development Agreements”); and

WHEREAS, the Authority and the City have agreed to provide assistance in development financing (as authorized by Section 853(14)(o) of the Local Development Act), including specifically the reimbursement of authorized Project Costs, all as more fully set forth in the Muskogee Development Agreement, and as may be set forth from time to time in the respective Development Agreements; and

WHEREAS, BancFirst, Muskogee, Oklahoma (referred to herein as the “Purchaser”) has proposed to purchase the Series 2025 Note (as defined herein) pursuant to the terms set forth herein.

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

SECTION 1. AUTHORITY THE DESIGNATED PUBLIC ENTITY. The Authority is designated as the public entity authorized to assist the City in carrying out and administering the provisions of the Project Plan and to exercise all powers necessary thereto except those powers reserved to the City by the TIF Ordinance and the Local Development Act.

SECTION 2. INDEBTEDNESS AUTHORIZED. The Authority is hereby authorized to incur an indebtedness by the issuance of its Tax Increment Revenue Note, Taxable Series 2025 in the amount of not-to-exceed \$4,340,000.00 (the “Series 2025 Note”), according to the terms and conditions of a General Bond Indenture dated as of December 1, 2014, by and between the Authority and BancFirst, as Trustee Bank (the “Trustee”), as previously supplemented and amended, and as further supplemented and amended by a Series 2025 Supplemental Note Indenture by and among the Authority, the Trustee, and the Purchaser (collectively, the “Indenture”), provided that said Series 2025 Note shall never constitute a debt of the City of Muskogee, Oklahoma (the “City”).

SECTION 3. ORGANIZATIONAL DOCUMENT SUBJECT TO INDENTURE. The organizational document creating the Authority, is hereby made subject to the terms of the Indenture authorizing the issuance and securing the payment of the Series 2025 Note as more fully described in Section 2 hereof.

SECTION 4. WAIVING COMPETITIVE BIDDING; APPROVAL OF SALE PROCEEDINGS. The waiving of competitive bidding for the sale of the Series 2025 Note and the sale of said Series 2025 Note by the Authority to BancFirst, Muskogee, Oklahoma, as Purchaser, at a price of par, is hereby approved; provided however, the Purchaser shall receive an acceptance fee of \$21,700.00 in connection with the purchase of the Series 2025 Note.

SECTION 5. SECURITY AGREEMENT. The Security Agreement dated as of December 1, 2014, by and between the Authority and the City (the “Security Agreement”) pertaining to the transfer of the Ad Valorem Increment Revenues and the Sales Tax Increment Revenues (as each are defined in the TIF Ordinance) to the Authority in furtherance of the implementation of the Project Plan, is hereby ratified and confirmed, and the Mayor or Vice Mayor and City Clerk or Deputy City Clerk are hereby authorized to do all other lawful things to carry out the terms and conditions of said Security Agreement.

SECTION 6. DEVELOPMENT AGREEMENTS. The Muskok Development Agreement is hereby ratified and confirmed in connection with the Series 2025 Note, and the Authority is directed to utilize proceeds of the Series 2025 Note and/or amounts held in the Revenue Fund of the Indenture to fund the Incentive Payment described in the Muskok Development Agreement. The Authority is further directed to draw additional proceeds of the Series 2025 Note and/or utilize amounts held in the Revenue Fund of the Indenture, from time to time, pursuant to the terms of the Indenture, to fund other Project Costs authorized under the Project Plan pursuant to a Development Agreement, provided however, any such Development Agreements shall be subject to separate approval by the City.

SECTION 7. ASSISTANCE IN DEVELOPMENT FINANCING. The use of assistance in development financing, as contemplated in the Muskok Development Agreement, and as authorized by Section 853(14)(o) of the Local Development Act, is hereby approved.

SECTION 8. AUTHORIZING EXECUTION. The Mayor or Vice Mayor and City Clerk or Deputy City Clerk of the City representing the City at the closing of the above-referenced note issue are hereby authorized to execute and deliver on behalf of the City any and all certifications and documentation necessary or attendant to the delivery of the Series 2025 Note, as directed by Bond Counsel; and are further authorized to approve and make any changes to the documents approved by this Resolution, for and on behalf of the City, the execution and delivery of such documents being conclusive as to the approval of any terms contained therein. Furthermore, City staff are hereby directed to maintain and implement procedures for the collection of the sales and use tax increments and the ad valorem tax increments, the calculation of the portions of such collections that constitute revenues pledged pursuant to the Security Agreement, and the accounting associated with such collections and calculations.

[Remainder of Page Left Blank Intentionally]

PASSED AND APPROVED THIS **14TH DAY OF JULY, 2025.**

CITY OF MUSKOGEE, OKLAHOMA

(SEAL)

By: _____
W. PATRICK CALE, MAYOR

ATTEST:

By: _____
TAMMY L. TRACY, CITY CLERK

APPROVED AS TO FORM AND LEGALITY THIS **9TH DAY OF JUNE, 2025.**

KATRINA BODENHAMER, CITY ATTORNEY

CERTIFICATE
OF
CITY COUNCIL ACTION

I, the undersigned, hereby certify that I am the duly qualified and acting City Clerk of the City of Muskogee, Oklahoma.

I further certify that the City Council of the City of Muskogee, Oklahoma, held a Special Meeting at 5:30 o'clock p.m., on July 14, 2025, after due notice was given in full compliance with the Oklahoma Open Meeting Act.

I further certify that attached hereto is a full and complete copy of a Resolution that was passed and approved by said City Council at said meeting as the same appears in the official records of my office and that said Resolution is currently in effect and has not been repealed or amended as of this date.

I further certify that below is listed those Council Members present and absent at said meeting; those making and seconding the motion that said Resolution be passed and approved; and those voting for and against such motion:

PRESENT:

ABSENT:

MOTION MADE BY:

MOTION SECONDED BY:

AYE:

NAY:

WITNESS MY HAND THIS 14TH DAY OF JULY, 2025.

CITY OF MUSKOGEE, OKLAHOMA

(SEAL)

City Clerk

Special Call City Council**3.**

Meeting Date: 07/14/2025
Submitted For: Katrina Bodenhamer, City Attorney
Initiator: Katrina Bodenhamer, City Attorney
Department: City Attorney
Staff Information Source:

Information**AGENDA ITEM TITLE:**

Consider approval of Resolution No. 3044 wherein the City of Muskogee, as beneficiary of the Muskogee County Public Safety Authority, approves the Lease Agreement between Muskogee County Emergency Medical Service and the Muskogee County Public Safety Authority for the new Public Safety Building, or take other necessary action. (Katrina Bodenhamer)

BACKGROUND:

The Muskogee County Emergency Medical Service, as Lessor, is leasing land to the Muskogee County Public Safety Authority, as Lessee, for the new Public Safety Building at the sum of \$1.00 for 25 years. The City of Muskogee, as a beneficiary of the Muskogee County Public Safety Authority trust, must approve the lease. The County, as an additional beneficiary of the trust, has approved the lease.

RECOMMENDED ACTION:

Recommend approval

Fiscal Impact**Attachments**

Resolution 3044

RESOLUTION NO. 3044

A RESOLUTION BY THE CITY OF MUSKOGEE, AS BENEFICIARY OF THE MUSKOGEE COUNTY PUBLIC SAFETY AUTHORITY TRUST, APPROVING THE LEASE AGREEMENT BETWEEN THE MUSKOGEE COUNTY EMERGENCY MEDICAL SERVICE AND THE MUSKOGEE COUNTY PUBLIC SAFETY AUTHORITY FOR A TWENTY-FIVE (25) YEAR TERM FOR THE SUM OF ONE DOLLAR (\$1.00) WHEREON THE NEW PUBLIC SAFETY BUILDING WILL BE LOCATED

WHEREAS, the Muskogee County Emergency Medical Service and the Muskogee County Public Safety Authority have entered into a lease for the location of the new Public Safety Building; and

WHEREAS, the Muskogee County Emergency Medical Service owns the land upon which the new Public Safety Building will be located; and

WHEREAS, the Muskogee County Public Safety Authority trust desires to lease the land from the Muskogee County Emergency Medical Service for a period of Twenty-five (25) years for the sum of One Dollar (\$1.00); and

WHEREAS, the City of Muskogee is a beneficiary of the Muskogee County Public Safety Authority trust and, therefore, must approve the Lease; and

WHEREAS, all liability thereon related to this Lease is assumed by the Muskogee County Public Safety Authority and there is no assumption of any liability on behalf of the City of Muskogee; and

WHEREAS, the City finds that it is in its best interest to approve the Lease as a beneficiary of the Muskogee County Public Safety Authority trust;

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Muskogee as follows:

SECTION 1: As a beneficiary of the Muskogee County Public Safety Authority trust, the City of Muskogee hereby approves the Lease Agreement dated July 15, 2025 between the Muskogee County Emergency Medical Service as Lessor and the Muskogee County Public Safety Authority as Lessee, with the terms contained as written therein.

ADOPTED, PASSED AND APPROVED by the Council of the City of Muskogee
to be effective immediately this _____ day of July, 2025.

W. Patrick Cale, Mayor

ATTEST:

TAMMY L. TRACY, City Clerk

APPROVED as to form and legality this _____ day of July, 2025.

Katrina Bodenhamer, City Attorney

Special Call City Council

4.

Meeting Date: 07/14/2025
Initiator: Tammy Tracy, City Clerk
Department: City Clerk
Staff Information Source: Councilor Mike Brawley

Information

AGENDA ITEM TITLE:

Consider approval of the appointment of Patrick Herriman as the Ward 1 Commissioner to the Urban Renewal Authority, filling the unexpired term of Mike Brawley, commencing upon appointment, and expiring August 31, 2025, or take other necessary action. (Councilor Mike Brawley)

BACKGROUND:

This will fill the unexpired term of Councilor Mike Brawley. Mr. Herriman is eligible for reappointment.

RECOMMENDED ACTION:

Approve the appointment.

Fiscal Impact

Attachments

Patrick Herriman

APPLICATION FOR APPOINTMENT TO A BOARD OR COMMISSION

CITY OF MUSKOGEE
CITY COUNCIL

RECEIVED
JUL 10 2025

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:

Urban Renewal AuthorityYour Full Legal Name: Patrick B Wayne Herriman Your Preferred Name: PatrickBusiness Name: Sunburst Spraying Home Address: 2800 Robin Ln.Job Title/Employment Date: owner City Zip: Muskogee, OK 74403Business Address: 1815 North St. Ward: (1) 2 3 4Muskogee, OK 74403 Home Phone: 918-869-2644Business Phone: 918-684-0548 Cell Phone: 918-869-2644

Fax: _____ Home Email: _____

Business Email: sunburstspraying@yahoo.comAre you registered to vote in City of Muskogee Elections? Yes NoAre 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):

High School, College (Carnegie Muskogee Campus)
Muskogee

APPLICATION FOR APPOINTMENT TO A BOARD OR COMMISSION

RECEIVED
JUL 10 2025

Current employment (job description, employment date, supervisor)

Spraying For Weeds

CITY CLERK

Previous employment or experience:

Professional Licenses Held (if applicable):

OK 245 Sunburst Spraying

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

Patricia Herriman - owner (Sunburst Spraying)
918-869-2644

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

Past President of Oklahoma Seed Trade Ass.

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

NO

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)

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

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

RECEIVED
JUL 10 2025

CITY CLERK

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 ccount 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.

Signature of Nominee

Date

Submitted by the Mayor for approval by the City Council this _____ day of _____, 20____

Signature of Sponsor