

MINUTES

The City Council of Cache, Oklahoma in Comanche County and the Cache Public Works Authority held their Regular Scheduled Meeting on Monday September 12, 201. The meeting was called to order by Mayor Komahcheet at 7:00 p.m.

Roll Call;

(X) Manny Vega
(X) Danny Avra
(X) Shawn Komahcheet
(X) Steve Red Elk
(X) Rosemary Cook

Staff Present

Dennis Woommavovah
Patrick Holloway
Trinity Haney
Rob Robinson

Item #1: Pledge of Allegiance was lead by Mayor Komahcheet

Item #2: Invocation was given by Jerry Randall

Item #3: Consider approval of the minutes of the August 8, 2011 regular meeting of Cache City Council. No discussion. Motion by Red Elk to approve agenda item #4, as read. Second by Vega

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes.

Item #4: Consider approval of Treasurer's Report. No discussion.

Motion by Red Elk to approve agenda item #5, as read. Second by Vega

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes.

Item #5: Consider approval of Consent Agenda, items a – j. No discussion.

Motion by Vega to approve agenda item #5, as read. Second by Avra

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes. .

ANNOUNCEMENTS BY MAYOR AND COUNCIL

Councilman Avra; Expressed praise to the Cache Volunteer Fire Department for the great job fighting the recent wildfires in the Wichitas Mountain with no injuries or mechanical break-down or equipment failure.

CITIZENS PARTICIPATION;

Ms. Vicky Curtsinger (705 N. 6th St. Cache, OK) approached Council to ask if she would be allowed to take merchandise from inside the Thrift Store and place outside in the Handi-capped parking space street to be sold. She stated that the Code Enforcement person told her she could not use the City Street to display merchandise. Woommavovah explained that she is using the street right-of-way which is city property to display the items for sale. That she would have to request a variance to use the city street. We need to hold a public hearing and get Council's approval before she could use the street. Avra suggested to her that she come in to apply for a variance.

Item #6 Consideration of the Financial Report on the 2009 audit. Ms. Furrh of Furrh & Associates approached Council to give a summation of the financial report on the 2009 Audit. She said the financial condition of Cache in the FY 2009 was not good. In assessing a grade reflecting the financial condition of the City it would be a "C". That was largely due to our record keeping or lack of record keeping.

They had a difficult time trying retrieving the documents to support the financial records. They had to get some information from the report we sent to the Oklahoma Water Resource Board. She referred to several sections of the report and went over the numbers. She reviewed the section identified as "Finding and Responses". Identifying deficiencies and corrective actions. She asked that she be granted permission to start the 2010 Audit as soon as possible, it must be completed by June 30, 2012.

Motion by Avra to accept the FY 2009 Audit conducted by Furrh & Associates. Second by Red Elk

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

Item #7 Consider authorizing legal action to recover losses associated with the water wells drilled and the water storage tank. Council retained the legal services of Jeromy Brown, Chickasha, OK to recover monetary losses associated with the water wells drilled and the water storage tank.

Motion by Red Elk to authorize legal action by Frailey, Chaffin, Cordell, Perryman, Sterkel, McCalla, & Brown, LLP. Second by Vega.

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

Item #8 Discussion and review of the City of Cache website. The Website Consultants were not available to make a presentation, however, Avra said he looked at the website and it looks good. They still need to put the City Codes on the website. The Mayor said ASCOG would not allow the City Codes to be displayed on the website, because ASCOG was not able to keep the Codes amendments current.

Motion by Red Elk to take no action. Second by Avra

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

Item #9 Consider accepting the resignation of Kenneth Colvin as President of the Cache Economic Development Authority. Mayor Komahcheet said we received word, Mr. Colvin's health prohibits him from serving on the Authority, that he wanted to resign his position.

Motion by Red Elk to accept the resignation of Mr. Colvin. Second by Vega

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

Item #10 Review and discussion of the references on the telephone service. Vega stated Council previously approved the bid and purchase of the telephone system but wanted to get some references from the company's customers. The references looks good.

Motion by Vega to accept the references and proceed. Second by Red Elk

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

Item #11 Consider adopting Resolution No. 11-08 authorizing additional lights in the City Park.

Red Elk said he and the City Clerk met with representatives of PSO to look a possible placement of some additional light in the City Park. He explained the new walking trail was getting a lot of use and there are some that walk after dark. The lights would help light-up some of the "dark" areas along the walking trail. PSO would install 12 lights and replace one service pole.

Motion by Red Elk to approve Resolution No. 11-08. Second by Vega

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes.

Item #12 Consider supporting the Masonic Lodge efforts to raise funds to improve Maloy Park. Cook stated the Lodge wanted to have some fund raisers to generate funds to improve the Maloy Park. That the Lodge wanted to check with Council to see that it would be okay and if Council will support their Project. The Funds generated would be matched by the Main Lodge up to \$12,500.00 each year. So this would not be a one-time thing. Mr. David Dorrell, a member of the Lodge, spoke concurring with Councilwoman Cook. He said they have several projects, he asked who owned the mobile homes and if they were for sale, that the park could be expanded if they were not there.

Motion by Cook to support the Masonic Lodge fund raisers to improve Maloy Park. Second by Red Elk

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes.

Item #13 Consider action to approve Rhoda Thomas to attend the Annual Oklahoma Municipal League Training Conference in Tulsa, OK on September 12 - 16, 2011 Registration cost of \$250.00, 3 nights lodging, mileage, meals and the use of the city pike pass. No discussion

Motion by Avra to approve agenda item 13 as read. Second by Red Elk

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

Item #14 Consider submitting a request to the Watco Companies for a Railroad Street Crossing Permit at S. 3rd Street authorizing payment of \$600 permit fee. Woommavovah explained the railroad passing through Cache is owned by Stillwater Central Railroad, a subsidiary of Watco Companies. The proposed

location of 3rd Street was selected over the desired location of 1st Street because of the difference in elevation of the tracks. At 1st Street the railroad tracks are approximately 6 ft. higher than the street. At 3rd Street the elevations of the tracks and the adjacent ground are close to the same. The representative of Watco said to submit a complete application with the non-refundable \$600 permit fee. Approval may require the closing of an existing crossing.

Motion by Vega to submit application for a street crossing authorizing \$600 payment. Second by Avra
VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

Item #15 Consider claim of Michelle Slane for payment of personal property missing from the Cache Police Department's, property room. Ms. Slane spoke to Council showing receipts and estimate value of the items. Chief Holloway answered questions from the Mayor regarding the circumstances.

Motion by Vega to approve the claim, authorizing payment from the Police Fund for \$727.65. Second by Red Elk

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

Item #16 Consider going into Executive Session to discuss: (a) applicants for full time Police officer; (b) suspension/termination of the employment of Police Officer Daniel Hanigar; (c) review status within the Cache Police Department; (d) hiring Robert Robinson as Safety Officer for the City of Cache.

Motion by Avra to enter Executive Session to discuss items a-d. Second by Red Elk

VOTE: Vega-yes; Avra-yes; Red Elk-yes; Cook-yes

TIME: 7:50

NOTE: Red Elk left meeting at 9:00 P.M.

Item #17 Return to open meeting.

TIME:9:30

Motion by Avra to return to open meeting. Second by Vega

VOTE: Vega-yes; Avra-yes; Cook-yes

Item #18 Consider hiring a full time Police Officer from the applicants. No discussion

Motion by Avra to hire John Varva as a full time Police Officer. Second by Cook

VOTE: Vega-no; Avra-yes; Cook-yes

Mayor Komahcheet stated since Red Elk was absent that constitutes a "no" vote, therefore it's a tie vote, as the Mayor, I vote No. The City Attorney spoke up to say that an absent Councilmember is not a "no" vote, there is no tie. The Motion passed 2 to 1.

Item #19 Consider the suspension or termination of Police Officer Daniel Hanigar. Avra stated Officer Hanigar expressed verbally he resigns his position as a full time Police Officer of the City of Cache, effective immediately.

Motion by Avra to accept the verbal resignation with a written resignation to follow of Officer Hanigar as a Police Officer. Second by Vega

VOTE: Vega-yes; Avra-yes; Cook-yes

Item #20 Review status within the Cache Police Department. No discussion

Motion by Avra to take no action on agenda item 16c. Second by Vega

VOTE: Vega-yes; Avra-yes; Cook-yes

Item #21 Consider hiring Robert Robinson as Safety Officer for the City of Cache. No discussion

Motion by Avra to hire Robert Robinson as Safety Officer. Second by Vega

VOTE: Vega-yes; Avra-yes; Cook-yes

Item #22 Motion to adjourn General Meeting. Motion by Avra, Second by Vega

VOTE: Vega-yes; Avra-yes; Cook-yes

TIME: 9:28 p.m.

CPWA meeting was called to order by Chairman Komahcheet, call the roll

Vega: here Avra: here Komahcheet: here Red Elk: absent Cook: here

Item #1 Consider approval of CPWA Consent Agenda. No Discussion

Motion by Red Elk to approve the consent agenda items a-k. Second by Vega

VOTE: Vega-yes; Avra-yes; Komahcheet-yes; Cook-yes

Item #2 Consider authorizing legal action to recover losses associated with the water wells drilled and the water storage tank. No discussion

Motion by Avra to authorize legal action by Frailey, Chaffin, Cordell, Perryman, Sterkel, McCalla, & Brown, LLP. Second by Vega.

VOTE: Vega-yes; Avra-yes; Komahcheet-yes; Cook-yes

Item #3 Consider hiring contractor to demo old Fire Station at City Park. Vega read the bids

Motion by Vega to hire Charlie's Backhoe for the low bid of \$2,925.00. Second by Avra

VOTE: Vega-yes; Avra-yes; Komahcheet-yes; Cook-yes

Item #4 Consider hiring contractor to erect chain link fence at City of Cache Park. Vega explained people cross the park property to get to their mobile homes adjacent to the south of the park. The fence would stop their crossing city property. Avra asked about the cable barrier that they had talked about. Vega said that it was decided against because people would be able to drive around it, the fence would begin from the south side of "G" Avenue, go north to the property corner at "F" Avenue, with a 12 ft. gate for vehicles to have access for repair on the well house. Also fence will have a 3 ft. opening for pedestrian traffic. Avra asked, so there will be only one gate for vehicles, Vega said yes. Vega read bids
Motion by Vega to hire Salt & Pepper Fence Company to build a 6 ft. chain link along 6th Street for an amount of \$4,079.00. Second by Komahcheet

VOTE: Vega-yes; Avra-yes; Komahcheet-yes; Cook-yes

Item #5 Consider purchasing a 4 x 6 trailer from Lowe's not to exceed \$700. Vega said Lowes has a trailer for \$700.00

Motion by Vega to purchase the trailer from Lowes for an amount of \$700.00. Second by Komahcheet

VOTE: Vega-yes; Avra-yes; Komahcheet-yes; Cook-yes

Item #6 Consider purchasing at least 1 fire hydrant not to exceed \$2300 each. Vega explained there are several fire hydrants, at least 10 that do not work and need to be replaced. After brief discussion on buying bulk and getting a discount, it was determined to buy one for now.

Motion by Vega to purchase one fire hydrant for an amount of \$2300. Second by Komahcheet

VOTE: Vega-yes; Avra-yes; Komahcheet-yes; Cook-yes

Item #7 Consider going into Executive Session to discuss changing the Public Works Director position to a salary position. Council waived going into Executive Session

Item #8 mute

Item #9 Consider changing the Public Works Director position to a salary position. No discussion

Motion by Komahcheet to change the Public Works Director position to a salary position at the same hourly pay. Second by Vega

VOTE: Vega-yes; Avra-yes; Komahcheet-yes; Cook-yes

Motion to adjourn General Meeting. Motion by Avra, Second by Vega

VOTE: Vega-no; Avra-yes; Komahcheet-yes; Cook-yes

TIME: 9:54 p.m.

Agenda filed in the office of the Municipal Clerk Office at 5:00 p.m. on September 9, 2011.

Signature Rhoda Thomas, City Clerk/Treasurer