

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE AGENDA WAS
POSTED SEPTEMBER 15, 2023, AT 11:20 A.M. AT THE CUSHING CITY HALL,
100 JUDY ADAMS BOULEVARD, CUSHING, OKLAHOMA**

**MINUTES OF THE REGULAR MEETING
CUSHING CITY COMMISSION
HELD AT 100 JUDY ADAMS BLVD.
SEPTEMBER 18, 2023
7:00 P.M.**

**THE BOARD MAY DISCUSS, CONSIDER, AND VOTE ON ANY ITEM LISTED ON AGENDA IN
ANY ORDER.**

- 1. Call to Order**
 - a. Roll Call**
 - b. Declaration of Quorum**
 - c. Pledge of Allegiance.**

The Regular Meeting of the Cushing City Commission was called to order on September 18, 2023, by Chairman Lofton. Pastor Kenny Stacy led in prayer. Commissioner Roberson led in the pledge of allegiance.

PRESENT: ROBERSON, BRANYAN, DOWELL, LOFTON
ABSENT: ORTON

- d. Proclamation: To proclaim September 17-23, 2023, as Constitution Week.**

Chairman Lofton presented the proclamation to proclaim September 17-23, 2023, as Constitution Week to Kay Turner with the Daughters of the American Revolution.

- e. Special presentation to retiree Glen Cates.**

Chairman Lofton recognized Glen Cates for his years of service to the City of Cushing and wished him well in retirement years.

- f. Swearing in of Officers Connor Clark and Katherine Hinkle.**

Chief Claxton introduced Officers Connor Clark and Katherine Hinkle. Municipal Judge William W. Ahrberg swore in Officer Connor Clark and Officer Katherine Hinkle.

- 2. Public Input and Unscheduled Personal Appearances**

Citizens wishing to participate in Public Input may do so by emailing their comments to citymanager@cityofcushing.org by 12:00 pm (noon) on September 18, 2023. Comments must include the citizen's full name and address (addresses will not be read aloud). Comments received by the deadline and meeting criteria will be read into the record. Comments will be limited to 3 minutes on agenda items only. The purpose of this agenda item is to provide an opportunity for citizens to comment on agenda items. Commissioners do not engage in discussion under this agenda item, and staff members are directed not to, as well. If you seek discussion or inquiry, please contact a Commissioner or the office of City Manager. Responses to citizens' comments, if any, will occur under the applicable agenda item or may be reserved for further responses by phone call, personal meeting, or a posting on the City's website.

3. Consent Agenda

- a. Approve claims and payroll totaling: \$848,378.65
- b. Approve minutes: August 21, 2023 (Regular)
- c. Budget Amendment: Amend FY 23/24 General Fund and Fire Department Budgets for Fire Department Grant
- d. Budget Amendment: Amend FY 23/24 Airport Fund Budget for entrance gate and perimeter fencing grant project.
- e. Authorize the purchase of aviation fuel and expend up to \$60,000.00.
- f. Authorize the purchase of no-lead fuel and diesel fuel and expend up to \$30,000.00.
- g. Approve payment to Oklahoma Municipal Management Services in the amount of \$2,000.00 for annual membership.
- h. Approve payment to Oklahoma Municipal Management Services in the amount of \$4,987.50 for payment of Invoice No. 15868 for inspection services.
- i. Authorize the City Manager to issue a purchase order to Carter Chevrolet of Okarche, OK in the amount of \$52,836.00 for a 2024 Silverado 2500 HD Crew Cab pickup under state contract for the Parks Department, and to authorize payment.
- j. Authorize the City Manager to issue a purchase order to Tri-State Floors in an amount up to \$15,300.00 to refurbish the gym floor at the Youth and Community Center, and to authorize payment.
- k. Authorize the City Manager to issue a purchase order to Metro Emergency Upfitters LLC in the amount of \$35,908.53 for upfitting two (2) new Dodge Durango police pursuit vehicles and to authorize payment.
- l. Authorize the City Manager to issue a purchase order to Custom Trailer Sales of Oklahoma City in the amount of \$12,895.00 for a dump trailer for the Parks Department, and to authorize payment.
- m. Authorize the City Manager to issue a purchase order to Industrial Truck Equipment in an amount up to \$40,000.00 for the purchase of a new dump body for the Street Department, and to authorize payment.
- n. Authorize the City Manager to issue a purchase order to Bob Howard PDC in an amount up to \$6,250.00 for the repair of the utility department MR-2 vehicle, and to authorize payment.
- o. Acknowledge acceptance of the Airport Grant #3-40-0023-025-2023 from the Federal Aviation Administration for engineering and professional services concerning the perimeter fencing project at the Cushing Regional Airport.
- p. Approve write off of Fire Department miscellaneous accounts totaling \$3,425.00 and ambulance accounts totaling \$134,833.98 as part of the consent agenda.
- q. Approve retirement for Glen Cates.
- r. Appoint Marilyn Duff and Jeff Lane to serve new three-year terms on the Planning Commission.
- s. Appoint Stephen Spears and Dustin Muckelrath to new three-year terms on the Board of Adjustment.
- t. Statement of cash and investments as of August 31, 2023.

Consent agenda items 'D' and 'O' were removed from the docket.

MOTION: A MOTION WAS MADE BY COMMISSIONER ROBERSON TO APPROVE THE CONSENT AGENDA ITEMS 'A' – 'C' AND 'E' – 'N' AND 'P' – 'Q' AS PRESENTED. THE MOTION WAS SECONDED BY COMMISSIONER DOWELL AND RESULTED IN THE FOLLOWING ROLL CALL VOTE.

AYES: ROBERSON, BRANYAN, DOWELL, LOFTON
NAYS: NONE

4. Items Removed from Consent Agenda

CONSENT AGENDA ITEMS 3D AND 3O:

Assistant City Manager Griffith and Joe Sober w/ KSA Engineering firm explained and clarified timeframe of the project.

5. Public Hearings

- a. Public hearing with respect to the proposed issuance of qualified private activity bonds for the benefit of Southern Rock Energy Partners LLC, or an affiliate thereof.**

Public hearing on the proposed issuance of qualified private activity bonds for the benefit of Southern Rock Jared Davidson with Public Finance Law Group and John Wolf with Municipal Finance Services gave brief introduction of bonds and process.

Energy Partners LLC, or an affiliate thereof, was opened at 7:34 P.M.

Kevin Shahan had a question about the bond being tax free.

Public Hearing was closed at 7:45 P.M.

6. General Business

- a. Authorize City Attorney to negotiate possible settlement agreements for certain claims related to the Cushing Municipal Airport and authorize City Manager to execute related documents.**

MOTION: A MOTION WAS MADE BY COMMISSIONER BRANYAN TO APPROVE CERTAIN CLAIMS RELATED TO THE CUSHING MUNICIPAL AIRPORT AND AUTHORIZE CITY MANAGER TO EXECUTE RELATED DOCUMENTS. THE MOTION WAS SECONDED BY COMMISSIONER ROBERSON AND RESULTED IN THE FOLLOWING ROLL CALL VOTE.

AYES: ROBERSON, BRANYAN, DOWELL, LOFTON
NAYS: NONE

7. Resolutions

- a. RESOLUTION NO. 11-2023: A resolution to authorize and direct the City Manager to issue a purchase order to John Vance Motors in the sum of up to \$90,742.00 for two (2) 2024 Dodge Durango police pursuit vehicles under state contract for the Police Department; provided, however, that such purchase shall be subject to the filing of a referendum petition as provided by Article Eleven of the Charter of the City of Cushing.**

MOTION: A MOTION WAS MADE BY COMMISSIONER ROBERSON TO APPROVE RESOLUTION NO. 11-2023 AS PRESENTED. THE MOTION WAS SECONDED BY COMMISSIONER BRANYAN AND RESULTED IN THE FOLLOWING ROLL CALL VOTE.

AYES: ROBERSON, BRANYAN, DOWELL, LOFTON
NAYS: NONE

- b. RESOLUTION NO. 12-2023: A resolution of the City of Cushing, Oklahoma (the "City") approving the incurrence of indebtedness by the Cushing Industrial Authority issuing its revenue bonds or notes (the "Obligations") in one or more series or subseries; providing**

that the organizational document creating the Authority is subject to the provisions of the indenture authorizing the issuance of the obligations; waiving competitive bidding and authorizing the sale of said obligations by the Authority at negotiated sale at a price less than par or with premium; authorizing the execution of all necessary documents; and containing other provisions relating thereto.

MOTION: A MOTION WAS MADE BY COMMISSIONER BRANYAN TO APPROVE RESOLUTION NO. 12-2023 AS PRESENTED. THE MOTION WAS SECONDED BY COMMISSIONER DOWELL AND RESULTED IN THE FOLLOWING ROLL CALL VOTE.

AYES: ROBERSON, BRANYAN, DOWELL, LOFTON
NAYS: NONE

- c. RESOLUTION NO. 13-2023: A resolution authorizing the Chairman, Board of Commissioners, to accept and execute an FAA grant offer for Airport Improvement Project No. 3-40-0023-026-2024 upon receipt and after review by the City Attorney for the perimeter fence and entrance gate project at the Cushing Municipal Airport.**

MOTION: A MOTION WAS MADE BY COMMISSIONER DOWELL TO APPROVE RESOLUTION NO. 13-2023 AS PRESENTED. THE MOTION WAS SECONDED BY COMMISSIONER ROBERSON AND RESULTED IN THE FOLLOWING ROLL CALL VOTE.

AYES: ROBERSON, BRANYAN, DOWELL, LOFTON
NAYS: NONE

- d. RESOLUTION NO. 14-2023: A resolution authorizing the Chairman, Board of Commissioners, to execute a contract with J Lee Enterprises, LLC in the sum of \$432,040.00 for the perimeter fence and entrance gate project (FAA AIP No. 3-40-0023-026-2024) at the Cushing Municipal Airport, contingent upon receipt and acceptance of the FAA grant.**

MOTION: A MOTION WAS MADE BY COMMISSIONER ROBERSON TO APPROVE RESOLUTION NO. 14-2023 AS PRESENTED. THE MOTION WAS SECONDED BY COMMISSIONER DOWELL AND RESULTED IN THE FOLLOWING ROLL CALL VOTE.

AYES: ROBERSON, BRANYAN, DOWELL, LOFTON
NAYS: NONE

8. Executive Session

- a. 25 O.S. § 307 (B) (4) Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.**
- b. Executive session pursuant to 25 O.S. §307(B)(3) to discuss the purchase or appraisal of real property.**

MOTION: A MOTION WAS MADE BY COMMISSIONER ROBERSON TO ENTER INTO THE EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING AGENDA ITEMS 8A AND 8B. THE MOTION WAS SECONDED BY COMMISSIONER DOWELL AND RESULTED IN THE FOLLOWING ROLL CALL VOTE.

AYES: ROBERSON, BRANYAN, DOWELL, LOFTON

NAYS: NONE

EXECUTIVE SESSION: ENTERED INTO EXECUTIVE SESSION AT 8:36 P.M. RETURNED FROM EXECUTIVE SESSION AT 9:19 P.M.

No action taken.

9. Other New Business, if any, which has arisen since the posting of the agenda and could not have been anticipated prior to the time of the posting (25 O.S. §311 (9))

10. City Manager's Communications

City Manager Brannon distributed the September City Manager's Report to the Commissioners. Mr. Brannon gave update on a TSET grant. He recognized the Street Department for work on limb collection and states the project is now completed, he also recognized Melissa Gaunder for her work on the FEMA reimbursement process. City Manager Brannon encourages all citizens to fill out the Cushing Forward Survey. Additionally, Mr. Brannon recognized Cushing Pride volunteers and their work on the tire recycling event. Lastly, Mr. Brannon gave an update on the trail project.

11. Commissioners Community Announcements

Commissioner Roberson thanked Kay Thompson and the Daughters of the American Revolution for bringing awareness to the constitution and celebrating the constitution, congratulated Glen Cates on his retirement, welcomed both Officer Clark and Officer Hinkle and expressed how proud he is of them and spoke of the high quality of leadership in the Police Department. Commissioner Roberson thanked Cushing Pride, Jeremy Brown for the tire recycling event, and Jeff Beasley for providing pizza for the volunteers of the event.

Commissioner Dowell congratulated Officers Clark and Hinkle and welcomed them to the Cushing Police Department. Mrs. Dowell spoke of the importance of Constitution Week and how the Cushing School system teaches all school aged children about the constitution. Mrs. Dowell congratulated Glen Cates on his retirement.

Commissioner Branyan also spoke of the importance of the constitution and how it came to be.

Chairman Lofton congratulated Glen Cates on his retirement and Brent Youngman and the street department for their work on the limb collection project. Mr. Lofton congratulated Officer Hinkle and Office Clark and welcomed them to the City of Cushing.

RECESS: THE REGULAR MEETING OF THE CUSHING CITY COMMISSION WAS RECESSED AT 8:09 P.M.


RECONVENE: THE REGULAR MEETING OF THE CUSHING CITY COMMISSION WAS RECONVENED AT 8:35 P.M.

12. Adjournment

MOTION: A MOTION WAS MADE BY COMMISSIONER ROBERSON TO ADJOURN THE SEPTEMBER 18, 2023, MEETING OF THE CUSHING CITY COMMISSION AT 9:20 P.M. THE MOTION WAS SECONDED BY COMMISSIONER BRANYAN AND RESULTED IN THE FOLLOWING ROLL CALL VOTE.

AYES: ROBERSON, BRANYAN, DOWELL, LOFTON

NAYS: NONE



RICKY LOFTON, CHAIRMAN
CUSHING CITY COMMISSION

(SEAL)

ATTEST:



JERRICA WORTHY, CITY CLERK