

MINUTES OF THE REGULAR SCHEDULED MEETING OF THE CITY OF  
STROUD HELD MARCH 14, 2019 AT 6:00 P.M., CITY HALL, STROUD,  
OKLAHOMA

Present were Councilors Tommy Smith, Gary Babinec, Mayor Debbie Garrett, Phyllis Craig, Jerry Murfin, City Manager Bob Pearman, City Attorney Jim Hodgens and City Clerk Gayle Thornton.

Meeting was called to order by Mayor Debbie Garrett stating the Stroud City Agenda was posted March 12, 2019 at 5:00 p.m. in the City Hall according to the Oklahoma Open Meeting Act.

Item #2. Roll Call, Declaration of a quorum being present. City Clerk called roll and announced there was a quorum present.

Item #3. Invocation. Jerry Murfin gave the invocation.

Item #4. Pledge of Allegiance. Everyone stood for the Pledge of Allegiance.

Item #5. Recognition of Guest. Mayor recognized Gene McKenney.

Item #6. Consideration and Action on Consent Agenda. Item #6.1 Approval of February 14, 2019 Minutes. Item #6.2 Approval of Payments of Purchase Orders/Claims of \$58,387.04. Item #6.3 Approval of Payment of Special Purchase Orders/Claims – Dean Murray - \$570.00, Jelly Bean Rubber Mulch - \$1,500.00, Achushnet - \$467.08, TCF Equip. Finance - \$250.00, Pete’s Upholstery - \$130.00, Economy Supply - \$472.56 and Patriot - \$57.84; and Street and Alley Fund - \$1,138.78. Item #6.4 Approval of Financial Statement. After consideration, Councilor Babinec made a motion to approve Consent Agenda, seconded by Councilor Murfin. Voting were Smith – aye, Babinec – aye, Garrett – aye, Craig - aye and Murfin - aye. Motion carried.

Item #7. Discussion and action on items removed from the Consent Agenda. There was none.

Item #8. Appearance or petitions from the Audience. Gene McKenney, 612 S 2<sup>nd</sup>, Stroud wanted the two railyard employees to be recognize for waking the family of a house on fire.

Item #9. Mayor’s appointments/proclamations.

Item #9.1 Consideration, discussion and possible action on claiming April 2019 as “Child Abuse Prevention Month”. After consideration, Councilor Smith made a motion to claim April 2019 as “Child Abuse Prevention Month”, seconded by Councilor Babinec. Voting were Murfin – aye, Craig – aye, Garrett – aye, Babinec – aye and Smith – aye. Motion carried.

Item #10. Current Business

Item #10.1 Consideration, discussion and possible action to amend City of Stroud Rules of Debate. After consideration, Councilor Smith made a motion to amend City of Stroud Rules of Debate, seconded by Councilor Craig. Voting were Smith – aye, Babinec – aye, Garrett – aye, Craig - aye and Murfin - aye. Motion carried.

Item #10.2 Consideration, discussion and possible action on closing Main Street from 6<sup>th</sup> Avenue to 1<sup>st</sup> Avenue on June 15, 2019 from 10:00 a.m. to 6:00 p.m. for the 3<sup>rd</sup> Annual Mother Road Fire Truck Show and Muster. After discussion, Councilor Craig made a motion on closing Main Street from 6<sup>th</sup> Avenue to 1<sup>st</sup> Avenue on June 19, 2019 from 10:00 a.m. to 6:00 p.m. for the 3<sup>rd</sup> Annual Mother Road Fire Truck Show and Muster, seconded by Councilor Murfin. Voting were Murfin – aye, Craig – aye, Garrett – aye, Babinec – aye and Smith – aye. Motion carried.

Item #10.3 Consideration, discussion and possible action on Fiscal Year 2018/2019 line transfers. After discussion, Councilor Smith made a motion to approve Fiscal Year 2018/2019 line transfers, seconded by Councilor Murfin. Voting were Smith – aye, Babinec – aye, Garrett – aye, Craig - aye and Murfin - aye. Motion carried.

Item 10.4 Director of Neighborhood Enhancement/Code Enforcement David Timmons report on monthly activity. City Manager gave a summary of the report.

Item #10.5 **EXECUTIVE SESSION:**  
Section 307, (B) Item (3) Title 25, Oklahoma Statutes permits the public body to meet in Executive Session for certain specified reasons under certain specified conditions. It is the opinion of the City Attorney that the Stroud City Council may consider and adopt a motion to meet in Executive Session to discuss the following items:

1) Discussing the purchase or appraisal of (2) real property pursuant to 25 O.S. Section 307 (B) (3).

a. Convene to Executive Session. At approximately 6:10 p.m., Councilor Babinec made a motion to go into Executive Session, seconded by Councilor Craig. Voting were Murfin– aye, Craig – aye, Garrett – aye, Babinec – aye, and Smith – aye. Motion carried.

Present were Tommy Smith, Gary Babinec, Debbie Garrett, Phyllis Craig, Jerry Murfin, Bob Pearman, Jim Hodgens, and Gayle Thornton.

b. Reconvene from Executive Session. At approximately 6:35 p.m., Councilor Craig made a motion to reconvene, seconded by Councilor Murfin. Voting were Smith – aye, Babinec – aye, Garrett – aye, Craig – aye, and Murfin – aye. Motion carried.

Item #10.6 Consideration, discussion and possible action on items discussed in Executive Session. Mayor stated there was no action taken.

Item #10.7 Consideration, discussion and possible action on Lease Agreement and Operation and Maintenance Contract between the City of Stroud and Stroud Utilities Authority regarding the Stroud Municipal Golf Course. After discussion, Councilor Smith made a motion to approve Lease Agreement and Operation and Maintenance Contract between the City of Stroud and Stroud Utilities Authority regarding the Stroud Municipal Golf Course, seconded by Councilor Babinec. Voting were Murfin – aye, Craig – aye, Garrett – aye, Babinec – aye and Smith – aye. Motion carried.

Item #11 Ordinances.

Item #11.1 Consideration, discussion and possible action on an Ordinance of the City of Stroud, Oklahoma, Municipal Ordinances adding Chapter 3 to Title 3 of the Stroud City Code regulating marijuana facilities including, but not limited to, imposing permit fees; regulating locations where marijuana facilities may be situated; permitting inspections of such facilities; adopting regulations of the Oklahoma Administrative Code Title 310, Chapter 681; imposing other regulations of operations of said facilities; establishing penalties for violations of this ordinance; directing codification; proving for severability; repealing all ordinances or zoning regulations in conflict; and declaring an emergency. Councilor Smith made a motion to remove Item 11.1, seconded by Councilor Babinec. Voting were Smith – aye, Babinec – aye, Garrett – aye, Craig - aye and Murfin - aye. Motion carried.

Item #11.2 Consideration, discussion and possible action on an Ordinance amending Title 3 Article A and repealing Title 3 Chapter 2 of the City of Stroud Municipal Code; defining terms; levying an occupation tax on all businesses engaged in

the sale of alcoholic beverages; regulating the application and issuance of certificate of compliance; imposing restrictions on the location of package stores, mixed beverage establishments and beer and wind establishments; specifying that liquor-related matters are to be governed by state law; declaring certain acts related to the serving and consumption of alcoholic beverages unlawful; repealing ordinances and regulations in conflict hereof; providing for severability; and declaring an emergency. Councilor Craig made a motion to approve Ordinance No. 241 amending Title 3 Article A and repealing Title 3 Chapter 2 of the City of Stroud Municipal Code; defining terms; levying an occupation tax on all businesses engaged in the sale of alcoholic beverages; regulating the application and issuance of certificate of compliance; imposing restrictions on the location of package stores, mixed beverage establishments and beer and wind establishments; specifying that liquor-related matters are to be governed by state law; declaring certain acts related to the serving and consumption of alcoholic beverages unlawful; repealing ordinances and regulations in conflict hereof; providing for severability; and declaring an emergency, seconded by Councilor Babinec. Voting were Murfin – aye, Craig – aye, Garrett – aye, Babinec – aye and Smith – aye. Motion carried.

Councilor Smith made a motion to approve Ordinance No. 241 to be declared as an emergency, seconded by Councilor Babinec. Voting were Smith – aye, Babinec – aye, Garrett – aye, Craig - aye and Murfin - aye. Motion carried.

Item #12. Resolution.

Item #12.1 Consideration, discussion and possible action with respect to a Resolution approving action taken by the Stroud Utilities Authority authorizing the issuance, sale and delivery of a promissory note of the Authority to the Oklahoma Water Resources Board; and containing other provisions related thereto. After discussion, Councilor Smith made a motion to approve Resolution 2018-2019-5 approving action taken by the Stroud Utilities Authority authorizing the issuance, sale and delivery of a promissory note of the Authority to the Oklahoma Water Resources Board; and containing other provisions related thereto, seconded by Councilor Craig. . Voting were Murfin – aye, Craig – aye, Garrett – aye, Babinec – aye and Smith – aye. Motion carried.

Item #12.2 Consideration, discussion and possible action with respect to a Resolution authorizing the negotiation, execution, and delivery of Lease No. 008-0721336-101 dated January 22, 2019 (the “Lease”), between City of Stroud, 220 West 2<sup>nd</sup> Street, Stroud, OK 74079 and TCF Equipment Finance, a division of TCF National Bank, 1111 West San Marnan Drive, Suite A2 West, Waterloo, IA 50701-8926; and prescribing other details in connection therewith. After consideration, Councilor Craig made a motion to approve Resolution 2018-2019-6 authorizing the negotiation, execution, and delivery of Lease No. 008-0721336-101 dated January 22, 2019 (the “Lease”), between City of Stroud, 220 West 2<sup>nd</sup> Street, Stroud, OK 74079 and TCF Equipment Finance, a division of TCF National Bank, 1111 West San Marnan Drive, Suite A2 West, Waterloo, IA 50701-8926; and prescribing other details in connection therewith, seconded by Councilor Murfin. Voting were Smith – aye, Babinec – aye, Garrett – aye, Craig - aye and Murfin - aye. Motion carried.

Item #13. Public Hearing. There was none.

Item #14. Reports.

Item #14.1 City Manager Report. City Manager gave his report at this time.

Item #14.2 City Attorney’s Report. City Attorney reported to the Council.

Item #14.3 Finance Report. City Clerk handed out her reports.

Item #15. New Business. There was none.

Item #16. Comment/ Inquiries by Governing Body. There was none.

At approximately 6:50 p.m., Councilor Craig made a motion to adjourn the meeting, seconded by Councilor Murfin. Voting were Murfin – aye, Craig – aye, Garrett – aye, Babinec – aye and Smith – aye. Motion carried.

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DEBBIE GARRETT, MAYOR

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CITY CLERK

Approved: April 11, 2019