City of Choctaw
Regular City Council Meeting No. 25
November 19, 2024 @ 5:30pm
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

MINUTES

1. Call to Order by the **Mayor @ 6:00 pm**

2. Invocation given by **Councilmember Calvin Moore**

3. **Roll Call:**

7	**Present:**	**Tracey Hibbler; Brent Pendergraft; Cody Brewer; Donna Morris; Calvin Moore; Rick Modisette; Chad Allcox**
0	**Absent:**	**None**

Staff Present: **Stuart Drake/City Manager; Amanda Williams/City Clerk; Kelly Marshall/Police Chief; Daniel McClure/City Attorney; Josh Standifer/Public Works Director; Kerry Williams/Fire Chief; Alexandra Baker/City Planner; John Smith/Human Resources Director; Mike Cunningham/Deputy Police Chief**

PROCLAMATION/CITATION/RECOGNITION

Police Department – Life Saving PINS (Lobb & Freeman)
Retiree – Duane James
Emergency Disaster Proclamation

PRESENTATIONS

4. **Public Comments:** This agenda item is for public comments on city related non-agenda items. In accordance with State law, the City Council and City Staff are not allowed to respond to any comments made. Preference will be given to Choctaw Citizens and NO formal action will be taken. Speakers are limited to 3 minutes for a total of 15 minutes.

None.

5. **Consent Agenda:** The following items are hereby designated for routine approval, acceptance or acknowledgment by one motion, subject to any conditions included therein. If any item does not meet with the approval of all members, that item will be heard in regular order.

5.1 Special Meeting minutes for 11-13-24
(Requested by City Clerk, Amanda Williams)

5.2 Vouchers and Claims as approved by the City Manager:

1.	11-07-24 Claims:	$	45,643.55
2.	11-14-24 Claims:	$	59,735.97

(Requested by City Manager, Stuart Drake)

5.3 Acknowledge the 2025 calendar year schedule of meetings for various board, commissions and public trusts to include City Council.
(Requested by City Clerk, Amanda Williams)

5.4 Acknowledge Department Reports for the month of October 2024.
(Requested by All Departments)

MOTION BY Rick Modisette and SECOND BY Calvin Moore to approve the consent agenda as presented.

MOTION CARRIED:

7	**Ayes:**	**Hibbler, Pendergraft, Brewer, Morris, Moore, Modisette, Allcox**
0	**Nays:**	**None**
0	**Absent:**	**None**
0	**Abstain:**	**None**

6. Business Agenda: The following items are hereby designated for discussion and consideration which requires individual action.

6.1 Discussion, consideration and/or action on Ordinance No. 936-2024, an Ordinance of the City of Choctaw, Oklahoma, relating to the imposition of a City excise tax (sales tax) of one percent (1.0%) (in addition to any and all other excise taxes now in force) to be levied upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code; providing for the use of the proceeds of said excise tax; providing for the effective date of said excise tax to begin on July 1, 2025, and have no stated termination date; providing for subsisting State permits; providing for payment of tax; providing that the tax is in addition to taxes currently levied; incorporating certain provisions of prior City ordinances; providing for amendments to this Ordinance; providing that the provisions of this Ordinance are cumulative and in addition to any and all taxing provisions of other City ordinances; providing for severability of provisions; and containing other provisions related thereto.
(Requested by City Council)

MOTION BY Cody Brewer and SECOND BY Chad Allcox to amend Ordinance No. 936-2024 to remove language "included but not limited to" and pass and adopt Ordinance No. 936-2024 as amended.

MOTION CARRIED:

7	**Ayes:**	**Hibbler, Pendergraft, Brewer, Morris, Moore, Modisette, Allcox**
0	**Nays:**	**None**
0	**Absent:**	**None**
0	**Abstain:**	**None**

6.2 Discussion, consideration, and/or action on Resolution No. 24-24, a Resolution authorizing the calling and holding of a special election in the City of Choctaw, State of Oklahoma (the "City"), on the 11th day of February, 2025, for the purpose of submitting to the registered qualified electors of said City the question of approval or rejection of Ordinance No. 936-2024 of the City relating to a one percent (1.0%) excise tax (sales tax), in addition to all present City, County and State excise taxes, with the proceeds of said tax to be used to fund capital expenditures including but not limited to water, wastewater, and roads, or debt service in connection with said capital expenditures, as more specifically set out in Ordinance No. 936-2024 of said City; and containing other provisions related thereto.
(Requested by City Council)

MOTION BY Chad Allcox and SECOND BY Brent Pendergraft to amend Resolution No. 24-24 to remove the language "included but not limited to" and amend the election date to March 4, 2025 and pass and adopt Resolution No. 24-24 as amended.

MOTION FAILED:

3	**Ayes:**	**Hibbler, Pendergraft, Allcox**
0	**Nays:**	**None**
4	**Absent:**	**Brewer, Morris, Moore, Modisette**
0	**Abstain:**	**None**

MOTION BY Cody Brewer and SECOND BY Donna Morris to amend Resolution No. 24-24 to remove the language "included but not limited to" and set the election date as February 11, 2025 and pass and adopt Resolution No. 24-24 as amended.

MOTION FAILED:

4	**Ayes:**	**Brewer, Morris, Moore, Modisette**
0	**Nays:**	**None**
3	**Absent:**	**Moore, Hibbler, Allcox**
0	**Abstain:**	**None**

6.3 Discussion, consideration and/or action on an Agreement for Special Counsel Services with The Public Finance Law Group PLLC, in connection with the calling of a sales tax election.
(Requested by City Council)

MOTION BY Chad Allcox and SECOND BY Rick Modisette to approve the agreement as presented.

MOTION CARRIED:

7	**Ayes:**	**Hibbler, Pendergraft, Brewer, Morris, Moore, Modisette, Allcox**
0	**Nays:**	**None**
0	**Absent:**	**None**
0	**Abstain:**	**None**

6.4 Discussion, consideration, and/or action on Ordinance No. 937-2024, an Ordinance establishing and adopting CIP fee charges for water and wastewater improvements; and containing other provisions related thereto.
(Requested by City Council)

MOTION BY Cody Brewer and SECOND BY Brent Pendergraft to table Ordinance No. 937-2024 to the February 18, 2025 regular meeting.

MOTION CARRIED:

7	**Ayes:**	**Hibbler, Pendergraft, Brewer, Morris, Moore, Modisette, Allcox**
0	**Nays:**	**None**
0	**Absent:**	**None**
0	**Abstain:**	**None**

6.5 Discussion, consideration and/or action on Ordinance No. 938-2024, amending the Zoning Ordinance of the City of Choctaw, Oklahoma, as amended, to superimpose a Planned Unit Development (PUD) District over the R-S, Single Family Residential District; providing for severability; declaring repealer; and declaring an emergency.
(Requested by City Planner, Alexander Baker)

MOTION BY Calvin Moore and SECOND BY Donna Morris to table Ordinance No. 938-2024 and refer the item back to the Planning Commission on January 2, 2025 and the City Council on January 21, 2025.

MOTION CARRIED:

7	**Ayes:**	**Hibbler, Pendergraft, Brewer, Morris, Moore, Modisette, Allcox**
0	**Nays:**	**None**
0	**Absent:**	**None**

0 Abstain: None

6.6 Discussion, consideration and/or action on the award of the Sports Facilities Management Contract between OYBA, LLC (dba Big Show Productions) and the City of Choctaw.
(Requested by City Manager, Stuart Drake)

No action.

7. **New Business:** This item is listed to provide the opportunity for Council discussion on items which may arise within twenty-four (24) hours prior to this meeting, and therefore, qualify as new business under the Oklahoma Open Meeting Act.

None.

8. **Council/Staff Remarks:** This item is listed to provide an opportunity for the council and/or staff to make comments and/or request specific agenda items. No action will be taken.

8.1 City Council;
8.2 City Attorney;
8.3 City Manager; and
8.4 Project Updates

MOTION BY Tracey Hibbler and SECOND BY Brent Pendergraft to place a discussion item regarding the Transportation Impact Fee on the December 3, 2024 agenda.

MOTION BY Donna Morris and SECOND BY Brent Pendergraft to place a discussion item regarding Board/Commission attendance on the December 3, 2024 agenda.

9. Adjournment:

Adjourned @ 8:31 pm.

ATTEST:

Amanda Williams, City Clerk

CITY OF CHOCTAW CORPORATE SEAL OKLAHOMA

CITY OF CHOCTAW, OK

Chad Allcox, Mayor