

**CITY OF HARRAH
REGULAR MEETING
SEPTEMBER 20, 2018**

The City Council for City the of Harrah met at 7:00 p.m. on Thursday, September 20, 2018 at City Hall, at 19625 NE 23rd Street, Harrah, Oklahoma for a Regular Meeting.

1. Roll Call, Flag Salute & Invocation.

At roll call the following members were present: Mayor Larry Fryar, Vice-Mayor Kim Bishop, Councilor Tom Barron, Councilor Duane Patterson, and Councilor Cass Smith. Absent: None. Others present: City Manager Clayton Lucas and City Attorney Robert Thompson. Tim Remy led the Flag Salute and Pastor Larry Stone gave the invocation.

2. Approval of Consent agenda:

- a. Minutes from the [2018.08.16](#) Regualr Meeting.
- b. Harrah Senior [Monthly Report](#) August 2018.
- c. Treasurer's [Report](#) for August: [Sales Tax, Use Tax, etc. and Franchise Tax.](#)
- d. Re-new [Jail Services Agreement](#) with Oklahoma County.
- e. Approve payment for the TIF \$5143.61, \$1822.78 and \$4033.36
- f. Proceed with Forrestry Grant 80/20. (Fire Dept.)
- g. Accept donation of a shredder from BancFirst
- h. Approve Patty Wheeler as treasurer.

Motion by Councilor Patterson to accept and approve the consent agenda. Second by Vice-Mayor Kim Bishop. Motion carried.

Aye: Patterson, Bishop, Barron, Smith, and Fryar.

Nay: None.

3. Discussion and possible action regarding items removed from the consent agenda. **None.**

4. Review, consideration and possible action regarding:

- a. Discussion and possible action to adopt [Ordinance No. 2018-7](#): an Ordinance amending the Harrah Town Center Economic Development Project Plan and Ordinance No. 2009-12 of the City of Harrah, Oklahoma, pertaining to the creation of Increment District No. 1, City of Harrah, to reallocate certain Authorized Project Costs as Economic Incentives; declaring an emergency; and containing other provisions related thereto.

Motion by Councilor Patterson to adopt Ordinance No. 2018-7 an Ordinance amending the Harrah Town Center Economic Development Project Plan and Ordinance No. 2009-12 of the City of Harrah, Oklahoma, pertaining to the creation of Increment District No. 1, City of Harrah, to reallocate certain Authorized Project Costs as Economic Incentives; declaring an emergency; and containing other provisions related thereto. Second by Councilor Smith. Motion carried.

Aye: Patterson, Smith, Bishop, Barron, and Fryar.

Nay: None.

- b. Adopt the emergency clause for Ordinance No. 2018-7.

Motion by Councilor Patterson to adopt the emergency clause for Ordinance No. 2018-7. Second by Councilor Smith. Motion carried.

Aye: Patterson, Smith, Bishop, Barron, and Fryar.

Nay: None.

- c. Discussion and possible action to adopt [Resolution No. 09202018B](#): a Resolution of the City of Harrah, Oklahoma (the “City”) approving and authorizing the execution of an Agreement for TIF Project Site Development #2 by and among the Harrah Tax Increment Finance Authority (the “Authority”), the City, and Harrah Road CS, LLC pertaining to Increment District No. 1, City of Harrah; approving the use of assistance in development financing; and containing other provisions relating thereto.

Motion by Councilor Patterson to adopt Resolution No. 09202018B a Resolution of the City of Harrah, Oklahoma (the “City”) approving and authorizing the execution of an Agreement for TIF Project Site Development #2 by and among the Harrah Tax Increment Finance Authority (the “Authority”), the City, and Harrah Road CS, LLC pertaining to Increment District No. 1, City of Harrah; approving the use of assistance in development financing; and containing other provisions relating thereto. Second by Councilor Barron. Motion carried.

Aye: Patterson, Barron Bishop, Smith, and Fryar.

Nay: None.

- d. Discussion and possible action to review OMAG Municipal Liability Protection Plan Declarations Page and Explanation of Coverage, approve [Resolution No. 20180920](#) requesting recognition from OMAG, and adopt the attached Council Handbook- [Attach 1](#), [Attach 2](#), and [Attach 3](#).

Motion by Vice-Mayor Bishop to adopt Resolution No. 20180920 requesting recognition from OMAG and adopt the attached Council Handbook. Second by Councilor Barron. Motion carried.

Aye: Bishop, Barron. Patterson, Smith, and Fryar.

Nay: None.

- e. Approve request to move forward with the [District Attorney Council’s Assistance Grant-Local Law Enforcement Program](#). (Chief Morgan).

Motion by Vice-Mayor Bishop to approve request to move forward with the District Attorney Council’s Assistance Grant-Local Law Enforcement Program. Second by Councilor Barron. Motion carried.

Aye: Bishop, Barron, Patterson, Smith, and Fryar.

Nay: None.

- f. Approve Real Estate Lease [Agreement](#) for additional property at 20797 Main St. for community garden.

Motion by Councilor Smith to approve the Real Estate License Agreement for additional property at 20797 Main St. for community garden. Second by Councilor Patterson. Motion carried.

**Aye: Smith, Patterson, Bishop, Barron, and Fryar.
Nay: None.**

- g. Discussion and possible action to approve the [Fall Creek Estates Petition](#) for an Improvement District.

Motion by Councilor Barron that the petition from the owners of property within the Fall Creek Estates is sufficient in that it was approved by more than one-half of the owners according to the testimony presented at the hearing to consider this matter. Second by Councilor Bishop. Motion carried.

**Aye: Barron, Bishop, Pattersen, Smith, and Fryar.
Nay: None.**

- h. Adopt [Ordinance No. 2018-5](#) amending section 17-217A to provide an exception for mandatory hook-up for those large tracts wherein the primary residence is more than 300 ft. from the nearest available connection.

Motion by Councilor Patterson to adopt Ordinance No. 2018-5 amending section 17-217A to provide an exception for mandatory hook-up for those large tracts wherein the primary residence is more than 300 ft. from the nearest available connection adding that the property owner would pay the minimum monthly charge for water service. Second by Councilor Barron. Motion carried

**Aye: Patterson, Barron, Bishop, Smith, and Fryar.
Nay: None.**

- i. Adopt emergency clause for Ordinance No. 2018-5.

Motion by Councilor Patterson to adopt emergency clause for Ordinance No. 2018-5. Second by Councilor Barron. Motion carried.

**Aye: Patterson, Barron, Bishop, Smith, and Fryar.
Nay: None.**

- j. Recommendation from Planning Commission for preliminary plat at Harrah Rd. (Rich DeQuasie)

Motion by Councilor Patterson to accept the recommendation of the Planning Commission to approve the preliminary Plat for River Mist Development at Harrah Rd. with the stipulation all codes are met and approved by Myers Engineering. Second by Councilor Smith. Motion carried.

Aye: Patterson, Smith, Bishop, Barron, and Fryar/

Nay: None.

- k. Accept recommendation from Planning Commission to adopt [Ordinance No. 2018-6](#) re-zoning property at Harrah Rd from A-1 to PUD. (Rich DeQuasie).

Motion by Councilor Patterson to accept recommendation from Planning Commission to adopt Ordinance No. 2018-6 re-zoning property at Harrah Rd. from A-1 to PUD. with the stipulation the developer complys with all codes and conditions of the application and pays all fees due to the city. Second by Councilor Smith. Motion carried.

**Aye: Patterson, Smith, Bishop, Barron, and Fryar.
Nay: None.**

- l. Adopt emergency clause for Ordinance No. 2018-6

Motion by Councilor Patterson to adopt emergency clause for Ordinance No. 2018-6. Second by Councilor Smith. Motion carried.

**Aye: Patterson, Smith, Bishop, Barron, and Fryar.
Nay: None.**

- m. Amend Ordinance No. 2017-4 building and zoning standards for residential and commercial Sec. 12-371 include the following under **C. 1 which addresses multiple-family, office, and commercial buildings:**
 - e. **All non-compliant buildings shall be modified to meet the current code under the change of tenant, ownership, and/or the change of use.**
 - f. **All pre-engineered metal buildings shall have parapet walls extending a minimum of one foot (1') higher than the peak height of the building on all sides excluding the rear of the building.**

Motion by Councilor Patterson to amend Ordinance No. 2017-4 building and zoning standards for residential and commercial buildings. C. 1 which addresses multiple-family, office, and commercial buildings:

- e. **All non-compliant buildings shall be modified to meet the current code under the change of tenant, ownership, and/or the change of use.**
- f. **All pre-engineered metal buildings shall have parapet walls extending a minimum of one foot (1') higher than the peak height of the building on all sides excluding the rear of the building. Councilor Patterson requested change of tenant be removed from the amendment and any building vacant over 6 months must meet code. Second by Smith. Motion carried.**

**Aye: Patterson, Smith, Bishop, Barron, and Fryar.
Nay: None.**

- n. Approve emergency clause for amending Ordinance No. 2017-4

Motion by Councilor Patterson to adopt emergency clause for Ordinance No. 2017-4. Second by Smith. Motion carried.

Aye: Patterson, Smith, Bishop, Barron, and Fryar.

Nay: None.

- o. Adopt [Ordinance No. 2018-8](#) regarding truency in City of Harrah.

Motion by Councilor Patterson to adopt Ordinance No. 2018-8 regarding truency in City of Harrah. Second by Councilor Smith. Motion carried.

Aye: Patteson, Smith, Bishop, Barron, and Fryar.

Nay: None.

- p. Adopt emergency clause for Ordinance No. 2018-8.

Motion by Councilor Patterson to adopt the emergency clause for Ordinance No. 2018-8. Second by Councilor Smith. Motion carried.

Aye: Patterson, Smith, Bishop, Barron, and Fryar.

Nay: None.

- q. Amend [Ordinance No.1989-1](#) amending sec. 14-201 of the Harrah City Code, Permit and Regulations, to provide for regulations for excavating or boring effecting any street, alley, sidewalk, or crossing, or other public place. [added regulations](#):

Motion by Councilor Patterson to adopt amendment to Ordinance No. 1989-1 amending sec. 14-201 of the Harrah City Code, Permit and Regulations, to provide for regulations for excavating or boring effecting any street, alley, sidewalk, or crossing or other public place. attached regulations. Second by Councilor Smith. Motion carried.

Aye: Patterson, Smith, Bishop, Barron, and Fryar.

Nay: None.

- r. Approve emergency clause for amending Ordinance No.1989-1.

Motion by Councilor Patterson to adopt the emergency clause for amended Ordinance No. 1989-1. Second by Councilor Smith. Motion carried.

Aye: Patterson, Smith, Bishop, Barron, and Fryar.

Nay: None.

- s. Amend Ordinance No. 2000-5 Part 8, Chapter 1, Sec:102, modify the last section to say: **“The term “weed” does include tended crops on land zoned for agricultural use which are planted more than one-hundred fifty (150’) from a parcel zoned for other than agriculatural use, nor does it include grazing pasture for livestock that is one-hundred feet (100’) or more from the public right-of-way.**

Motion by Councilor Patterson to approve amendment to Ordinance No. 2000-5 adding “not” after the word does to include tended crops on land zoned for agricultural use which are planted more than one-hundred fifty (150’) from a parcel zoned for other than agriculatural use, nor does it include grazing pasture for livestock that is one-hundred feet (100’) or more from the public right-of-way and

adding the emergency clause. **Second by Councilor Barron. Motion carried.**

Aye: Patterson, Barron, Bishop, Smith, and Fryar.

Nay: None.

- t. Discussion regarding Straight St. and the process to be granted "[Letter of Map Amendment](#)" to be removed from the flood plain.

Item 4T was discussion only. The city manager has made available to those residents on Straight St. that are still considered to be in the flood plain an application to help remove them from being in a flood zone.

- u. Discussion and possible action amending fee schedule regarding Special Occupation Tax to meet New Alcohol Laws in effect October 1, 2018.

Motion by Councilor Barron to amend the fee schedule regarding Special Occupation Tax to meet New Alcohol Laws in effect October 1, 2018. The amended fees would mirror the state fees. Second by Councilor Patterson. Motion carried.

Aye: Barron, Patterson, Bishop, Smith, and Fryar.

Nay: None.

- v. Change October meeting date.

Motion by Councilor Smith to approve changing the October meeting date to October 25, 2018. Second by Councilor Patterson. Motion carried.

Aye: Smith, Patterson, Bishop, Barron, and Fryar.

Nay: None.

- w. **Executive Session: Discussion and possible action** on request under the provisions of: 25 O.S. Sec. 307 (B)(10) a request for executive session for the purpose of conferring on the matters pertaining to economic development including the transfer of property, financing, or the creation of a proposal to entice a business to locate within the City of Harrah because public disclosure of the matter to be discussed would interfere with the development of products or services and would violate the confidentiality of the business.

Motion by Councilor Patterson to enter into executive session. Second by Councilor Smith. Motion carried.

Aye: Patterson, Smith, Bishop, Barron, and Fryar.

Nay: None.

The Council entered into executive session at 8:03 pm and reconvened at 8:25 pm.

- x. Any action necessary following the executive session. **No action taken**

5. Comments: [City Manager Report](#), Misc. Correspondence, [Claims Report](#)

CITY MANAGER'S REPORT

9-20-18

- The Harrah School District is forming a planning committee to “foster priorities that will lead this district in future practices and principals for the foreseeable future.” The Mayor and I are on the Committee and the first meeting will be held on Tuesday, September 25, at 6 p.m.
- There are currently 73 properties on the abatement list. Our efforts to proactively address these properties has had a direct impact on property owners cleaning up their property. I will advise you when an Abatement Board meeting is scheduled.
- Reviewing applications and testing/interviewing for the positions of Fireman and Permit Clerk.
- Applications being taken until October 1st for a full time Police Officer and a part time Police Officer.
- Construction has begun on the new animal shelter and we are taking bids on the upgrade to the Fire Department for sleeping quarters.
- There was a sewer main break last week at 1st and Navarre in the creek!! A temporary repair was completed to stop the flow of sewage in the creek but our crew does not have the necessary equipment to complete a permanent repair. Therefore, it will need to be completed by a contractor.
- Bob Dillon, our Auditor, was here again Monday continuing to work on the annual audit.
- Cindy, Michele, Athena and I attended the Oklahoma Municipal League conference last week. It was an interesting, great conference that we all enjoyed. Thank you for your support of our professional development.
- Planning Commission met on September 13th regarding the rezoning of the DuQuasie property.
- Our monthly staff meeting was held this past Wednesday at the Blue Rooster.
- The Mayor and I are registered to attend the OG&E Community Roundtable on September 27th. This should be an informative meeting about any current issues related to the Company that could potentially affect us or our customers.
- The Consumer Confidence Report was mailed out to our utility customers a short time ago and thankfully the results have not drawn many questions or comments thanks to our new wells.
- Market in the Park, Pigs in the Park, Bluegrass Festival and the Vintage Trailer Show are coming October 6th.
- We are still evaluating the current retirement system and hope to have a

recommendation to you by next month.

City Council members

Vice-Mayor Bishop-Complimented Brandy McKay on a successful Harrah Day!!

Councilor Barron-Nothing

Councilor Patterson-Next agenda on septics for new residential tracts.

Councilor Smith-Nothing

Mayor-Market in the Park October 6

City Attorney-Nothing

Staff –[Fire Department Report](#), [Police Dept1](#), **Code Enforcement Weekly Report**

ACOG Report-Vice-Mayor Bishop

Chamber Report-Brandy McKay- Brandy stated that there will be a reception for City Manager Clayton Lucas, Thursday, September 27, 2018 at Asa Smith Funeral Home from 4 to 6:30 pm.

6. Consideration of new business, if any, which has arisen since the posting of the agenda, which could not have been reasonably foreseen prior to the posting of the agenda. [25 O.S. Section 311.9] **None.**

7. Citizen Participation: Public comments on city related agenda items or 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 Harrah Residents and **NO** formal action will be taken. Speakers are limited to 3 minutes for a total of 15 minutes. You must sign in with the City Clerk 10 minutes prior to the meeting to be recognized with name, address, and phone number. Members of the audience are encouraged to hold their comments to this portion of the agenda. **No comments shall be made during the business portion of the meeting.**

8. Adjournment

The meeting of the Harrah City Council adjourned at 8:25 pm.

Mayor

City Clerk