

# **THE HARTSHORNE CITY COUNCIL GENERAL MEETING AGENDA MINUTES**

**(Rescheduled from October 21,2024 due to lack of Quorum)**

**Hartshorne City Council**

**City of Hartshorne**

**307 S 12th Street**

**Hartshorne, Ok 74547**

**Date: October 29,2024**

**Time: 6:30 P.M.**

**Council Members, Paul Marean, Jessica Hackler, James Shaw, Jerry Earp, Sheryl Baker, David Spears, Gary Jackson, City Attorney, Joe Tate, Mayor, Ashley Faulkner, City Clerk Kerry Porter, and City Treasurer, Renee Montgomery, Open to Public.**

1. **Call to Order** Time 7:13

2. **Roll Call**

	1 <u>          </u>
Paul Marean	2 <u>Present</u>
James Shaw	3 <u>Present</u>
Jessica Hackler	4 <u>Present</u>
Jerry Earp	5 <u>Present</u>
Sheryl Baker	6 <u>Present</u>
Gary Jackson	7 <u>Present</u>
David Spears	8 <u>Present</u>

3. **Prayer**

4. **Pledge of Allegiance**

## **5. Reports**

### **Financial Report**

**Nutrition Report** Oven looked at waiting on part to repair, short handed

### **Clerk-Court Report In Packet**

**Police Report** we are shorthanded. Weston Montgomery resigned and went to County. We have a wrecked Unit, totaled \$17,000 repair \$12,000. We had in house training on Zol Life Vest due to a mal functioning on one of our citizens, We will have upcoming training. Veterans Day Parade cleared with ODOT. Animal Control we have picked up dozens of cats, several dogs. We must drop our unit and pick up truck. It is a big burden. We are dealing with more animals than people. Cats are out of control. Spears says all officers need to be certified animal control. Ford says Celeste Salvador is certified for animal control. We are working shorthanded 12-hour shifts and covering for days off.

### **Neighborhood Watch Report**

**Fire Report** in packet

**Treasurer Report** emailed

### **Street & Alley Maintenance Report**

**Mayor Report** new website tomorrow anyone subscribed will stay subscribed. Thanks, Justin Mc McLemore, for filming.

**Council Reports** Ward 1 Marean states his question on the agenda was changed. Clerk Kerry Porter states that nothing was changed, and the question was just as it was given to her. It is in your packets just as it states on agenda.

### **Ward 2**

**Ward 3** Sheryl Baker states that PWA crew has been working hard. Last week they were at 10<sup>th</sup> and Carbon and fire ants were eating them up. Let's be Thankful for them. Terry and Trevor Smith started the cover for the splash pad. Mark Roberts worked hard on that. We appreciate all your hard work Mark. Where are we on the walking track? The mayor said that County would do it for \$90,000 it was left at that.

**Ward 4** Spears wants potholes fixed by Eddie Camps house on Apache going to Haileyville

6. **Consent Agenda**

- A. Approval of the minutes of the General meeting on 10/01/2024
- B. Approval of the minutes of the Special meeting on 10/01/2024
- C. Approval to pay bills for the month September 2024

Motion Baker Second Jackson

**Motion Passes**

**Roll Call**

	1 <u>          </u>
Paul Marean	2 <u>Abstain-No</u>
James Shaw	3 <u>Yes</u>
Jessica Hackler	4 <u>Abstain-No</u>
Jerry Earp	5 <u>Yes</u>
Sheryl Baker	6 <u>Yes</u>
Gary Jackson	7 <u>Yes</u>
David Spears	8 <u>Yes</u>

7. **Appearances from the audience.**

- A. Amanda Cervantes would like to discuss Pafford Ambulance Service.
- B. Brian Rich would like to discuss trash service and charges.
- C. Chamber of Commerce to discuss every quarter concerning items of relevant importance. Justin McLemore and Heather Moore  
Th the Drawing, Crawl & Christmas Parade Is December 7<sup>th</sup>. Police and Fire Toy Drive is December 14 Trunk or treat is moving from rodeo grounds to either Edgewood methodist or the school October 31 6-9 pm  
Veterans Day Parade we need help putting up the flags our veteran are getting to old to do it. They need to be put up night before. Baker stated that she would see if student council will help Spears said they could borrow his tractor, Jackson states Randy Wilcox might help. Veterans Day Parade is 16<sup>th</sup>.of November  
Justin says that the monies left from the city doing the veterans day parade should be given to the American legend and the VFW.

D. Monica Johnson would like to appoint Micheal Moore to Hartshorne Housing Authority.

**Motion Passes**

Motion Baker Second Shaw

**Roll Call**

	1	<u>          </u>
Paul Marean	2	<u>Yes</u>
James Shaw	3	<u>Yes</u>
Jessica Hackler	4	<u>Yes</u>
Jerry Earp	5	<u>Yes</u>
Sheryl Baker	6	<u>Yes</u>
Gary Jackson	7	<u>Yes</u>
David Spears	8	<u>Yes</u>

**8. Consideration of written communications.**

A. Discussion, consideration, and possible action to accept the resignation of Weston Montgomery.

**Motion Passes**

Motion Jackson Second Shaw

**Roll Call**

	1	<u>          </u>
Paul Marean	2	<u>Yes</u>
James Shaw	3	<u>Yes</u>
Jessica Hackler	4	<u>Yes</u>
Jerry Earp	5	<u>Yes</u>
Sheryl Baker	6	<u>Yes</u>
Gary Jackson	7	<u>Yes</u>
David Spears	8	<u>Yes</u>

- B.** Discussion, consideration, and possible action to pay Weston Montgomery unused vacation leave for 40 hours – amount \$817.20

Motion Shaw Second Jackson

**Motion Passed**

**Roll Call**

	1 <u>        </u>
Paul Marean	2 <u>Yes</u>
James Shaw	3 <u>Yes</u>
Jessica Hackler	4 <u>Yes</u>
Jerry Earp	5 <u>Yes</u>
Sheryl Baker	6 <u>Yes</u>
Gary Jackson	7 <u>Yes</u>
David Spears	8 <u>Abstain-No</u>

- C.** Discussion, consideration, and possible action to approve the Holiday Schedule for the year 2025.

Motion Jackson Second Baker

**Motion Passed**

**Roll Call**

	1 <u>        </u>
Paul Marean	2 <u>Yes</u>
James Shaw	3 <u>Yes</u>
Jessica Hackler	4 <u>Yes</u>
Jerry Earp	5 <u>Yes</u>
Sheryl Baker	6 <u>Yes</u>
Gary Jackson	7 <u>Yes</u>
David Spears	8 <u>Yes</u>

**D. Discussion, consideration, and possible action to approve Council Meeting**

Dates for the year 2025.

Amended

Changed due to Holliday Jan & Feb move to following Tuesday March 17 changed to Monday March 10 due to Spring Break

Motion Jackson Second Shaw

**Motion Passed**

**Roll Call**

	1	
Paul Marean	2	Yes
James Shaw	3	Yes
Jessica Hackler	4	Yes
Jerry Earp	5	Yes
Sheryl Baker	6	Yes
Gary Jackson	7	Yes
David Spears	8	Yes

**E. Discussion, consideration, and possible action to approve Resolution 10.21.2024 for a non-partisan election to be held on April 1,2025.**

Ward 1 seat 1 vacant, Ward 1 Marean, Ward 2 Shaw, Ward 3 Baker, Ward 4 Jackson

Treasurer Renee Montgonery, Clerk Kerry Porter

**Motion Passes**

Motion Marean Second Baker

**Roll Call**

	1	
Paul Marean	2	Yes
James Shaw	3	Yes
Jessica Hackler	4	Yes
Jerry Earp	5	Yes
Sheryl Baker	6	Yes
Gary Jackson	7	Yes
David Spears	8	Yes

- F. Discussion, consideration, and possible action to appoint a qualified applicant to Ward 1 council seat that was vacated on September 23, 2024.

**Duplicated question. At end of agenda**

Motion \_\_\_\_\_ Second \_\_\_\_\_

**Roll Call**

	1 _____
Paul Marean	2 _____
James Shaw	3 _____
Jessica Hackler	4 _____
Jerry Earp	5 _____
Sheryl Baker	6 _____
Gary Jackson	7 _____
David Spears	8 _____

- G. Discussion, consideration, and possible action to replace the pole for the stoplight located at 10<sup>th</sup> and HWY 270/ Pennsylvania Avenue to add more height due to the multiple times the light has been hit by tractor trailers traveling down HWY 270/ Pennsylvania Avenue a price of \$3150.00.

Spears How high do we hang it. Ford 14'6 Mark roberts in audience said 16'over street

Motion Baker Second Jackson

**Roll Call**

**Motion Passes**

	1 _____
Paul Marean	2 Yes _____
James Shaw	3 Yes _____
Jessica Hackler	4 Yes _____
Jerry Earp	5 Yes _____
Sheryl Baker	6 Yes _____
Gary Jackson	7 Yes _____
David Spears	8 Yes _____

H. Discussion, consideration, and possible action to take legal action on George  
M Kern, CPA for breach of contract.

Motion Spears Second Marean

**Roll Call**

**Motion Passed**

	1 <u>          </u>
Paul Marean	2 <u>Yes</u>
James Shaw	3 <u>Yes</u>
Jessica Hackler	4 <u>Yes</u>
Jerry Earp	5 <u>Yes</u>
Sheryl Baker	6 <u>Yes</u>
Gary Jackson	7 <u>Yes</u>
David Spears	8 <u>Yes</u>

Search for an Attorney. Reached out to OMAG. They said to find out if he is bonded.  
Otherwise, it is a business decision. Baker and Spears said to find an attorney.

I. Discussion, consideration, and possible action to bid out the Certified  
Public Accountant contract services for the remainder of FY2025.

**Motion Passed**

Motion Baker Second Jackson

**Roll Call**

	1 <u>          </u>
Paul Marean	2 <u>Yes</u>
James Shaw	3 <u>Yes</u>
Jessica Hackler	4 <u>Yes</u>
Jerry Earp	5 <u>Yes</u>
Sheryl Baker	6 <u>Yes</u>
Gary Jackson	7 <u>Yes</u>
David Spears	8 <u>Yes</u>



- J. Discussion, consideration, and possible action to reimburse PWA account the cost of the Sewer Jetter (\$101,274.79) from Ambulance/Capital Equipment fund (recommended by CPA). This was approved by the council on 8.21.2023.

Motion Spears Second Jackson

**Motion Passes**

**Roll Call**

	1 <u>      </u>
Paul Marean	2 <u>Yes</u>
James Shaw	3 <u>Yes</u>
Jessica Hackler	4 <u>Yes</u>
Jerry Earp	5 <u>Yes</u>
Sheryl Baker	6 <u>Yes</u>
Gary Jackson	7 <u>Yes</u>
David Spears	8 <u>Yes</u>

- K. Discussion, consideration, and possible action to hire a cook of Kim's choosing for \$10.00 an hour and approval to hire replacements immediately in the event someone quits. (Kim)

**Motion Passes**

Motion Marean Second Jackson

**Roll Call**

	1 <u>      </u>
Paul Marean	2 <u>Yes</u>
James Shaw	3 <u>Yes</u>
Jessica Hackler	4 <u>Yes</u>
Jerry Earp	5 <u>Yes</u>
Sheryl Baker	6 <u>Yes</u>
Gary Jackson	7 <u>Yes</u>
David Spears	8 <u>Yes</u>

- L. Discussion, consideration and possible action to revoke Ordinance No: 2021-06-01.  
An Ordinance of the City of Hartshorne, Oklahoma, Territory adjacent and/or contiguous to the city limits and providing for zoning of said territory due to Title 11, Chapter 1, Article XXI. Section 21-103, stating it shall be impermissible exercise of state delegated authority by a municipality and shall be prohibited to annex land serving no municipal purpose. (Paul Marean)

**Motion Fails**

Motion Marean Second Jackson

**Roll Call**

	1 <u>          </u>
Paul Marean	2 <u>Yes</u>
James Shaw	3 <u>No</u>
Jessica Hackler	4 <u>No</u>
Jerry Earp	5 <u>No</u>
Sheryl Baker	6 <u>Abstain - No</u>
Gary Jackson	7 <u>No</u>
David Spears	8 <u>Yes</u>

Marean motions, Spears Discussion. David this needs to be passed around. Council states It was in the packet. Paul reads his information and states it can't be a small strip just make land go straight. Leblance addresses the council I am here today to question the way you are going to vote on this. What is your method of doing this tonight? Paul states that he doesn't know, he is not an attorney. Leblance states you want this council to vote so they need to know exactly what process your going to do. Paul states seems like it would be to put it back the way it was. Mr. Leblance states there is a process to revoke an ordinance. Do you know what that is? Paul states he doesn't know. Leblance asks do you stand behind your motion. Paul states yes. Spears states I was going to make sure we were right before we do something. Table it. Council says no spears says withdraw. Council votes

**M. Discussion, consideration and possible action on ward 3 Council position,**

Sheryl Baker being appointed to council illegally according to the state statues of nepotism. (Paul Marean)

**Failed for lack of motion**

Motion Marean Second

**Roll Call**

	1	<u></u>
Paul Marean	2	<u></u>
James Shaw	3	<u></u>
Jessica Hackler	4	<u></u>
Jerry Earp	5	<u></u>
Sheryl Baker	6	<u></u>
Gary Jackson	7	<u></u>
David Spears	8	<u></u>

Marean motioned. Spears states he thinks we need to talk to City attorney to hear his statement on this. Mayor states we already have a motion. You were the on that wanted to discuss before motions were made. Spears states he wanted to ask did we get an opinion Mayor states we already have a motion Tate states that the agreement was she could be left in place. Spears states that this was in February or March of prior year and we didn't take this advisement until now, so Baker is going to run in February, so I think we should let her file, she has been in office this long.

**N.** Discussion, consideration and possible action on PLACING FOR PUBLICATION ACTIVE BID BY NOTICE OF LAND SALE ON SPECIFICALLY: A tract of land in Lot No.1 Townsite Addition No. 20 to Pittsburg County State of Oklahoma. Said parcel of land being described by metes and bounds as follows:

COMMENCING at a 5/8" Iron Pin being the NE corner of said Lot 1,; thence S 01°32'48" E along the east line of Lot 1 , a distance of 133.32 feet to the POINT OF BEGINNING; thence S 01°32'48" E, a distance of 528.73 feet to the SE corner of Lot 1; thence S 89°07'47" W along the south line of Lot 1, a distance of 599.64 feet; thence N 01°26'14" W along a line parallel to the west line of Lot 1, a distance of 528.71 feet; thence N 89°07'47" E, a distance of 598.63 feet to the POINT OF BEGINNING.

Containing; 7.27 acres (316681.2 square feet), more or less

Grantor, reserves, and excepts unto itself, its successors and assigns ALL PREVIOUSLY ACQUIRED RIGHTS OF ACCESS from said 7.27 acres, more or less, to the lands or right-of-way covered by the abutting SENIOR DRIVE along the West side of the above-described property.

TO ESTABLISH BID PACKET DATE OPENING: NOVEMBER 18, 2024, AFTER 6:30 PM TO THE HIGHEST BIDDER (IF APPLICABLE) AT THE REGULAR SCHEDULED GENERAL COUNCIL MEETING.

### **Motion to table**

Motion Spears Second Jackson

### **Roll Call**

	1 <u>          </u>	
Paul Marean	2 <u>Yes</u>	6. Sheryl Baker <u>Yes</u>
James Shaw	3 <u>Yes</u>	7. Gary Jackson <u>Yes</u>
Jessica Hackler	4 <u>Yes</u>	8. David Spears <u>Yes</u>
Jerry Earp	5 <u>Yes</u>	

Spears states he does not want to sell the land by the baseball field. He wants to build a complex. He stated we could donate the five acres at the industrial park where the tree pile was located. Kids need a future park. Eric Silva stated that there will be single family homes for sale or rent. **Motion to bring back in November.**

- O. Discussion, consideration and possible action regarding the additional cost of QuickBooks Accounting Software set-up (as recommended by City CPA) cost.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**Motion to table, discussion no action**

**Roll Call**

	1 _____
Paul Marean	2 _____
James Shaw	3 _____
Jessica Hackler	4 _____
Jerry Earp	5 _____
Sheryl Baker	6 _____
Gary Jackson	7 _____
David Spears	8 _____

Mayor states original cost \$2714.00 billed for set up cost I assumed included. The cost is nearing 10,000. For transparency it has already been purchased but she did not tell us all of the price. Renee states that over \$5000.00 paid so far. Mayor said she made a recommendation a letter and that is not what y'all approved.

- P. Discussion, consideration and possible action to pay Dalton Housley his

Remaining vacation time. 34 hours.

**Motion Passes**

Motion Baker Second Shaw

**Roll Call**

	1 _____	
Paul Marean	2 <u>Yes</u>	6. Sheryl Baker <u>Yes</u>
James Shaw	3 <u>Yes</u>	7. Gary Jackson <u>Yes</u>
Jessica Hackler	4 <u>Yes</u>	8. David Spears <u>Yes</u>
Jerry Earp	5 <u>Yes</u>	

**Q.** Discussion, consideration and possible action to appoint a qualified applicant to Ward 1 council seat that was vacated on September 23, 2024.

Motion to put to Election

**Motion Passes**

Motion Shaw Second Spears

**Roll Call**

Paul Marean	1 <u>        </u>	6. Sheryl Baker	<u>Yes</u>
James Shaw	2 <u>Yes</u>	7. Gary Jackson	<u>Yes</u>
Jessica Hackler	3 <u>Yes</u>	8. David Spears	<u>Yes</u>
Jerry Earp	4 <u>Yes</u>		
	5 <u>Yes</u>		

**R.** Business not previously considered at the time of Agenda.

**Adjournment:** 8:18

This agenda was filed in the office of the City Clerk and posted by 4:00PM on 10/17/2024, at the following locations.

- 1000 Pennsylvania Ave. Hartshorne, OK 74547
- 307 S 12<sup>th</sup> Street, Hartshorne, OK 74547
- Online at [www.cityofhartshorne.com](http://www.cityofhartshorne.com) under GOVERNMENT, Meetings and Agendas 2024

By Kerry Porter, Clerk

  
City Clerk

