



P.O. BOX 850 | COWETA, OKLAHOMA 74429 | PH. (918) 486-2189 | FAX (918) 486-5366 | www.cityofcoweta-ok.gov

AGENDA - REGULAR MEETING
COWETA CITY COUNCIL
COWETA CITY HALL, 310 S. BROADWAY
MONDAY, MAY 3, 2021 6:00 P.M.

MEETING PROCEDURE: Comments on all scheduled agenda items will be heard immediately following the presentation by staff or the petitioner. Please wait until you are recognized by the Mayor and keep your comments as brief as possible. Individuals addressing the City Council must identify themselves by name prior to making any comments. The City Council will act on an agenda item after comments from staff and the City Council have been heard.

I. CALL TO ORDER

1. OATH OF OFFICE

OATH OF OFFICE ADMINISTERED TO COUNCILMEMBERS, TRUSTEES FOR THE COWETA PUBLIC WORKS AUTHORITY, AND TRUSTEES FOR THE COWETA INDUSTRIAL DEVELOPMENT AUTHORITY FOR WARD 3, WARD 4 AND AT-LARGE.
(JULIE CASTEEN, CITY CLERK)

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

EVETTE YOUNG _____
HAROLD CHANCE _____
NAOMI HOGUE _____
LOGAN BROWN _____
RANDY WOODWARD _____

IV. GENERAL CITY COUNCIL COMMENTS

(During the General City Council Comments section of the agenda, the City Council shall make no decision or take any action except as to request the City Manager to schedule the matter for Council discussion at a later date.)

V. CONSENT

(All matters under the "Consent Calendar" are considered by the City Council to be routine and will be enacted by one motion. Any Councilmember may, however, remove an item from consent by request.)

1. 2021 HOLIDAY CALENDAR - REVISED

APPROVAL OF THE REVISED 2021 HOLIDAY SCHEDULE FOR THE CITY OF COWETA.
(JULIE CASTEEN, ASSISTANT CITY MANAGER)

Documents:

[210503 STAFF REPORT HOLIDAY SCHEDULE.PDF](#)
[HOLIDAY SCHEDULE 2021 - REVISED.PDF](#)

2. CITY OF COWETA'S 911 SYSTEM REVIEW

APPROVAL OF THE QUARTERLY FINANCIAL RESULTS AND OPERATIONAL ACTIVITIES OF THE CITY OF COWETA'S 911 SYSTEM FOR THE CALENDAR YEAR QUARTER ENDING MARCH 31, 2021 IN ACCORDANCE WITH 63 O.S. §2815 (F).
(JULIE CASTEEN, ASSISTANT CITY MANAGER)

Documents:

3. MINUTES OF THE REGULAR MEETING

APPROVAL OF THE MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING HELD ON APRIL 5, 2021.

(JULIE CASTEEN, ASSISTANT CITY MANAGER/CITY CLERK)

Documents:

[210405 MINUTES OF THE REGULAR CITY COUNCIL MEETING.PDF](#)

4. MINUTES OF THE SPECIAL JOINT MEETING

APPROVAL OF THE MINUTES OF THE COWETA CITY COUNCIL/COWETA PUBLIC WORKS AUTHORITY/COWETA INDUSTRIAL DEVELOPMENT AUTHORITY JOINT SPECIAL MEETING HELD ON APRIL 23, 2021.

(JULIE CASTEEN, ASSISTANT CITY MANAGER/CITY CLERK)

Documents:

[210423 MINUTES OF THE JOINT SPECIAL MEETING.PDF](#)

VI. PROCLAMATIONS/PRESENTATIONS

1. PRESENTATION ON COTTONWOOD PARK

PRESENTATION BY SHERRY SMITH, OKLAHOMA UNIVERSITY URBAN DESIGN STUDIO MASTER STUDENT, REGARDING THE CONCEPTUAL DESIGN OF A PUBLIC PARK AT THE COTTONWOOD ACRES SUBDIVISION.

VII. OLD BUSINESS

1. SELECTION OF A MAYOR

DISCUSSION AND POSSIBLE ACTION ON THE SELECTION OF A MAYOR FOR THE CITY OF COWETA IN ACCORDANCE WITH SECTION 2-205 OF THE CITY OF COWETA CODE OF ORDINANCES.

2. SELECTION OF A VICE-MAYOR

DISCUSSION AND POSSIBLE ACTION ON THE SELECTION OF A VICE-MAYOR FOR THE CITY OF COWETA IN ACCORDANCE WITH SECTION 2-205 OF THE CITY OF COWETA CODE OF ORDINANCES.

3. APPROVAL OF ANNUAL ROAD MAINTENANCE

DISCUSSION AND POSSIBLE ACTION ON THE APPROVAL OF THE ROADWAY PROJECTS SELECTED FOR THE ANNUAL ROAD MAINTENANCE PROGRAM AND DIRECTION TO STAFF TO PUBLICLY BID SUCH PROJECTS.

(WES RICHTER, PUBLIC WORKS DIRECTOR)

Documents:

[210503 STAFF REPORT ROAD MAINTENANCE PROJECTS.PDF](#)

4. CZ 21-03 SUP MEDICAL MARIJUANA DISPENSARY

DISCUSSION AND POSSIBLE ACTION ON THE APPROVAL OF A SPECIFIC USE PERMIT (SUP) CZ 21-03 FOR A MEDICAL MARIJUANA DISPENSARY IN AN EXISTING BUILDING ON PROPERTY ZONED GENERAL COMMERCIAL (CG) LOCATED IN SECTION 7, TOWNSHIP 17 NORTH, RANGE 16 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, OKLAHOMA AT 13872 SOUTH STATE HIGHWAY 51, COWETA, OKLAHOMA.

Documents:

[210503 STAFF REPORT CZ 21-03 SUP.PDF](#)

[CZ 21-03 SUP ZONING MAP \(2\).PDF](#)

[CZ 21-03 SUP OMMA MAP.PDF](#)

[CZ 21-03 SUP AERIAL VIEW WITH FLOODPLAN.PDF](#)

[CZ 21-03 SUP LOCATION MAP.PDF](#)

[CZ 21-03 SUP SITE PLAN.PDF](#)
[20210319_114345.JPG](#)
[20210319_114327.JPG](#)
[20210319_114301.JPG](#)
[20210319_114257.JPG](#)
[20210319_114228.JPG](#)

5. ORDINANCE 844 CAPITAL IMPROVEMENTS TAX

DISCUSSION AND POSSIBLE ACTION ON THE ADOPTION OF ORDINANCE 844, AN ORDINANCE OF THE CITY OF COWETA, OKLAHOMA THAT: (A) LEVIES AND ASSESSES A ONE PERCENT (1%) SALES TAX ON THE GROSS RECEIPTS OF PROCEEDS ON TAXABLE SALES OF GOODS AND SERVICES, AS DEFINED IN THE ORDINANCE, IN THE CITY OF COWETA, OKLAHOMA IN ADDITION TO ALL PRESENT SALES TAXES UPON SUCH GROSS RECEIPTS OR PROCEEDS FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS PERTAINING TO ROAD AND STREET IMPROVEMENTS, WATER AND WASTEWATER SYSTEM IMPROVEMENTS, STORM SEWER IMPROVEMENTS, ACQUISITION OF PARKS MAINTENANCE EQUIPMENT, IMPROVEMENTS TO PUBLIC PARKS LANDS AND FACILITIES, IMPROVEMENTS TO PUBLIC SAFETY FACILITIES, AND ACQUISITION OF PUBLIC SAFETY VEHICLES AND EQUIPMENT, ALL WITHIN SAID CITY, AND/OR TO BE APPLIED OR PLEDGED TOWARD THE PAYMENT OF PRINCIPAL AND INTEREST ON ANY INDEBTEDNESS, INCLUDING REFUNDING INDEBTEDNESS, INCURRED BY OR ON BEHALF OF SAID CITY FOR SUCH PURPOSE; (B) PROVIDES FOR SUCH SALES TAX TO BEGIN JANUARY 1, 2022; (C) PROVIDES FOR THE DURATION OF SUCH SALES TAX TO BE PERMANENT; (D) PRESCRIBES PROCEDURES FOR THE COLLECTION AND REMITTANCE OF SUCH SALES TAX AND PENALTIES FOR THE FAILURE TO DO SO; AND (E) INCLUDES SUCH OTHER PROVISIONS, TERMS AND CONDITIONS AS NECESSARY AND LAWFUL FOR THE EFFECTIVE IMPLEMENTATION AND ENFORCEMENT OF THIS ORDINANCE.
(ROGER KOLMAN, CITY MANAGER)

Documents:

[210503 ORDINANCE 844 CAPITAL IMPROVEMENTS SALES TAX.PDF](#)

6. RESOLUTION 2021-12 SPECIAL ELECTION

DISCUSSION AND POSSIBLE ACTION ON THE ADOPTION OF RESOLUTION 2021-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA AUTHORIZING AND DIRECTING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF COWETA, OKLAHOMA FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF COWETA, OKLAHOMA THE QUESTION OF WHETHER ORDINANCE NO. 844 LEVYING A SALES TAX OF ONE PERCENT (1%) FOR CAPITAL IMPROVEMENTS FOR THE CITY OF COWETA, OKLAHOMA SHALL BE APPROVED.
(ROGER KOLMAN, CITY MANAGER)

Documents:

[210503 RESOLUTION 2021-12 CALL FOR ELECTION INFRASTRUCTURE TAXES.PDF](#)

VIII. NEW BUSINESS

(Business which was not foreseen prior to the posting of the agenda.)

IX. ADJOURNMENT

IF YOU REQUIRE A SPECIAL ACCOMMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PLEASE NOTIFY CITY HALL BY 9:00 A.M. ON THE DATE OF THE MEETING.



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Memorandum

To: Honorable Mayor and City Council

From: Julie Casteen, Assistant City Manager

Re: Revised Holiday Schedule for 2021

Date: May 3, 2021

BACKGROUND

The 2021 Holiday Schedule approved on November 2, 2020 contained an omission. Since New Year's Day 2022 falls on a Saturday, the holiday will be observed on Friday, December 31, 2021. City Offices will be closed, and a revised trash schedule will be announced.

STAFF RECOMMENDATION

Staff recommends approval of the revised 2021 Holiday Schedule.

Attachments:

2021 Holiday Schedule - Revised

**CITY OF COWETA/COWETA PUBLIC WORKS AUTHORITY
2021 HOLIDAY SCHEDULE**

January 1, 2021 (Friday)	New Year's Day
February 15, 2021 (Monday)	President's Day
April 2, 2021 (Friday)	Good Friday
May 31, 2021 (Monday)	Memorial Day
July 5, 2021 (Monday)	Independence Day (Observed)
September 6, 2021 (Monday)	Labor Day
November 11, 2021 (Thursday)	Veteran's Day
November 25, 2021 (Thursday)	Thanksgiving Day
November 26, 2021 (Friday)	Day after Thanksgiving
December 23, 2021 (Thursday)	Christmas Eve (Observed)
December 24, 2021 (Friday)	Christmas Day (Observed)
December 31, 2021 (Friday)	New Year's Day (Observed)

THERE WILL BE NO TRASH SERVICE ON THE ABOVE DATES

**REVIEW OF EXPENDITURES FOR E911 FUND
FOR JANUARY 1, 2021 THROUGH MARCH 31, 2021**

During the third quarter of the current fiscal year, the expenditures for the E911 Fund include:

Vendor	Description	Total Per Vendor
Windstream	911 Lines and Services	\$ 7,874.42
Oklahoma Dept of Public Safety	OLETS Licenses	1,400.00
Computer Project of Illinois	OLETS Licenses	450.00
JP Morgan Chase	Computer equipment	126.54
	Subtotal	<u>\$9,850.96</u>
	First Quarter Expenditures	<u>29,655.23</u>
	Second Quarter Expenditures	<u>5,457.34</u>
	Total Year to Date Expenditures	<u>\$ 44,963.53</u>

Approved in open meeting of the City Council of the City of Coweta on this 3rd day of May, 2021.

Evette Young, Mayor

ATTEST:

Julie Casteen, City Clerk

C I T Y O F C O W E T A
FINANCIAL STATEMENT
AS OF: MARCH 31ST, 2021

18 -E-911 FUND

EXPENDITURES

75.00% OF YEAR COMPLETED

ACCOUNT NO#	ACCOUNT NAME	ANNUAL BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	% OF BUDGET	Y-T-D ENCUMB.	BUDGET BALANCE
E-911							
=====							
<u>200-MATERIALS AND SUPPLIE</u>							
5204.087	MINOR TOOLS & EQUIPMENT	<u>3,500.00</u>	<u>0.00</u>	<u>3,001.54</u>	<u>85.76</u>	<u>0.00</u>	<u>498.46</u>
TOTAL 200-MATERIALS AND SUPPLIE		3,500.00	0.00	3,001.54	85.76	0.00	498.46
<u>300-OTHER CHARGES/SERVICE</u>							
5300.087	OTHER SERVICES & CHARGES	2,200.00	0.00	2,200.00	100.00	0.00	0.00
5302.087	COMMUNICATIONS (TELEPHONE)	60,247.00	2,761.82	36,746.99	88.17	16,374.29	7,125.72
5325.087	CONTRACTED SERVICES	<u>4,550.00</u>	<u>700.00</u>	<u>3,015.00</u>	<u>100.00</u>	<u>1,535.00</u>	<u>0.00</u>
TOTAL 300-OTHER CHARGES/SERVICE		66,997.00	3,461.82	41,961.99	89.36	17,909.29	7,125.72
<u>400-CAPITAL OUTLAY</u>							
5404.087	MACHINERY & EQUIPMENT	<u>150,220.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>150,220.00</u>
TOTAL 400-CAPITAL OUTLAY		150,220.00	0.00	0.00	0.00	0.00	150,220.00
<u>500-NON-OPERATING</u>							
5503.087	LEASE PAYMENTS - PRINC	<u>23,856.00</u>	<u>0.00</u>	<u>0.00</u>	<u>98.94</u>	<u>23,603.99</u>	<u>252.01</u>
TOTAL 500-NON-OPERATING		23,856.00	0.00	0.00	98.94	23,603.99	252.01
		=====	=====	=====	=====	=====	=====
TOTAL E-911		244,573.00	3,461.82	44,963.53	35.36	41,513.28	158,096.19
		=====	=====	=====	=====	=====	=====
*** TOTAL EXPENSES ***		244,573.00	3,461.82	44,963.53	35.36	41,513.28	158,096.19
		=====	=====	=====	=====	=====	=====

*** END OF REPORT ***

FUND : 18 E-911 FUND

DEPARTMENT: 087 E-911 FUND

INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999

PAY DATE RANGE: 1/01/2021 THRU 3/31/2021

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK #	AMOUNT
01-1855	JPMORGAN CHASE BANK N	I-01/31/21 BELL	18 5404.087	MACHINERY & E: BELL JAN 21	JPMORGAN 000407		126.54
				VENDOR 01-1855	TOTALS		126.54
01-2210	WINDSTREAM	I-01/05/21 041700521	18 5302.087	COMMUNICATION: E911 VPN JULY 2020-2	262974		475.79
01-2210	WINDSTREAM	I-041665350 01/27	18 5302.087	COMMUNICATION: T1 LINE FOR 911	263125		405.75
01-2210	WINDSTREAM	I-041665350 02/26	18 5302.087	COMMUNICATION: T1 LINE FOR 911	263302		405.75
01-2210	WINDSTREAM	I-041665350 12/28	18 5302.087	COMMUNICATION: T1 LINE FOR 911	262933		405.75
01-2210	WINDSTREAM	I-041700521 02/03	18 5302.087	COMMUNICATION: E911 VPN JULY 2020-2	263126		468.56
01-2210	WINDSTREAM	I-041700521 03/03	18 5302.087	COMMUNICATION: E911 VPN JULY 2020-2	263303		475.79
01-2210	WINDSTREAM	I-101098402 01/11	18 5302.087	COMMUNICATION: E911 LINE FY 21	263038		1,190.74
01-2210	WINDSTREAM	I-101098402 02/10	18 5302.087	COMMUNICATION: E911 LINE FY 21	263190		1,190.74
01-2210	WINDSTREAM	I-101098402 12/09	18 5302.087	COMMUNICATION: E911 LINE FY 21	262826		1,190.35
01-2210	WINDSTREAM	I-101098402 3/10/21	18 5302.087	COMMUNICATION: E911 LINE FY 21	263326		1,193.00
01-2210	WINDSTREAM	I-101098803 01/15	18 5302.087	COMMUNICATION: DISPATCH PHONE SVC	263039		118.82
01-2210	WINDSTREAM	I-101098803 03/16	18 5302.087	COMMUNICATION: DISPATCH PHONE SVC	263401		119.22
01-2210	WINDSTREAM	I-101098803 12/16	18 5302.087	COMMUNICATION: DISPATCH PHONE SVC	262934		116.10
01-2210	WINDSTREAM	I-101098803 2/16/21	18 5302.087	COMMUNICATION: DISPATCH PHONE SVC	263304		118.06
				VENDOR 01-2210	TOTALS		7,874.42
01-3538	COMPUTER PROJECT OF IL	I-21-03-09ME	18 5302.087	COMMUNICATION: 1 OLETS LICENSE FOR	263344		450.00
				VENDOR 01-3538	TOTALS		450.00
01-80	OKLAHOMA DEPT PUBLIC S	I-37-3171036	18 5325.087	CONTRACTED SE: OLETS	262908		350.00
01-80	OKLAHOMA DEPT PUBLIC S	I-37-3171247	18 5325.087	CONTRACTED SE: OLETS	263262		700.00
01-80	OKLAHOMA DEPT PUBLIC S	I-38-3180181	18 5325.087	CONTRACTED SE: OLETS	263109		350.00
				VENDOR 01-80	TOTALS		1,400.00
				DEPARTMENT 087	E-911 FUND	TOTAL:	9,850.96
				VENDOR SET 18	E-911 FUND	TOTAL:	9,850.96
					REPORT GRAND TOTAL:		9,850.96

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
				ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
2020-2021	18 -5302.087	COMMUNICATIONS (TELEPHONE)	8,324.42	60,247	7,127.72				
	18 -5325.087	CONTRACTED SERVICES	1,400.00	4,550	0.00				
	18 -5404.087	MACHINERY & EQUIPMENT	126.54	152,220	149,218.46				
		TOTAL:	9,850.96						

** DEPARTMENT TOTALS **

ACCT	NAME	AMOUNT
18 -087	E-911 FUND	9,850.96
18 TOTAL	E-911 FUND	9,850.96
	** TOTAL **	9,850.96

NO ERRORS

SELECTION CRITERIA

VENDOR SET: 01 CITY OF COWETA
INVOICE DATE RANGE: 1/01/1998 THRU 99/99/9999
PAY DATE RANGE: 1/01/2021 THRU 3/31/2021
BANK: ALL
BUDGET: CB-CURRENT BUDGET
SEQUENCE: VENDOR NUMBER
REPORT TYPE: 1 LINE
TOTALS ONLY: NO
PRINT PROJECTS: NO
PRINT STUB COMMENTS: NO

DEPARTMENT OPTIONS

SEPARATE BY DEPARTMENT: YES
G/L RANGE: - THRU ZZZ-ZZZZZZZZZZZZZZZZ
DEPARTMENT RANGE: 087 THRU 087
PAGE BREAK BY DEPARTMENT: YES
CHECK RANGE: 000000 THRU 999999

** END OF REPORT **

Radio Log Summary Report

January 1 to March 31, 2021

Radio Log Record

Radio Log Record 10,301

Group By Call Type

Total	Initial Call Type
35	***OLETS***
11	***ONLINE***
7	***SYSTEM***
2	10-12 - ACO
10	10-12 - EMS
1	10-12 - FIRE
274	10-12 - INFORMATION
128	10-12 - POLICE
54	10-12 - RECORDS
22	10-21 - ACO
223	10-21 - EMS
68	10-21 - FIRE
1,889	10-21 - INFORMATION
595	10-21 - OUTGOING
566	10-21 - POLICE
1	10-21 - RECORDS
816	10-21 - TRANSFER
330	911 - EMS
26	911 - FIRE
361	911 - HANG UP
227	911 - NON EMERGENCY
165	911 - POLICE
73	911 - TRANSFER
399	ACO RADIO CALL
11	EMS/FD RADIO CALL
3,838	POLICE RADIO CALL
169	SCHOOL RESOURCE OFFICER-SRO

Group By Final Type

Total	Final Call Type
3,871	
160	***ACCIDENTAL***
66	***INFORMATION***
97	***SCHOOL RESOURCE OFFICER - INITIATED***
11	***SYSTEM***
666	***TRANSFER***
11	ABANDONED VEHICLE
1	ACCIDENT / CITY VEHICLE INVOLVED - SIGNAL 83
7	ACCIDENT / HIT AND RUN - SIGNAL 89
3	ACCIDENT / MAJOR / WITH INJURIES - SIGNAL 82
33	ACCIDENT / MINOR / NO INJURIES - SIGNAL 81
18	ACCIDENT / SERIOUSNESS UNKNOWN - SIGNAL 76
16	ACO-ANIMAL WELL FARE CHECK
31	ACO-SIG 30 ANIMAL
7	ALARM - AUDIBLE
18	ALARM - FIRE
52	ALARM - INTRUSION
12	ALARM - MEDICAL ALERT
6	ALARM - PANIC
25	ALARM- SCHOOL
82	ANIMAL AT LARGE
2	ANIMAL BITE
1	ARMED ROBBERY
5	ASSAULT
7	ASSIST A CITIZEN

Radio Log Summary Report January 1 to March 31, 2021

10,301 GRAND TOTAL

42	ASSIST ANOTHER AGENCY
3	ATL - ATTEMPT TO LOCATE
4	ATTEMPT TO SERVE
5	BREAKING AND ENTERING
4	BURGLARY
6	CHECK FOR STOLEN OR WANTED / 10-29
415	CHECK REGISTRATION INFORMATION / 10-28
7	CHECK THE JUVENILES
67	CHECK THE WELLBEING
4	CHILD ABUSE
2	CHILD IN NEED OF SUPERVISION
1	CODE ENFORCEMENT
15	COS - CHECK TO YOUR OWN SATISFACTION
14	COURT
103	DINNER LOCATION - SIGNAL 07
63	DISTURBANCE
35	DOMESTIC VIOLENCE
11	DRIVER LICENSE CHECK/ WARRANT CHECK / 10-43/44
76	DRIVER LICENSE STATUS CHECK / 10-43
2	DRUG ACTIVITY / 10-75
1	ESCORT / 10-14
1	FATALITY - SIGNAL 30
5	FINGERPRINTS
73	FIRE / GAS LEAK
117	FOLLOW UP
10	FRAUD
177	FUEL
12	GENERAL QUESTIONS
8	HARASSMENT
1	HATE CRIME
6	ILLEGAL PARKING

Radio Log Summary Report

January 1 to March 31, 2021

781	IN SERVICE / 10-8
27	INTOXICATED DRIVER - SIGNAL 88
4	INTOXICATED PEDESTRIAN - SIGNAL 87
15	LARCENY
4	LARCENY - FROM A VEHICLE
4	LARCENY OF A VEHICLE
1	MAN DOWN
569	MEDICAL EMERGENCY
1	MENTAL STATUS NOT KNOWN - SIGNAL 99
2	MISSING PERSON
71	MOTORIST ASSIST / 10-26
2	NCIC RECOVERY
47	OFFICIALS/VISITORS PRESENT / 10-12
9	OPEN DOOR / 10-34
804	OUT OF SERVICE / 10-7
17	OUT OF SERVICE/SUBJECT TO CALL / 10-10
36	PEDESTRIAN CHECK
3	PICK UP PRISONER / 10-16
17	PROPERTY - FOUND
11	PROPERTY RELEASE
5	PROTECTIVE ORDER VIOLATION
72	RECEIVE INFORMATION
30	RECKLESS DRIVER
33	RELEASE OF 10-15
5	ROAD RAGE
9	RUNAWAY
5	SHOP LIFTING
3	SHOPLIFTER IN CUSTODY
1	SHOTS FIRED
12	SHOTS HEARD
7	SPECIAL EVENT

Radio Log Summary Report January 1 to March 31, 2021

1	SUBJECT POINTING A FIREARM
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12	SUICIDAL SUBJECT
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12	SUSPICIOUS ACTIVITY
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32	SUSPICIOUS PERSON
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33	SUSPICIOUS VEHICLE
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13	THREATS
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12	TRAFFIC CONTROL
----	-----------------

41	TRAFFIC HAZARD
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554	TRAFFIC STOP / 10-59
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7	TRAINING
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52	TRANSPORT
----	-----------

4	TRESPASSING
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1	TROUBLE AT STATION / 10-24
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41	TROUBLE UNKNOWN
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8	TRUANCY
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4	VANDALISM
---	-----------

123	WARRANT CHECK / 10-44
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245	WATCH ORDER/SECURITY CHECK
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1	WEATHER UPDATE / STATUS
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10,301	GRAND TOTAL
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**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
APRIL 5, 2021 6:00 P.M.**

The members of the Coweta City Council met in regular session on Monday, April 5, 2021 at 6:00 p.m. in the Coweta City Hall, 310 S Broadway, Coweta, Oklahoma.

COUNCILMEMBERS PRESENT: Evette Young, Harold Chance, Naomi Hogue, Logan Brown, Randy Woodward.

COUNCILMEMBERS ABSENT: None.

I. CALL TO ORDER

The meeting was called to order by Mayor Young.

II. Pledge of Allegiance given

III. ROLL CALL

Roll call taken. Councilmembers were present as shown above.

IV. GENERAL CITY COUNCIL COMMENTS

City Manager Roger Kolman reminded everyone of the budget workshop being held on April 23 and reminded everyone to vote in the April 6 election.

V. CONSENT

Motion by Harold Chance, second by Randy Woodward to approve the consent calendar items:

1. Declaration of a surplus for police computer equipment and authorized the City Manager to dispose of accordingly.
2. Minutes of the Coweta City Council Regular Meeting held on March 1, 2021.

Aye: Harold Chance
Randy Woodward
Evette Young
Naomi Hogue
Logan Brown

VI. OLD BUSINESS

1. CDBG – Public hearing 2021 Community Development Block Grant

Public Hearing held regarding a Community Development Block Grant (CDBG) for the purpose of receiving comments and recommendations on future community development needs within the City of Coweta. These recommendations will be considered by the Coweta City Staff and Council in developing and approving a community development project to

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
APRIL 5, 2021 6:00 P.M.**

be submitted to the Oklahoma Department of Commerce for funding consideration under the FY 2021 Community Development Block Grant Program, with federal funding passed through the Oklahoma Department of Commerce. Community Development Director Carolyn Back introduced Barbara Albritton from INCOG, who will be assisting the City in administering the grant. The public hearing opened at 6:02 p.m. and closed at 6:07 p.m. with no public comments.

2. CDBG – Adoption of Citizen Participation Plan.

Ms. Albritton discussed the Citizen Participation Plan.

Motion by Evette Young, second by Harold Chance, to adopt the 2021 CDBG Citizen Participation Plan in reference to the proposed 2021 Community Development Block Grant (CDBG) application for water line improvements.

Aye: Evette Young
Harold Chance
Naomi Hogue
Logan Brown
Randy Woodward

4. CDBG – Selection of project for 2021 CDBG application

Ms. Albritton discussed the project for the replacement of the public water main within the Village subdivision located generally north of 141st Street South between 294th and 297th East Avenues.

Motion by Evette Young, second by Harold Chance, to approve the selection of the CDBG project for the 2021 application period.

Aye: Evette Young
Harold Chance
Naomi Hogue
Logan Brown
Randy Woodward

3. CDBG –Adoption of CDBG Resolution

Motion by Harold Chance, second by Logan Brown, to adopt Resolution 2021-11, a Resolution of the City Council of the City of Coweta, Oklahoma in support of an application for funding through the Community Development Block Grant Program.

Aye: Harold Chance
Logan Brown
Randy Woodward
Evette Young

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
APRIL 5, 2021 6:00 P.M.**

Naomi Hogue

5. Resolution 2021-10 Planning Commission Appointment

Carolyn Back discussed reappointing four members of the Planning Commission and Board of Adjustment and appointing one new member, Kathy Sloat-Ahlstrom. Ms. Sloat-Ahlstrom will be replacing Kathleen Robinson who recently submitted a request to resign her position as a member of the Planning Commission and Board of Adjustment.

Motion by Harold Chance, second by Randy Woodward, to adopt Resolution 2021-10, a Resolution of the City Council of the City of Coweta, Oklahoma appointing members of the Coweta Planning Commission and the Coweta Board of Adjustment and setting the terms of service for each appointee.

Aye: Harold Chance
Randy Woodward
Evette Young
Naomi Hogue
Logan Brown

6. CZ 21-02 SUP Medical Marijuana Growing Business

Carolyn Back presented an application for a Special Use Permit for a Medical Marijuana Business/Growing Facility in an existing building on property located at 10725 South 257th E Avenue. The property is zoned Light Industrial (IL).

The Planning Commission recommended approval of the request to establish a Specific Use Permit, CZ 21-02 SUP, for a Medical Marijuana Growing Business at its March 15, 2021 meeting. Staff recommends approval with the condition that a privacy fence cover barrier be installed and maintained on the existing chain link fence between the facility and the RS-1 zoning district to the north.

Motion by Evette Young, second by Harold Chance to approve CZ 21-02 SUP for a Medical Marijuana growing business in an existing building on property zoned Industrial Light (IL) located in Section 26, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, Oklahoma at 10725 South 257th East Avenue, Coweta, Oklahoma with the condition that a privacy fence cover barrier be installed and maintained on the existing chain link fence between the facility and the RS-1 zoning district to the north.

Aye: Evette Young
Harold Chance
Naomi Hogue
Logan Brown
Randy Woodward

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
APRIL 5, 2021 6:00 P.M.**

7. Radio Purchase

Fire Chief Jerry Burtner presented a request to purchase seven Motorola APX 6000 radios and associated accessories for the Coweta Fire Department in a total amount of \$33,967.89.

Motion by Harold Chance, second by Randy Woodward, to approve the purchase of seven radios and accessories from Motorola at a total cost of \$33,967.89.

Aye: Harold Chance
Randy Woodward
Evette Young
Naomi Hogue
Logan Brown

8. Bank Signatories

Julie Casteen, Assistant City Manager, discussed to need to update signatories on bank accounts held at First National Bank of Coweta.

Motion by Evette Young, second by Harold Chance to adopt Resolution 2021-09, a Resolution of the City Council of the City of Coweta, Oklahoma approving the authorized signatories on certain accounts held by First National Bank of Coweta.

Aye: Evette Young
Harold Chance
Naomi Hogue
Logan Brown
Randy Woodward

9. Tort Claim 209313-1-BD

Julie Casteen presented information on Tort Claim 209313-1-BD filed by Haleigh Lutz for a plumbing bill related to a sewer back up at her home.

Motion by Randy Woodward, second by Logan Brown to approve Tort Claim 209313-1-BD in the amount of \$295.00.

Aye: Randy Woodward	Nay: Evette Young
Logan Brown	
Harold Chance	
Naomi Hogue	

10. Resolution 2021-08- Regarding Budget Amendments FY 20-21

Julie Casteen presented amendments needed to the budget for the Library Fund.

Motion by Harold Chance, second by Randy Woodward to adopt Resolution 2021-08, a Resolution of the City Council of the City of Coweta, Oklahoma adopting amendments to the

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
APRIL 5, 2021 6:00 P.M.**

annual appropriations for the budget of the City of Coweta, Oklahoma, for fiscal year ending June 30, 2021.

Aye: Harold Chance
Randy Woodward
Evette Young
Naomi Hogue
Logan Brown

VII. NEW BUSINESS

There was no new business.

VIII. ADJOURNMENT

Mayor Young adjourned the meeting at 6:20 p.m.

Evette Young, Mayor

Julie Casteen, City Clerk

**MINUTES OF THE COWETA CITY COUNCIL/COWETA PUBLIC WORKS
AUTHORITY/COWETA INDUSTRIAL TRUST AUTHORITY
JOINT SPECIAL MEETING
APRIL 23, 2021 9:00 A.M.**

The members of the Coweta City Council, and Trustees of Coweta Public Works Authority and Coweta Industrial Trust Authority, met in a joint special session on Friday, April 23, 2021, at 9:00 a.m. at Coweta City Hall located at 310 S Broadway, Coweta, Oklahoma.

COUNCILMEMBERS/TRUSTEES PRESENT:

Evette Young, Harold Chance, Naomi Hogue, Logan Brown, Randy Woodward.

COUNCILMEMBERS/TRUSTEES ABSENT:

None.

I. CALL TO ORDER

The City Council meeting was called to order by Mayor Young.

The Coweta Public Works meeting was called to order by Chairman Young.

The Coweta Industrial Development Authority meeting was called to order by Chairman Young.

II. Pledge of Allegiance given

III. ROLL CALL

Roll call taken. Councilmembers/Trustees were present as shown above.

IV. OLD BUSINESS

1. Proposed FY 2021-2022 Operating/Capital Budget

City Manager Roger Kolman discussed various projects and Assistant City Manager Julie Casteen presented the proposed budget for the fiscal year ending June 30, 2022.

There was a short break from 10:15 to 10:25. Discussion then continued regarding the proposed budget for FY 2021-2022.

V. ADJOURNMENT

Mayor Young adjourned the City Council meeting at 11:22 a.m.

Chairman Young adjourned the Coweta Public Works Authority meeting at 11:22 a.m.

Chairman Young adjourned the Coweta Industrial Development Authority meeting at 11:22 a.m.

**MINUTES OF THE COWETA CITY COUNCIL/COWETA PUBLIC WORKS
AUTHORITY/COWETA INDUSTRIAL TRUST AUTHORITY
JOINT SPECIAL MEETING
APRIL 23, 2021 9:00 A.M.**

Evette Young, Mayor

Julie Casteen, City Clerk

Evette Young, PWA Chairman

Julie Casteen, Secretary

Evette Young, CIDA Chairman

Harold Chance, Secretary



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Memorandum

To: Honorable Mayor and City Council

From: Wes Richter, Public Works Director

Re: Proposed 2021 street overlay projects to be published for public bid.

Date: May 3, 2021

The Coweta Public Works receives numerous complaints on the following list of streets due to potholes and deterioration of the asphalt. While the Street Dept. continuously responds to the complaints to patch the potholes, these roadways need more work than patching in order to bring them to an acceptable level of service. The projects listed will include mill and overlay 2" and to also remove and replace failed sub grade that is noticeable in some of the areas on the list. There will also be a crack seal/fog seal project on this list.

- | | |
|--|--------------------------------------|
| 1) E 141 st St from Hwy 51 to S 273 rd E Ave | crack seal/fog seal |
| 2) S 261 st E Ave and E 112 th Ct S | replace failed sub grade |
| 3) S 273 rd E Ave and 125 th Pl S | replace failed sub grade |
| 4) 289 th E Ave from Hwy 51 to 134 th St S | 2 " overlay replace failed sub grade |
| 5) 146 th St and 279 th E Ave | 2" overlay replaced failed sub grade |
| 6) S Delaware Ave from E Walnut St to E Hickory St | 2" overlay |
| 7) S Eufala Ave from E Walnut St to E Hickory St | 2" overlay |
| 8) S 274 th E Ave from E 111 th St S to E 113 th St S | 2" mill and overlay |
| 9) E 121 st St S from Hwy 51 to S 267 th E Ave | 2" overlay repair failed sub grade |
| 10) S Delaware Ave from E Pecan St to E Cypress St | replace failed sub grade |
| 11) E Sycamore St from S Bristow Ave to S Atoka Ave | 2" overlay |
| 12) E 111 th St S and S 274 th E Ave | replace failed sub grade |
| 13) E 111 th St S and S 282 nd E Ave | replace failed sub grade |

Staff recommends approval to put 2021 Street Overlay Projects out to bid.



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Memorandum

To: Honorable Mayor and City Council
From: Doug Moore, Community Development Director
Location: 13872 South State Highway 51
Zoning: General Commercial (CG)
Re: Case Number: CZ 21-03 SUP
Date: 05-03-2021

BACKGROUND

The applicant, Purple Moon Enterprises, Inc., is seeking to establish a Specific Use Permit for a Medical Marijuana Business/Dispensary, in an existing building on the property zoned General Commercial (CG). Located at 13872 South State Highway 51. Beginning at the SW corner of Section 7, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Staff received a copy of the Commercial Lease Agreement from the Property owner, and a Oklahoma Medical Marijuana Association (OMMA) map showing the property is over 1000 feet from any public or private school and 1000 feet from any other medical marijuana retail establishments.

Staff finds this request, to be in accordance with and meets the objectives of the City of Coweta Comprehensive Plan, Oklahoma State Statutes and City of Coweta Ordinances pertaining to the Medical Marijuana industry.

A public hearing was held on the 19th of April by the Coweta Planning Commission. The Planning Commission found that this request is in compliance with the Coweta Comprehensive Plan. At the Monday April 19, 2021 Planning Commission meeting there was no one in opposition to the request regarding the proposed Specific Use Permit for CZ 21-03 SUP for a Medical Marijuana Business/Dispensary. The Planning Commission recommended approval of the request for a Specific Use Permit for a Medical Marijuana Business/Dispensary by a vote of 5-0.

STAFF RECOMMENDATION

Staff recommends approval of the request to establish a Specific Use Permit, CZ 21-03 SUP, for a Medical Marijuana Business/Dispensary.

ATTACHMENTS

1. Aerial View Map
2. Zoning Map

CZ 21-03 SPECIFIC USE PERMIT

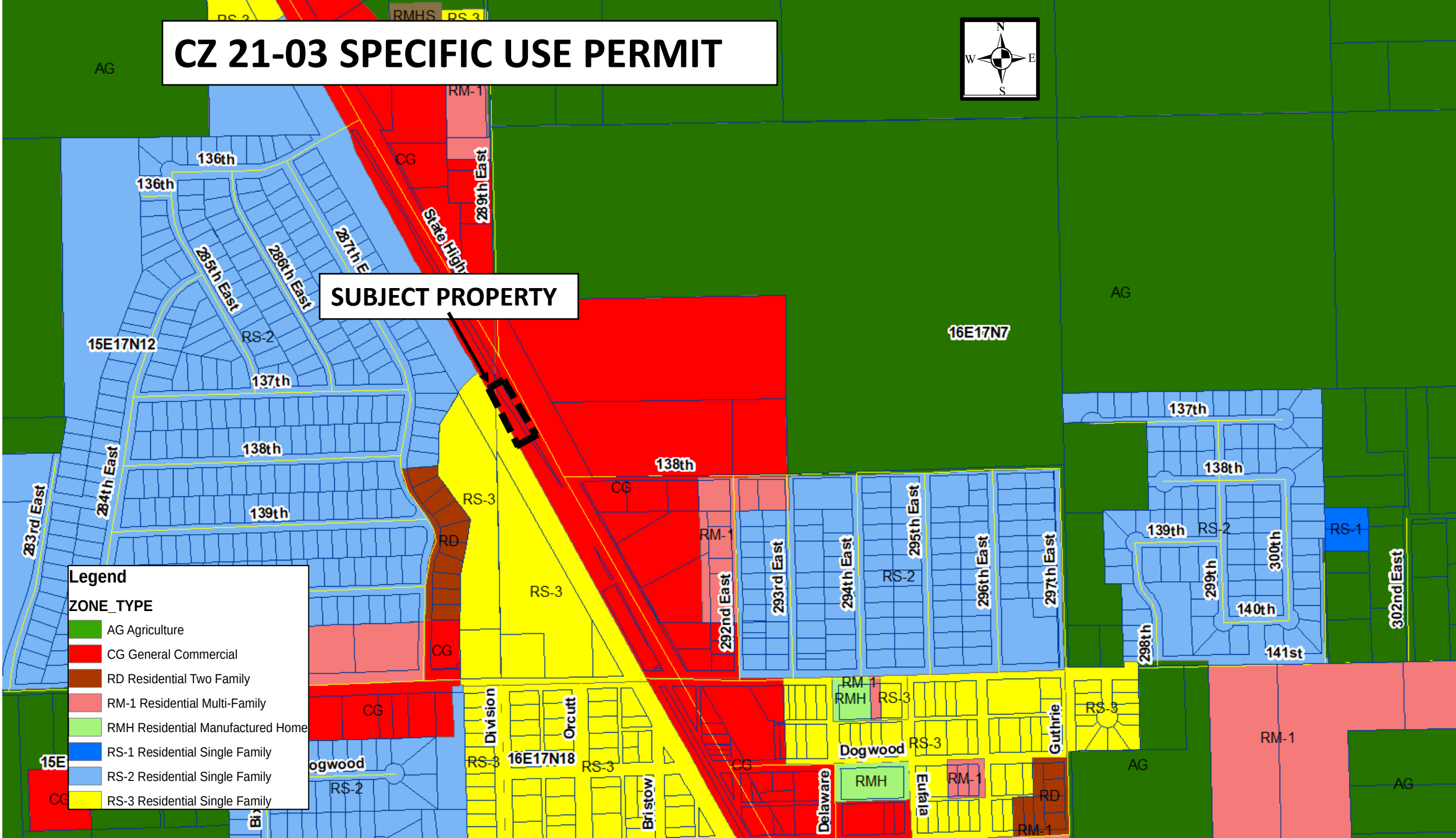


SUBJECT PROPERTY

Legend

ZONE_TYPE

- AG Agriculture
- CG General Commercial
- RD Residential Two Family
- RM-1 Residential Multi-Family
- RMH Residential Manufactured Home
- RS-1 Residential Single Family
- RS-2 Residential Single Family
- RS-3 Residential Single Family

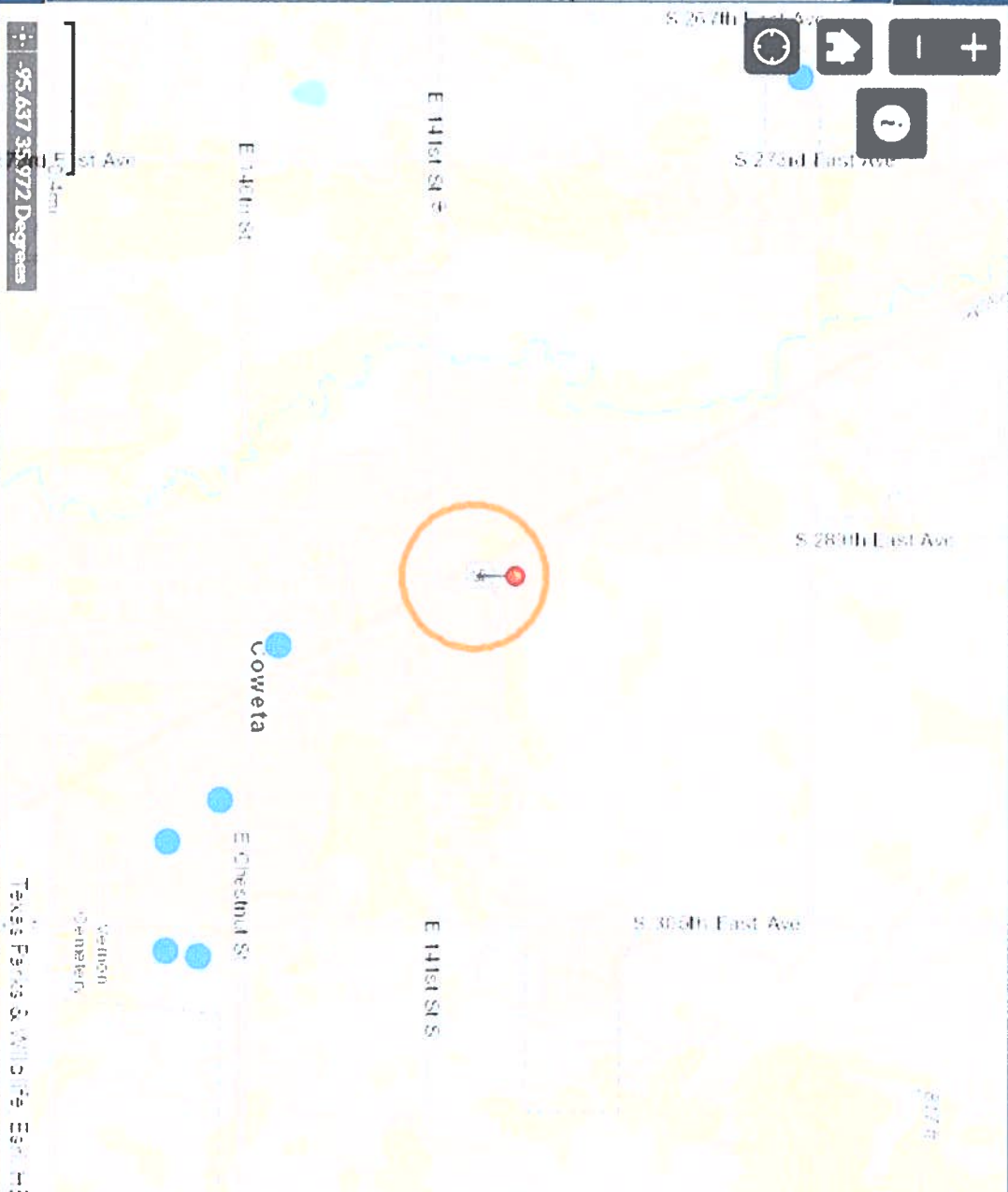


Search for an address or locate on map

13872 S State Highway 51 Corv X

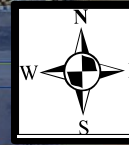


Show results within 1000 Feet



CZ 21-03 SPECIFIC USE PERMIT

138th



SUBJECT PROPERTY

15E17N12

16E17N7

State Highway 51

292nd East

293rd East

141st

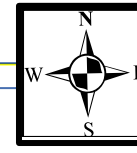
15E17N13

Division

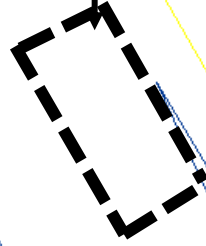
16E17N18

Orcutt

CZ 21-03 SPECIFIC USE PERMIT



SUBJECT PROPERTY



138th

15E17N12

16E17N7

State Highway 51

292nd East

293rd East

141st

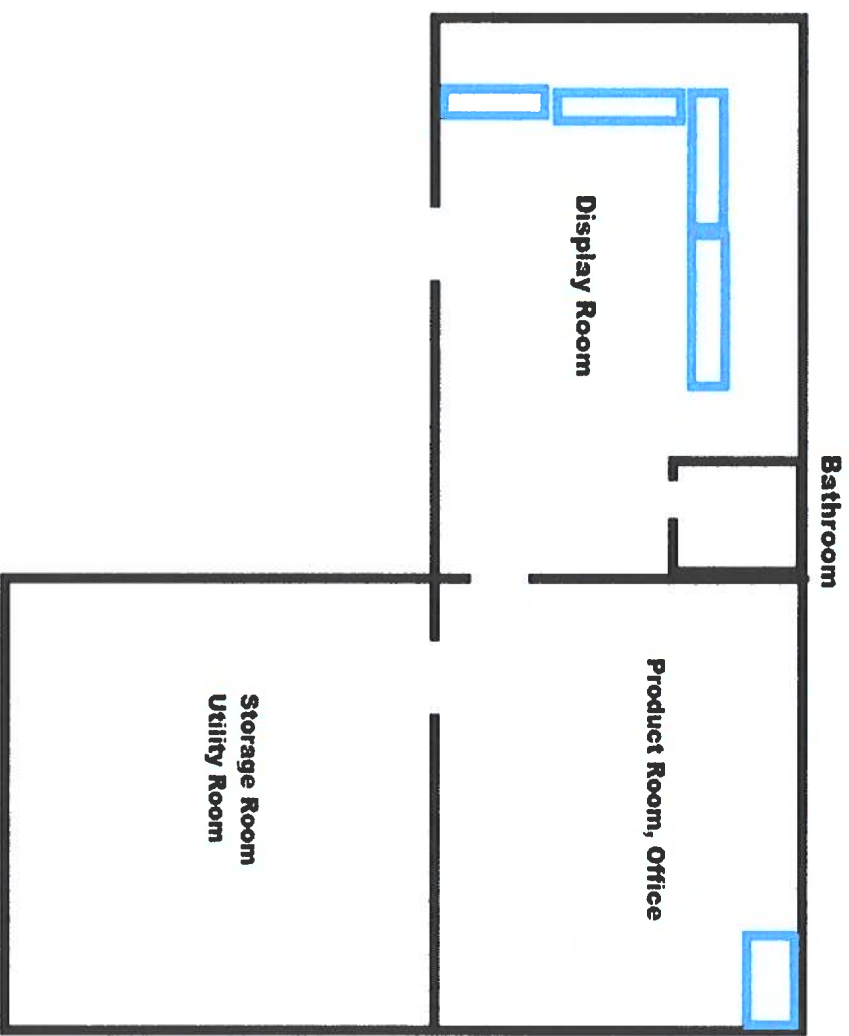
15E17N13

Division

16E17N18

Orcutt

Parking Lot













CITY OF COWETA, OKLAHOMA

ORDINANCE NO. 844

AN ORDINANCE OF THE CITY OF COWETA, OKLAHOMA THAT: (A) LEVIES AND ASSESSES A ONE PERCENT (1%) SALES TAX ON THE GROSS RECEIPTS OR PROCEEDS ON TAXABLE SALES OF GOODS AND SERVICES, AS DEFINED IN THE ORDINANCE, IN THE CITY OF COWETA, OKLAHOMA IN ADDITION TO ALL PRESENT SALES TAXES UPON SUCH GROSS RECEIPTS OR PROCEEDS, FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS PERTAINING TO ROAD AND STREET IMPROVEMENTS, WATER AND WASTEWATER SYSTEM IMPROVEMENTS, STORM SEWER IMPROVEMENTS, ACQUISITION OF PARKS MAINTENANCE EQUIPMENT, IMPROVEMENTS TO PUBLIC PARKS LANDS AND FACILITIES, IMPROVEMENTS TO PUBLIC SAFETY FACILITIES, AND ACQUISITION OF PUBLIC SAFETY VEHICLES AND EQUIPMENT, ALL WITHIN SAID CITY, AND/OR TO BE APPLIED OR PLEDGED TOWARD THE PAYMENT OF PRINCIPAL AND INTEREST ON ANY INDEBTEDNESS, INCLUDING REFUNDING INDEBTEDNESS, INCURRED BY OR ON BEHALF OF SAID CITY FOR SUCH PURPOSE; (B) PROVIDES FOR SUCH SALES TAX TO BEGIN ON JANUARY 1, 2022; (C) PROVIDES FOR THE DURATION OF SUCH SALES TAX TO BE PERMANENT; (D) PRESCRIBES PROCEDURES FOR THE COLLECTION AND REMITTANCE OF SUCH SALES TAX AND PENALTIES FOR THE FAILURE TO DO SO; AND (E) INCLUDES SUCH OTHER PROVISIONS, TERMS AND CONDITIONS AS NECESSARY AND LAWFUL FOR THE EFFECTIVE IMPLEMENTATION AND ENFORCEMENT OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA, THAT:

SECTION 1. CITATION AND CODIFICATION. This Ordinance shall be known and may be cited as the City of Coweta Special Sales Tax Ordinance of 2021 and is hereafter referred to as "Ordinance".

SECTION 2. DEFINITIONS. The definitions of words, terms and phrases contained in the Oklahoma Sales Tax Code, Title 68, Oklahoma Statutes 2016, Section 1352, as amended, are hereby adopted by reference and made a part of this Ordinance. The sales subject to the excise tax and the exemptions from the excise tax set forth in this Ordinance have been identified herein as corresponding to the Oklahoma Sales Tax Code and such sales and exemptions herein shall be effective and operative under this Ordinance only for so long as the corresponding section of the Oklahoma Sales Tax Code is effective and operative.

SECTION 3. TAX COLLECTOR DEFINED. The term "Tax Collector" as used herein means the department of the City government or the official agency of the State of Oklahoma duly designated according to law or contract authorized by law to administer the collection of the tax herein levied.

SECTION 4. CLASSIFICATION OF TAXPAYERS. For the purpose of this Ordinance the classification of taxpayers hereunder shall be as prescribed by State law for the purpose of the Oklahoma Sales Tax Code.

SECTION 5. SUBSISTING STATE PERMITS. All valid and subsisting permits to do business by the Oklahoma Tax Commission pursuant to the Oklahoma Sales Tax Code are, for the purposes of this Ordinance, hereby ratified, confirmed, and adopted in lieu of any requirement for an additional City Permit for the same purpose.

SECTION 6. EFFECTIVE DATE AND TERMINATION. This Ordinance and the tax herein levied shall become and be effective on and after January 1, 2022, subject to approval of a majority of the registered voters of the City of Coweta, Oklahoma, voting on the same in the manner prescribed by Title 11, Oklahoma Statutes, Section 16-101 et seq., as amended at a Special Election to be held on September 14, 2021; provided that upon approval by the voters as aforesaid, this Ordinance shall remain in effect and not be repealed unless repealed by a majority of the registered voters of the City voting to repeal same in the same manner as was required for its approval.

SECTION 7. PURPOSE.

(a) Pursuant to 68 OS §2701 it is hereby declared to be the specific and limited purpose of this Ordinance to provide revenues to be placed in a separate, special fund to be used to fund capital improvements pertaining to road and street improvements, water and wastewater system improvements, storm sewer improvements, acquisition of parks maintenance equipment, improvements to public parks lands and facilities, improvements to public safety facilities, and acquisition of public safety vehicles and equipment in the City of Coweta, Oklahoma and/or to be applied or pledged toward the payment of principal and interest on any indebtedness, including refunding indebtedness, incurred by or on behalf of the City and/or the Coweta Public Works Authority for such purposes, including payment of the costs of issuance of such indebtedness.

(b) "Capital Improvements," as used above in connection with "capital improvements pertaining to road and street improvements, water and wastewater system improvements, storm sewer improvements, acquisition of parks maintenance equipment, improvements to public parks lands and facilities, improvements to public safety facilities, and acquisition of public safety vehicles and equipment in the City of Coweta, Oklahoma," shall mean all items and articles, either new or replacements, not consumed with use but only diminished in value with prolonged use, including but not limited to, the purchase, lease or rental of vehicles, machinery, equipment and fixtures and the acquisition of all real properties necessary in connection with the construction, reconstruction and repair of buildings, appurtenances and improvements to real property including: the construction, reconstruction and repair of roads, streets, alleys, trails, sidewalks, and other public ways;

the construction, reconstruction and repair of water facilities, sanitary and storm sewer systems and facilities, drainage improvements; the construction, reconstruction and repair of public park lands and facilities; the construction, reconstruction and repair of public safety facilities; and the costs and expenses related to the aforesaid including design, engineering, architectural, acquisition of real property and legal fees.

(c) There is hereby created a limited-purpose fund and all revenues generated by the sales tax hereby levied shall be deposited therein. Money in the fund shall be accumulated from year to year. The fund shall be placed in an insured interest-bearing account and the interest accumulated thereon shall be retained in the fund. The fund shall be non-fiscal and shall not be considered in computing any levy when the municipality makes its estimate to the excise board for needed appropriations. Money in the limited-purpose tax fund shall be expended only as accumulated and only for the purposes specifically described in this Ordinance, subject to the approval of the voters.

SECTION 8. TAX RATE-SALES SUBJECT TO TAX. There is hereby levied in addition to all other taxes in effect in the City of Coweta, Oklahoma an excise tax of One Percent (1%) upon the gross proceeds or gross receipts derived from all sales or services in the City of Coweta, Oklahoma, upon which a consumers' sales tax is levied by the State of Oklahoma under the Oklahoma Sales Tax Code.

SECTION 9. EXEMPTIONS. There is hereby specifically exempted from the tax levied pursuant to the provisions of this Ordinance all items that are exempt from the State Sales Tax under the Oklahoma Sales Tax Code.

SECTION 10. OTHER EXEMPT TRANSFERS. There is also hereby specifically exempted from the tax levied pursuant to the provisions of this Ordinance the transfer of tangible personal property exempted from the Oklahoma Sales Tax Code.

SECTION 11. TAX DUE WHEN-RETURNS-RECORDS. The tax levied hereunder shall be due and payable at the time and in the manner and form prescribed for payment of the State Sales Tax under the Oklahoma Sales Tax Code.

SECTION 12. PAYMENT BY TAX-BRACKETS.

(a) The tax herein levied shall be paid to the Tax Collector at the time and in the form and manner provided for payment of the State Sales Tax under the Oklahoma Sales Tax Code.

(b) The bracket system for the collection of the One Percent (1%) City Sales Tax provided for herein by the Tax Collector shall be as the same is hereafter adopted by the agreement of the City of Coweta, Oklahoma and the Tax Collector, in the collection both the One Percent (1%) City Sales Tax provided for herein and the State Sales Tax.

SECTION 13. TAX CONSTITUTES DEBT. Such taxes, penalty and interest due hereunder shall at all times constitute a prior, superior and paramount claim as against the claims of unsecured creditors and may be collected by suit as any other debt.

SECTION 14. VENDOR'S DUTY TO COLLECT TAX.

(a) The tax levied hereunder shall be paid by the consumer or user to the vendor, and it shall be the duty of each and every vendor in this City to collect from the consumer or user, the full amount of the tax levied by this Ordinance, or an amount equal as nearly as possible or practicable to the average equivalent thereof.

(b) Vendors shall add the tax imposed hereunder, or the average equivalent thereof, to the sales price or charge, and when added such tax shall constitute a part of such price or charge, shall be a debt from the consumer or user to vendor until paid, and shall be recoverable at law in the same manner as other debts.

(c) A Vendor, as defined herein, who willfully or intentionally fails, neglects or refuses to collect the full amount of the tax levied by this Ordinance, or willfully or intentionally fails, neglects or refuses to comply with the provisions hereof or remits or rebates to a consumer or user, either directly or indirectly, and by whatsoever means, all or a part of the tax levied herein, or makes in any form of advertising, verbally or otherwise any statement which infers that he is absorbing the tax, or paying the tax for the consumer or user by an adjustment of prices or at a price including the tax, or in any manner whatsoever, shall be deemed guilty of an offense, and upon conviction thereof shall be fined not more than One Hundred Dollars (\$100.00), plus costs, or incarcerated for not more than sixty days, or both. Provided, sales by vending machines may be made at a state price which includes state and any municipal sales tax.

(d) Any sum or sums collected or required to be collected hereunder shall be deemed to be held in trust for the City of Coweta, Oklahoma, and as trustee, the collecting vendor shall have a fiduciary duty to the City of Coweta, Oklahoma in regard to such sums and shall be subject to the trust laws of this State. Any vendor who willfully or intentionally fails to remit the tax, after the tax levied by this Ordinance was collected from the consumer or user, and appropriates the tax held in trust to his own use, or the use of any person not entitled thereto, without authority of law, shall be guilty of embezzlement.

SECTION 15. RETURNS AND REMITTANCES-DISCOUNTS. Returns and remittances of the tax levied herein and collected shall be made to the Tax Collector at the time, and in the manner, form and amount as prescribed for returns and remittances required by the Oklahoma Sales Tax Code; and remittances of tax collected hereunder shall be subject to the same discount as may be allowed by the Oklahoma Sales Tax Code for collection of State Sales Taxes.

SECTION 16. INTEREST AND PENALTIES-DELINQUENCY. The provisions of Title 68, Oklahoma Statutes 2016, Section 217, as amended, and of Title 68, Oklahoma Statutes, Sections 1350 et seq. as amended, are hereby adopted by reference and made a part of this Ordinance, and interest and penalties at the rates and in the amount as therein specified are hereby levied and shall be applicable in cases of delinquency in reporting and paying the tax levied by this Ordinance. Provided, that the failure or refusal of any taxpayer to make and transmit the reports and remittances of tax in the time and manner

required by this Ordinance shall cause such tax to be delinquent. In addition, if such delinquency continues for a period of five (5) days, the taxpayer shall forfeit claim to any discount allowed under this Ordinance.

SECTION 17. WAIVER OF INTEREST AND PENALTIES. The interest or penalty or any portion thereof accruing by reason of taxpayer's failure to pay the City Sales Tax herein levied may be waived or remitted in the same manner as provided for said waiver or remittance as applicated in the administration of the State Sales Tax provided in Title 68, Oklahoma Statutes, 2016, Section 220, as amended; and to accomplish the purposes of this section, the applicable provisions of said Section are hereby adopted by reference and made a part of this Ordinance.

SECTION 18. ERRONEOUS PAYMENTS-CLAIMS FOR REFUND. Refund of erroneous payment of the City Sales Tax herein levied may be made to any taxpayer making such erroneous payment in the same manner and procedures, and under the same limitations of time, as provided for administration of the State Sales Tax as set forth in Title 68, Oklahoma 2017, Section 227, as amended, and to accomplish the purposes of this section, the applicable provision of said Section 227 are hereby adopted by reference and made a part of this Ordinance.

SECTION 19. FRAUDULENT RETURNS. In addition to all civil penalties provided by this Ordinance, the willful failure or refusal of any taxpayer to make reports and remittances herein required, or the making of any false and fraudulent report for the purpose of avoiding or escaping payment of any tax or portion thereof rightfully due under this Ordinance shall be an offense and upon a conviction thereof the offending taxpayer shall be subject to such fines and/or incarceration as provided in Title 68 Oklahoma Statues 2016, Section 241, as amended.

SECTION 20. RECORDS CONFIDENTIAL. The confidential and privileged nature of the records and files concerning the administration of the City Sales Tax is legislatively recognized and declared, and to protect the same the provisions of Title 68, Oklahoma Statutes 2016, Section 205, as amended, and each subsection thereof is hereby adopted by reference and made fully effective and applicable to administration of the City Sales Tax as if therein set forth in full.

SECTION 21. AMENDMENTS. The people of the City of Coweta, State of Oklahoma, by their approval of this Ordinance at the election hereinabove provided, hereby authorize the Mayor and the City Council of the City of Coweta, Oklahoma, by ordinances duly enacted, to make such administrative and technical changes or additions in the method and manner of administration and enforcing this Ordinance as may be necessary or proper for efficiency and fairness except that neither the rate of the tax as set forth in Section 8 hereof, nor the purposes as set forth in Section 7 hereof, shall be changed without approval of a majority of the qualified electors of the City of Coweta, State of Oklahoma, voting at an election held for such purpose as provided by law.

SECTION 22. PROVISIONS CUMULATIVE. The provisions hereof shall be cumulative, and in addition to any and all other taxing provisions contained within City of Coweta, Oklahoma Ordinances.

SECTION 23. PROVISIONS SEVERABLE. The provisions hereof are hereby declared to be severable, and if any section, paragraph, sentence or clause of this Ordinance is for any reason held invalid or inoperative by a court of competent jurisdiction such decision shall not affect any other section, paragraph, sentence or clause hereof.

PASSED AND APPROVED this 3RD day of May 2021.

Evette Young, Mayor

ATTEST:

Julie Casteen, City Clerk

APPROVED:

Ronald D. Cates, City Attorney

CITY OF COWETA, OKLAHOMA

RESOLUTION NO. 2021-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA AUTHORIZING AND DIRECTING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF COWETA, OKLAHOMA, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF COWETA, OKLAHOMA, THE QUESTION OF WHETHER ORDINANCE NO. 844 LEVYING A SALES TAX OF ONE PERCENT (1%) FOR CAPITAL IMPROVEMENTS FOR THE CITY OF COWETA, OKLAHOMA SHALL BE APPROVED.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA:

SECTION 1. The Mayor, or Vice-Mayor, whichever the case may be, of the City of Coweta, Oklahoma is hereby authorized and directed to call a special election to be held in the City of Coweta, Oklahoma on September 14, 2021, for the purpose of submitting to the registered voters of the City of Coweta, Oklahoma the following proposition:

PROPOSITION

“SHALL ORDINANCE NO. 844 ADOPTED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA ON THE 3rd DAY OF MAY, 2021, THAT: (A) LEVIES AND ASSESSES A ONE PERCENT (1%) SALES TAX ON THE GROSS RECEIPTS OR PROCEEDS ON TAXABLE SALES OF GOODS AND SERVICES, AS DEFINED IN THE ORDINANCE, IN THE CITY OF COWETA, OKLAHOMA IN ADDITION TO ALL PRESENT SALES TAXES UPON SUCH GROSS RECEIPTS OR PROCEEDS, FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS PERTAINING TO ROAD AND STREET IMPROVEMENTS, WATER AND WASTEWATER SYSTEM IMPROVEMENTS, STORM SEWER IMPROVEMENTS, ACQUISITION OF PARKS MAINTENANCE EQUIPMENT, IMPROVEMENTS TO PUBLIC PARKS LANDS AND FACILITIES, IMPROVEMENTS TO PUBLIC SAFETY FACILITIES, AND ACQUISITION OF PUBLIC SAFETY VEHICLES AND EQUIPMENT, ALL WITHIN SAID CITY, AND/OR TO BE APPLIED OR PLEDGED TOWARD THE PAYMENT OF PRINCIPAL AND INTEREST ON ANY INDEBTEDNESS, INCLUDING REFUNDING INDEBTEDNESS, INCURRED BY OR ON BEHALF OF SAID CITY FOR SUCH PURPOSE; (B) PROVIDES FOR SUCH SALES TAX TO BEGIN ON JANUARY 1, 2022; (C) PROVIDES FOR THE DURATION OF SUCH SALES TAX TO BE PERMANENT; (D) PRESCRIBES PROCEDURES FOR THE COLLECTION AND REMITTANCE OF SUCH SALES TAX AND PENALTIES FOR THE FAILURE TO DO SO; AND (E) INCLUDES SUCH OTHER PROVISIONS, TERMS AND CONDITIONS AS NECESSARY AND LAWFUL FOR THE EFFECTIVE IMPLEMENTATION AND ENFORCEMENT OF THIS ORDINANCE, BE APPROVED.”

SECTION 2. The call for said special election shall be by proclamation signed by the Mayor, or Vice-Mayor, whichever the case may be, and attested by the City Clerk. The proclamation shall set forth the date of the special election, the proposition to be voted on at such special election, the ballot for the registered voters which sets forth the proposition above mentioned to be voted upon substantially as set out in Section 1 hereof, the number and location of polling places, and the time of opening and closing the polls. The election shall be conducted by the Wagoner County Election Board in accordance with State of Oklahoma law pertaining to the conduct of special elections in Oklahoma municipalities.

SECTION 3. The City of Coweta certifies that no person living within the corporate limits of the City of Coweta resides in precinct 311, and therefore requests that precinct 311 be closed.

PASSED, APPROVED AND ADOPTED THIS 3rd DAY OF MAY 2021.

CITY OF COWETA, OKLAHOMA

Evette Young, Mayor

ATTEST:

Julie Casteen, City Clerk

APPROVED AS TO FORM:

Ronald D. Cates, City Attorney