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All items on this agenda, including but not limited to any agenda item concerning the adoption of any ordinance, resolution, contract, agreement, or any other item of business, are subject to amendment, including additions and/or deletions. This rule will apply to every individual agenda item without exception, and without providing this same amendment language with respect to each individual agenda item. Such amendments should be rationally related to the topic of the agenda item, or the governing body will be advised to continue the item.

The governing body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is need to act on an item, the governing body may refer the matter to its City/Trust Manager, staff, attorney or the recommending board, commission or committee.

**AGENDA
CITY OF LINDSAY
REGULAR MEETING
DECEMBER 11, 2023**

6:00 P.M.

(MEETING WILL BE HELD IN COUNCIL CHAMBERS AT 204 W. CREEK)

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL
5. CITIZEN COMMENTS: *Anyone having an item of business to present to the Lindsay City Council are requested to sign in prior to the meeting and will be required to limit their presentation to three (3) minutes. Additionally, if more than one individual would like to speak on the same topic, the Council may request that a spokesperson be chosen to speak on behalf of the group. To ensure compliance with the Oklahoma Open Meeting Act no action will be taken on information received from Citizen Comments, nor will there be any feedback from the Council.*
6. CONSENT AGENDA
Discussion, consideration, and possible action on the CONSENT AGENDA: *The following items are considered routine by the Lindsay City Council and will be enacted with one motion. Discussion desired on any item, that item will be removed from the Consent Agenda and considered separately.*
 - a. APPROVAL OF MINUTES
Approval of minutes of the City of Lindsay Regular Meeting on November 13, 2023
 - b. ACCEPTANCE OF FINANCIAL REPORTS
Acceptance of November 2023 Financial Reports.

POSTED ON FRIDAY, DECEMBER 08, 2023 AT 4:00 PM AT CITY HALL AND COUNCIL CHAMBERS

- c. ACCEPTANCE OF PURCHASE ORDER PAYMENTS
Acceptance of the payment of the purchase orders issued by the City of Lindsay for the month of November 2023.
 - d. PURCHASES OVER \$5,000
Acceptance of the purchase orders over \$5,000.
 - e. 2024 CITY COUNCIL MEETING SCHEDULE
Approval of the City Council Meeting Schedule for 2024
-
- 7. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA
Approve or Reject
 - 8. ORDINANCE 574: AMENDING CHAPTER 13, ARTICLE II, TOBACCO USE BY MINORS
Discussion, consideration, and possible action on approving Ordinance 574
 - 9. EMERGENCY CLAUSE
Discussion, consideration, and possible action to pass Emergency Clause for Ordinance 574.
 - 10. RESOLUTION 2023-05: NON-PARTISAN REGULAR ELECTION
Discussion, consideration, and possible action to approve Resolution 2023-05 calling for Non-Partisan regular election and setting a date for said election.
 - 11. ZONING CHANGE ORDINANCE
Discussion, consideration, and possible action on Ordinance to change the zoning from R-1 to R-3 at 612 SW 6th St.
 - 12. TRAFFIC CONTROL DEVICES
Discussion, consideration, and possible action on traffic control devices.
 - 13. TREASURER
Discussion, consideration, and possible action on hiring a treasurer.
 - 14. CHANGE ORDER # 4
Discussion, consideration, and possible action on change order #4
 - 15. CHANGING OR UPDATING THE CHARTER
Discussion, consideration, and possible action on changing or updating the charter
 - 16. UNFORESEEN ITEMS (TITLE 25 SECTION 311 (A)(10)
Discussion, consideration, and possible action on unforeseen items
 - 17. EXECUTIVE SESSION ACTION
Discussion, consideration, and possible action to enter into Executive Session pursuant to 25 O.S. Section 307(B)(3) & (4) Discussing the purchase or appraisal of real property and for confidential communications between the Council and its attorney concerning Garvin County case number CV-

23-87, if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to conduct the pending litigation in the public interest.

18. RECONVENE MEETING

19. EXECUTIVE SESSION ACTION

Discussion, consideration, and possible action on any matter discussed in Executive Session regarding purchase or appraisal of real property

20. EXECUTIVE SESSION ACTION

Discussion, consideration, and possible action on any matter discussed in Executive Session regarding Garvin County case number CV-23-87.

21. GOVERNING BOARD COMMENTS

22. CITY MANAGER REPORT AND UPDATE OF PROJECTS. (No Action To Be Taken)

23. ADJOURN



CITY OF LINDSAY

Office of the
City Clerk

November 13, 2023

The **Regular** meeting of the City of Lindsay Council, was held at the Council Chambers on the 13th day of November 2023 as specified by advance public notice with a properly prepared agenda stating the subject matter or matters to be discussed at said meeting. Mayor Tom Inman called the meeting to order at 6:00pm.

ITEM 1 **CALL TO ORDER**

ITEM 2 **INVOCATION**

Council Member Bart Drennan gave the invocation.

ITEM 3 **PLEDGE OF ALLEGIANCE**

ITEM 4 **ROLL CALL**

COUNCIL MEMBERS

PRESENT: Tom Inman, Mayor
 Josh Miller, Vice Mayor
 Vern Roe
 Bev Barker
 Bart Drennan
 Mark Hall

ABSENT: None

STAFF

PRESENT: Sally Jantz, City Manager
 Robert Ray Jones, Jr., City Attorney
 Liz Sloat, City Clerk
 Don Lough, Council Member in attendance but sat out as a voting member.

ABSENT: None

ITEM 5 **CITIZEN COMMENTS**

None

Miller _____

Roe _____

Barker _____

Drennan _____

Hall _____

Lough _____



CITY OF LINDSAY

Office of the
City Clerk

City of Lindsay Regular Meeting 11-13-2023
6:00 P.M

ITEM 6 **CONSENT AGENDA – DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON THE CONSENT AGENDA: ITEM 6A THROUGH ITEM 6D**

ITEM 6A **APPROVAL OF MINUTES - APPROVAL OF MINUTES OF THE CITY OF LINDSAY REGULAR MEETING ON SEPTEMBER 11, 2023 AND OCTOBER 09, 2023 AND COMBINED SPECIAL OCTOBER 30, 2023**

ITEM 6B **ACCEPTANCE OF FINANCIAL REPORTS - ACCEPTANCE OF OCTOBER 2023 FINANCIAL REPORTS.**

ITEM 6C **ACCEPTANCE OF PURCHASE ORDER PAYMENTS - ACCEPTANCE OF THE PAYMENTS FOR THE PURCHASE ORDERS ISSUED BY THE CITY OF LINDSAY FOR THE MONTH OF OCTOBER 2023.**

ITEM 6D **PURCHASES OVER \$5,000**

ITEM 6E **UTS INVOICES AND PAY REQUEST**

ITEM 6F **HAY LEASE RENEWAL**

*Motion by Vice Mayor Miller, seconded by Council Member Drennan to approve consent agenda.

Roll call vote:

“Ayes:” Hall, Drennan, Barker Roe, Miller, Inman

“Nays:” None

“Abstain:” None

“Absent:” None

Motion Carried 6-0

ITEM 8 **CONSIDERATION ON LONGEVITY PAY**

*Motion by Council Member Drennan and seconded by Council Member Barker to approve the longevity pay as presented by City Manager.

Roll call vote:

“Ayes:” Hall, Drennan, Barker Roe, Miller, Inman

“Nays:” None

“Abstain:” None

“Absent:” None

Motion Carried 6-0

Miller _____

Roe _____

Barker _____

Drennan _____

Hall _____

Lough _____



CITY OF LINDSAY

Office of the
City Clerk

City of Lindsay Regular Meeting 11-13-2023
6:00 P.M

ITEM 9 **CONSIDERATION ON WINDSTREAM INSTALLING FIBER OPTIC CABLE ON ROBERSON RD., W CHOCTAW ST., W COMANCHE ST., AND PONICA ST.**

*Motion by Council Member Drennan seconded by Council Member Roe to approve Windstream installing fiber optic cable at approved locations.

Roll call vote:

- “Ayes:” Hall, Drennan, Barker, Roe, Miller, Inman
- “Nays:” None
- “Abstain:” None
- “Absent:” None

Motion Carried 6-0

ITEM 10 **CONSIDERATION ON THE RECOMMENDATION FROM PLANNING AND ZONING BOARD.**

*Motion by Vice Mayor Miller, seconded by Council Member Drennan to allow the recommendation from the planning and zoning board with the provisions that were given and for Attorney Ray Jones to put the recommendation in an ordinance for approval.

Roll call vote:

- “Ayes:” Hall, Drennan, Roe, Miller, Inman, Barker
- “Nays:” None
- “Abstain:” None
- “Absent:” None

Motion Carried 6-0

ITEM 12 **CONSIDERATION ON HIRING A TREASURER.**

*Motion by Mayor Inman and seconded by Council Member Lough to table hiring a treasurer and bring back to November meeting with job description.

Roll call vote:

- “Ayes:” Hall, Drennan, Barker, Roe, Miller, Inman, Lough
- “Nays:” None
- “Abstain:” None
- “Absent:” None

Miller _____

Roe _____

Barker _____

Drennan _____

Hall _____

Lough _____



CITY OF LINDSAY

Office of the
City Clerk

City of Lindsay Regular Meeting 11-13-2023
6:00 P.M

ITEM 15 **CONSIDERATION ON RELOCATION OF DOG POUND**

*Motion by Council Member Drennan and seconded by Council Member Barker to approve the City Manager to spend up to \$20,000 to relocate the dog pound.

Roll call vote:

“Ayes:” Inman, Miller, Roe, Barker, Drennan, Hall

“Nays:” None

“Abstain:” None

“Absent:” None

Motion Carried 6-0

ITEM 17 A & B **CONSIDERATION OF APPOINTING HOLLY BELNAP TO HOSPITAL BOARD AND RHONDA STAMPLER TO CEMETERY BOARD.**

*Motion by Council Member Barker, seconded by Vice Mayor Miller to appoint Holly Belnap to the Hospital board and Rhonda Stampler to the Cemetery board.

Roll call vote:

“Ayes:” Inman, Miller, Roe, Barker, Drennan, Hall

“Nays:” None

“Abstain:” None

“Absent:” None

Motion Carried 6-0

ITEM 18 **CONSIDERATION ON INTERNATIONAL BUILDING CODE ORDINANCE.**

*Motion by Council Member Barker, seconded by Council Member Hall to have Attorney Ray Jones write up and ordinance to adopt State of Oklahoma building code.

Roll call vote:

“Ayes:” Inman, Miller, Roe, Barker, Drennan, Hall

“Nays:” None

“Abstain:” None

“Absent:” None

Motion Carried 6-0

ITEM 23 **GOVERNING BOARD COMMENTS**

Council Member Bev Barker stated that she appreciates all the information that are in the agenda packets. Vice Mayor Miller wanted an update on the water meter installation.

Miller _____

Roe _____

Barker _____

Drennan _____

Hall _____

Lough _____



CITY OF LINDSAY

Office of the
City Clerk

ITEM 24 **CITY MANAGER REPORT AND UPDATE OF PROJECTS. (NO ACTION TO BE TAKEN).**

The City Manager wanted to thank the Baptist Church for all their help around town.

ITEM 25 **ADJOURN**

*Motion by Vice Mayor Miller, seconded by Council Member Drennan to Adjourn to LPWA.

Roll call vote:

“Ayes:” Inman, Miller, Roe, Barker, Drennan, Hall

“Nays:” None

“Abstain:” None

“Absent:” None

Motion Carried 6-0

Time 7:08 pm

ATTEST:

Tom Inman, Mayor

Liz Sloat, City Clerk

Miller _____

Roe _____

Barker _____

Drennan _____

Hall _____

Lough _____

**CITY OF LINDSAY, OK
EMERGENCY 1 CENT SALES TAX FUND
NOVEMBER 2023**

UNAUDITED

EMERGENCY 1 CENT ST FUND

The end of NOV represents 41.67% of the fiscal year. This % is a basic measure of where the Fund should be year to date compared to budget.

41.67% OF BUDGET

BUDGET ACTUAL

Amount of budgetary fund balance carried over from the end of the prior year.

	BUDGET	ACTUAL	
BEGINNING FUND BALANCE	\$ -	\$ -	
REVENUES	\$ 900	\$ 859	95%
EXPENDITURES	\$ -	\$ -	0%
REVENUES OVER (UNDER) EXPENDITURES	\$ 900	\$ 859	
TRANSFERS IN	\$ 750,000	\$ 350,488	47% 1 cent Sales Tax to General Fund to cover EMS, Fire & PD
TRANSFERS OUT	\$ (750,000)	\$ (290,000)	39% operating expenses
NET OTHER	\$ -	\$ 60,488	
INCREASE (DECREASE) TO BEGINNING FUND BALANCE	\$ 900	\$ 61,347	
ENDING FUND BALANCE	\$ 900	\$ 61,347	
ENCUMBRANCES OUTSTANDING	\$ -	\$ -	
ENDING FUND BALANCE - UNENCUMBERED	\$ 900	\$ 61,347	

This indicates the Fund has received revenues and transfers in to date that are more than year-to-date expenditures and transfers out by this amount. In other words, this is the YTD increase in fund balance.

0.12%

This amount reflects the uncommitted fund balance at the end of the month. This amount should never go below \$0 per State law. If less than \$0, it indicates that this fund has temporarily "borrowed" this amount from another fund.

This amount is considered the Fund's percentage of unappropriated (budget) and unexpended (actual) fund balance reserves. **Should try to keep this amount between 10% and 30% of annual revenues**, until this fund is ready to use all of its restricted monies to fund restricted purposes.

8.17%

CITY OF LINDSAY, OK
 GENERAL FUND
 "NOVEMBER 2023

UNAUDITED

GENERAL FUND

The end of NOV represents 41.67% of the fiscal year. This % is a basic measure of where the Fund should be year to date compared to budget.

41.67% OF BUDGET

	BUDGET	ACTUAL
BEGINNING FUND BALANCE	\$ -	\$ -

Amount of budgetary fund balance carried over from the end of the prior year.

43%

REVENUES	\$ 2,631,550	\$ 1,139,083
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36%

EXPENDITURES	\$ (3,819,649)	\$ (1,391,674)
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This represents the amount by which fund expenditures are in excess of revenues prior to net transfers (subsides) from/to other funds.

38%

REVENUES OVER (UNDER) EXPENDITURES	\$ (1,188,099)	\$ (252,591)
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Indicates the current budget, as adopted, plans on spending the same amount as estimated revenue; thereby planning to leave the same amount of beginning fund balance by the end of the fiscal year.

38%

TRANSFERS IN	\$ 1,188,099	\$ 450,000
TRANSFERS OUT	\$ -	\$ -
NET OTHER	\$ 1,188,099	\$ 450,000

This indicates the Fund has received revenues and transfers to date that are more than year-to-date expenditures and transfers out by this amount. In other words, this is the YTD increase in fund balance.

INCREASE (DECREASE) TO BEGINNING FUND BALANCE

	\$ -	\$ 197,409
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ENDING FUND BALANCE

	\$ -	\$ 197,409
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ENCUMBRANCES OUTSTANDING

	\$ -	\$ (10,207)
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ENDING FUND BALANCE - UNENCUMBERED

	\$ -	\$ 187,202
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ENDING BALANCE AS A PERCENTAGE OF ANNUAL REVENUES

	0.00%	4.90%
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This amount reflects the uncommitted fund balance at the end of the month. This amount should never go below \$0 per State law. If less than \$0, it indicates that this fund has temporarily "borrowed" this amount from another fund.

This amount is considered the Fund's percentage of unappropriated (budget) and unexpended (actual) fund balance reserves. Should try to keep this amount between 10% and 30% of annual revenues.

FUND: 02 - CITY OF LINDSAY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01		POLICE				
24-20694	01-000002	WORK SAFETY COLLECTIONS	DRUG SCREEN (MAKELEA)	12/2023	202312082645	50.00
24-20570	01-000191	LINDSAY AUTO & TRUCK SUPPLY	ANTIFREEZE,OIL,FILTERS	12/2023	202312082628	112.45
24-20647	01-000893	JENNIFER BARGER JOHNSON	CONTRACT COURT SERVICES	12/2023	202312082625	500.00
24-20697	01-000985	EVERBRIDGE, INC	NIXIE ENGAGE	12/2023	202312082620	678.34
24-20642	01-000988	TOSHIBA AMERICA BUSINESS	SOCOPY MACHINE	12/2023	202312082643	408.43
24-20733	01-001184	EUREKA WATER COMPANY	MONTHLY WATER	12/2023	202312082619	26.88
24-20541	01-001199	LAW ENFORCEMENT PSYCHOLOGICS	SASNETT MMPI TEST	12/2023	202312082630	125.00
24-20671	01-001201	COPS PRODUCTS	ARMOR OF (BELL)	12/2023	202312082611	812.25
24-20589	01-001431	AT & T MOBILITY	MONTHLY CELL PHONE	12/2023	202312082604	502.24
24-20610	01-001969	OKLAHOMA DEPARTMENT OF PUBL	OLETS FULL ACCEESS	12/2023	202312082617	350.00
24-20688	01-001981	DISCOUNT GUNS	AMMO	12/2023	202312082618	926.10
24-20560	01-002143	DUTTON FARM & SUPPLY	ANIMAL WELFARE	12/2023	202312082616	879.77
24-20613	01-003333	IDEAL SERVICES, LLC	MONTHLY MAINT	12/2023	202312082623	997.50
24-20821	01-003333	IDEAL SERVICES, LLC	FORTIGATE 90F ANNUAL	12/2023	202312082624	641.60
24-20731	01-004325	LINDSAY VETERINARY HOSPIT	ANIMAL WELLNESS CHECK	12/2023	202312082631	90.05
DEPARTMENT TOTAL:						7,100.61
DEPARTMENT: 02		FIRE				
24-20570	01-000191	LINDSAY AUTO & TRUCK SUPPLY	ANTIFREEZE,OIL,FILTERS	12/2023	202312082628	29.05
24-20562	01-000804	TH ROGERS LUMBER CO	BATTERY,TAPE,CLAMPS	12/2023	202312082642	799.47
24-20697	01-000985	EVERBRIDGE, INC	NIXIE ENGAGE	12/2023	202312082620	678.34
24-20642	01-000988	TOSHIBA AMERICA BUSINESS	SOCOPY MACHINE	12/2023	202312082643	51.31
24-20822	01-001146	GOLDSTAR PRODUCTS	BUNKER GEAR CLEANER	12/2023	202312082622	449.00
24-20823	01-001198	PITMON OIL & GAS CO.	FUIEL	12/2023	202312082636	1,213.94
24-20825	01-001198	PITMON OIL & GAS CO.	FUEL	12/2023	202312082635	708.63
24-20690	01-001305	CHANDLER AUTO & EQUIPMENT	FIRE PUMP REPAIR BRUSH 24	12/2023	202312082612	716.70
24-20589	01-001431	AT & T MOBILITY	MONTHLY CELL PHONE	12/2023	202312082604	287.64
24-20613	01-003333	IDEAL SERVICES, LLC	MONTHLY MAINT	12/2023	202312082623	227.50
DEPARTMENT TOTAL:						5,161.58
DEPARTMENT: 03		CEMETERY				
24-20588	01-000132	ADT SECURITY SERVICES	MONTHLY MONITORING	12/2023	202312082605	38.99
24-20570	01-000191	LINDSAY AUTO & TRUCK SUPPLY	ANTIFREEZE,OIL,FILTERS	12/2023	202312082628	44.63
24-20767	01-000717	MONTY SELZER	GRAVE OPENINGS PERFORMED	12/2023	202312082633	200.00
24-20562	01-000804	TH ROGERS LUMBER CO	BATTERY,TAPE,CLAMPS	12/2023	202312082642	19.47
DEPARTMENT TOTAL:						303.09

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 04 STREET						
24-20585	01-000035	PSI- SEALMASTERS INC	3 TONS ASPHALT	12/2023	202312082638	309.35
DEPARTMENT TOTAL:						309.35
DEPARTMENT: 05 LIBRARY						
24-20642	01-000988	TOSHIBA AMERICA BUSINESS	SOCOPY MACHINE	12/2023	202312082643	26.64
24-20613	01-003333	IDEAL SERVICES, LLC	MONTHLY MAINT	12/2023	202312082623	332.50
DEPARTMENT TOTAL:						359.14
DEPARTMENT: 06 SOCIAL SERVICES						
24-20620	01-001182	LINDSAY COMMUNITY FOOD BANK	MONTHLY AGREEMENT	12/2023	202312082627	750.00
DEPARTMENT TOTAL:						750.00
DEPARTMENT: 07 BUILDING OPERATIONS						
24-20570	01-000191	LINDSAY AUTO & TRUCK SUPPLY	ANTIFREEZE,OIL,FILTERS	12/2023	202312082628	38.22
24-20562	01-000804	TH ROGERS LUMBER CO	BATTERY,TAPE,CLAMPS	12/2023	202312082642	299.75
24-20693	01-008090	WILSON AIR COND & REFRIGE	MAINT AT THE MANSION	12/2023	202312082646	435.00
24-20827	01-008090	WILSON AIR COND & REFRIGE	SENIOR CTR WALKIN COOLER	12/2023	202312082644	275.00
DEPARTMENT TOTAL:						1,047.97
DEPARTMENT: 08 PARK						
24-20562	01-000804	TH ROGERS LUMBER CO	BATTERY,TAPE,CLAMPS	12/2023	202312082642	172.82
DEPARTMENT TOTAL:						172.82
DEPARTMENT: 09 AMBULANCE (EMS)						
24-20692	01-000169	AIR GAS MID SOUTH	CYLINDER RENTAL	12/2023	202312082607	25.71
24-20727	01-000169	AIR GAS MID SOUTH	OXYGEN REFILLS	12/2023	202312082606	189.95
24-20570	01-000191	LINDSAY AUTO & TRUCK SUPPLY	ANTIFREEZE,OIL,FILTERS	12/2023	202312082628	75.49
24-20562	01-000804	TH ROGERS LUMBER CO	BATTERY,TAPE,CLAMPS	12/2023	202312082642	39.32
24-20697	01-000985	EVERBRIDGE, INC	NIXIE ENGAGE	12/2023	202312082620	678.32
24-20642	01-000988	TOSHIBA AMERICA BUSINESS	SOCOPY MACHINE	12/2023	202312082643	51.31
24-20612	01-001125	FIRE RECOVERY EMS	BILLING FEES	12/2023	202312082621	1,223.96
24-20691	01-001174	SANSIO INC	SEPT SUNFAX	12/2023	202312082641	50.00
24-20823	01-001198	FITMON OIL & GAS CO.	FUIEL	12/2023	202312082636	1,247.92
24-20242	01-001229	BACKROAD THREADIN LLC	UNIFORM SHIRT EMBROIDERY	12/2023	202312082613	456.00
24-20589	01-001431	AT & T MOBILITY	MONTHLY CELL PHONE	12/2023	202312082604	160.16
24-20613	01-003333	IDEAL SERVICES, LLC	MONTHLY MAINT	12/2023	202312082623	287.00
24-20617	01-003714	JOHN HARRISON D.O.	MONTHLY CONTRACT	12/2023	202312082626	500.00
24-20633	01-007205	STERICYCLE INC	MEDICAL WASTE DISPOSAL	12/2023	202312082639	25.47
DEPARTMENT TOTAL:						5,010.61

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 10		GENERAL GOVERNMENT				
24-20818	01-000084	MARGARET LOVE	LEGAL FEES	12/2023	202312082632	613.60
24-20602	01-000109	CRAWFORD & ASSOCIATES,P.C.	ACCOUNTING SERVICES	12/2023	202312082615	10,995.00
24-20622	01-000179	OKLAHOMA UNIFORM BUILDING	CPERMIT FEES	12/2023	202312082634	24.00
24-20730	01-000218	CIVICPLUS	ANNUAL ONLINE HOSTING	12/2023	202312082614	1,075.00
24-20621	01-001145	LITTLE SOULE & FELTY	LEGAL FEES	12/2023	202312082629	2,284.39
24-20819	01-001220	BASS LAW	LEGAL FEES	12/2023	202312082610	4,537.25
24-20820	01-001220	BASS LAW	LEGAL FEES	12/2023	202312082609	1,138.50
24-20826	01-001220	BASS LAW	LEGAL FEES	12/2023	202312082608	363.75
24-10756	01-001235	STATE AUDITOR & INSPECTOR	STATE AUDIT BILLING	12/2023	202312082590	1,268.50
24-20728	01-001235	STATE AUDITOR & INSPECTOR	STATE AUDIT FEES	12/2023	202312082640	1,268.50
DEPARTMENT TOTAL:						23,568.49
FUND TOTAL:						43,783.66
GRAND TOTAL:						602,756.62

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01		POLICE				
24-20594	01-000585	BANK OF AMERICA	HITCH,OIL CHANGES,SUPPLIE	12/2023	202312082552	403.51
24-20780	01-006383	REC	MONTHLY ELECTRIC	12/2023	202312082553	1,290.13
DEPARTMENT TOTAL:						1,693.64
DEPARTMENT: 02		FIRE				
24-20594	01-000585	BANK OF AMERICA	HITCH,OIL CHANGES,SUPPLIE	12/2023	202312082552	149.00
DEPARTMENT TOTAL:						149.00
DEPARTMENT: 03		CEMETERY				
24-20780	01-006383	REC	MONTHLY ELECTRIC	12/2023	202312082553	117.68
DEPARTMENT TOTAL:						117.68
DEPARTMENT: 09		AMBULANCE (EMS)				
24-20594	01-000585	BANK OF AMERICA	HITCH,OIL CHANGES,SUPPLIE	12/2023	202312082552	623.11
DEPARTMENT TOTAL:						623.11
FUND TOTAL:						2,583.43

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01		POLICE				
24-20594	01-000585	BANK OF AMERICA	HITCH,OIL CHANGES,SUPPLIE	12/2023	202312082552	403.51
24-20780	01-006383	REC	MONTHLY ELECTRIC	12/2023	202312082553	1,290.13
DEPARTMENT TOTAL:						1,693.64
DEPARTMENT: 02		FIRE				
24-20594	01-000585	BANK OF AMERICA	HITCH,OIL CHANGES,SUPPLIE	12/2023	202312082552	149.00
DEPARTMENT TOTAL:						149.00
DEPARTMENT: 03		CEMETERY				
24-20780	01-006383	REC	MONTHLY ELECTRIC	12/2023	202312082553	117.68
DEPARTMENT TOTAL:						117.68
DEPARTMENT: 09		AMBULANCE (EMS)				
24-20594	01-000585	BANK OF AMERICA	HITCH,OIL CHANGES,SUPPLIE	12/2023	202312082552	623.11
DEPARTMENT TOTAL:						623.11
FUND TOTAL:						2,583.43

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 00		NON-DEPARTMENTAL				
24-40018	01-006383	REC	MONTHLY ELECTRIC	12/2023	202312082554	167.98
					DEPARTMENT TOTAL:	167.98
					FUND TOTAL:	167.98
					GRAND TOTAL:	7,903.43

FUND: 02 - CITY OF LINDSAY

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01 POLICE						
24-20695	01-000599	GOVERNMENT ACCOUNT SERVICES	TURNPIKE FEE	11/2023	202311282530	1.55
24-20638	01-001162	OPTIMUM	INTERNET AT THE AWC	11/2023	202311282533	50.00
24-20603	01-001237	CYTRACOM	MONTHLY PHONE	11/2023	202311282529	411.32
24-20663	01-008117	WINDSTREAM	MONTHLY PHONE	11/2023	202311282531	371.44
DEPARTMENT TOTAL:						834.31
DEPARTMENT: 02 FIRE						
24-20603	01-001237	CYTRACOM	MONTHLY PHONE	11/2023	202311282529	285.72
24-20651	01-007989	WEBB OIL CO.	FUEL	11/2023	202311282532	36.74
24-20663	01-008117	WINDSTREAM	MONTHLY PHONE	11/2023	202311282531	257.87
DEPARTMENT TOTAL:						580.33
DEPARTMENT: 03 CEMETERY						
24-20651	01-007989	WEBB OIL CO.	FUEL	11/2023	202311282532	83.72
DEPARTMENT TOTAL:						83.72
DEPARTMENT: 04 STREET						
24-20651	01-007989	WEBB OIL CO.	FUEL	11/2023	202311282532	91.71
DEPARTMENT TOTAL:						91.71
DEPARTMENT: 05 LIBRARY						
24-20603	01-001237	CYTRACOM	MONTHLY PHONE	11/2023	202311282529	68.99
DEPARTMENT TOTAL:						68.99
DEPARTMENT: 07 BUILDING OPERATIONS						
24-20651	01-007989	WEBB OIL CO.	FUEL	11/2023	202311282532	58.98
DEPARTMENT TOTAL:						58.98

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 08		PARK				
24-20651	01-007989	WEBB OIL CO.	FUEL	11/2023	202311282532	21.74
DEPARTMENT TOTAL:						21.74
DEPARTMENT: 09		AMBULANCE (EMS)				
24-20603	01-001237	CYTRACOM	MONTHLY PHONE	11/2023	202311282529	128.70
24-20651	01-007989	WEBB OIL CO.	FUEL	11/2023	202311282532	420.65
DEPARTMENT TOTAL:						549.35
DEPARTMENT: 10		GENERAL GOVERNMENT				
24-2069*	01-002725	GARVIN COUNTY CLERK	13 LIEN RELEASE	11/2023	202311282528	234.00
DEPARTMENT TOTAL:						234.00
FUND TOTAL:						2,523.13
GRAND TOTAL:						4,292.94

**CITY OF LINDSAY AND LINDSAY PUBLIC WORKS AUTHORITY
REGULARLY SCHEDULED COUNCIL MEETINGS
COUNCIL CHAMBERS, 204 W. CREEK, 6:00 PM
FOR THE CALENDAR YEAR 2024**

JANUARY 08, 2024

FEBRUARY 12, 2024

MARCH 11, 2024

APRIL 08, 2024

MAY 13, 2024

JUNE 10, 2024

JULY 08, 2024

AUGUST 12, 2024

SEPTEMBER 09, 2024

OCTOBER 14, 2024

NOVEMBER 12, 2024 *

DECEMBER 09, 2024

*City Council meetings are held the 2nd Monday of each month unless it is a holiday: in which the meeting will then be held on the following Tuesday.

Approved this 11TH Day of December 2023

ATTEST:

Tom Inman, Mayor/Trust Chairman

Liz Sloat, City Clerk

ORDINANCE # 574

AN ORDINANCE OF THE CITY OF LINSDAY SETTING FORTH RULES FOR YOUTH ACCESS TO TOBACCO PRODUCTS AND PROHIBITING THE USE OF TOBACCO AND VAPOR PRODUCTS ON CITY OWNED PROPERTIES; AND AMENDING CHAPTER 13, ARTICLE II, SECTION 13-13 – DEFINITIONS; AMENDING CHAPTER 13, ARTICLE II, SECTION 13-35 – DISTRIBUTION OR SALE OF TOBACCO PRODUCTS AND VAPOR PRODUCTS TO MINORS; AMENDING CHAPTER 13, ARTICLE II, SECTION 13-36 – DISTRIBUTION OF TOBACCO PRODUCT AND VAPOR PRODUCT SAMPLES; AMENDING CHAPTER 13, ARTICLE II, SECTION 13-37 – SALE OF TOBACCO AND PUBLIC ACCESS TO DISPLAYED TOBACCO PRODUCTS AND VAPOR PRODUCTS; AMENDING CHAPTER 13, ARTICLE II, SECTION 13-39 – REPORTING OF VIOLATIONS AND COMPLIANCE CHECKS; AMENDING CHAPTER 13, ARTICLE II, SECTION 13-45 – PROHIBITION OF TOBACCO AND VAPOR PRODUCTS ON CITY OWNED/OPERATED PROPERTY; AND ADDING CHAPTER 13, ARTICLE II, SECTION 13-47 – REQUIRED SIGNS.

It is the intent of the City Council in enacting this ordinance, to provide for the public health, safety, and welfare by discouraging the inherently dangerous behavior of smoking and the use of tobacco and vapor products around non-users, especially children; by protecting the public from exposure to secondhand smoke where people work, play, and learn; by reducing the potential for children to wrongly associate tobacco product and vapor product use with a healthy lifestyle; and by affirming and promoting a healthy environment in the City.

SECTION I: Chapter 13, Article 2, Section 13-34 of the Code of Ordinances of the City of Lindsay, Oklahoma, is hereby amended to read as follows:

SEC. 13-34. – DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicated a different meaning:

- (a) **Electronic smoking device.** Means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component, part, or accessory of the device, and also includes any substance that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.
- (b) **Indoor Area.** Means any enclosed area used or visited by employees or the public, at all times, regardless of whether work is being performed. Indoor Area includes work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, any other spaces used or visited by employees, as well as all space between a floor and ceiling that is predominantly or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways, or the like.
- (c) **Municipal Property.** Means all buildings, Indoor Areas, and Outdoor Areas, including but not limited to recreational areas, and other property, or portions thereof, owned or operated by the City, including but not limited to vehicles and equipment owned by the municipality.
- (d) **Nicotine Product.** Means any product that contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic matter, or that is

synthetic in origin and is intended for human consumption; provided, however, this term shall not include products approved by the United States Food and Drug Administration for smoking cessation;

- (e) **Outdoor Area.** Means any area that is not an Indoor Area, and includes outdoor recreational areas.
- (f) **Person.** Means any individual, firm, fiduciary, partnership, corporation, trust, or association, however formed.
- (g) **Product Sample.** Means a tobacco product, nicotine product or vapor product distributed to members of the public at no cost for the purpose of promoting the product;
- (h) **Proof of age.** Means a driver license, license for identification only, or other generally accepted means of identification that describes the individual as twenty-one (21) years of age or older and contains a photograph or other likeness of the individual and appears on its face to be valid;
- (i) **Playgrounds.** Means any area used for outdoor play or recreation, especially by children, and often containing recreational equipment such as slides and swings.
- (j) **Recreational area.** Means any area that is owned, controlled or used by the City of Lindsay and open to the general public for recreational purposes, regardless of any fee or age requirement. The term Recreational Area includes but is not limited to parks, picnic areas, playgrounds, sports fields, golf courses, walking paths, gardens, hiking trails, bike paths, riding trails, swimming pools, roller- and ice-skating rinks, beaches surrounding lakes and skateboard parks.
- (k) **School.** Means any property, building, permanent structure, facility, auditorium, stadium, arena, or recreational facility owned, leased or under the control of a public school district or private school or any educational facility that is accredited by the state of Oklahoma.
 - (1) School includes all licensed childcare facilities, kindergartens, elementary schools, which may include either K-6 or K-8, and all secondary schools
 - (2) School includes any institution within the Oklahoma State System of Higher Education or any other public or private college or university that is accredited by a national accrediting body.
- (l) **Sampling.** Means the distribution of samples to members of the public in a public place;
- (m) **Smoking.** Means the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device.
- (n) **Tobacco Product.** Means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. Tobacco product also means electronic smoking devices and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and liquids used in electronic smoking devices, whether or not they contain nicotine. Tobacco Product does not include drugs, devices, or combination products authorized for

sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

- (o) **Transaction scan.** Means the process by which a seller checks, by means of a transaction scan device, the validity of a driver license or other government-issued photo identification;
- (p) **Transaction scan device.** Means any commercial device or combination of devices used at a point of sale or entry that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver license or other government-issued photo identification;
- (q) **Vapor Product.** Means any noncombustible product, that may or may not contain nicotine, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor Product shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, or electronic device.

SECTION II: Chapter 13, Article 2, Section 13-35 of the Code of Ordinances of the City of Lindsay, Oklahoma, is hereby amended to read as follows:

SEC. 13-35. – UNLAWFUL TO SELL OR FURNISH TOBACCO, NICOTINE OR VAPOR PRODUCT TO PERSONS UNDER TWENTY-ONE YEARS OF AGE

- (a) It is unlawful for any person to sell, give or furnish in any manner any tobacco product, nicotine product or vapor product to another person who is under twenty-one (21) years of age, or to purchase in any manner a tobacco product, nicotine product or vapor product on behalf of any such person. It shall not be unlawful for an employee under twenty-one (21) years of age to handle tobacco products, nicotine products or vapor products when required in performance of the employee's duties.
- (b) A person engaged in the sale or distribution of tobacco products, nicotine products or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be less than twenty-one (21) years of age.
- (c) If an individual engaged in the sale or distribution of tobacco products, nicotine products or vapor products has demanded proof of age from a prospective purchaser or recipient who is not under twenty-one (21) years of age, the failure to subsequently require proof of age shall not constitute a violation of this subsection.
- (d) Any violation of subsection A or B of this article is an offense against the City of Lindsay, upon conviction of any such offense, the violator shall be punished as follows:
 - (1) Not more than One Hundred Dollars (\$100.00) for the first offense;

- (2) Not more than Two Hundred Dollars (\$200.00) for the second offense within a two-year period following the first offense;
 - (3) Not more than Three Hundred Dollars (\$300.00) for the third offense within a two-year period following the first offense. In addition to any other penalty, the store's license to sell tobacco products or nicotine products or the store's sales tax permit for a store that is predominantly engaged in the sale of vapor products in which the sale of other products is merely incidental may be suspended for a period not exceeding thirty (30) days, or
 - (4) Not more than Three Hundred Dollars (\$300.00) for a fourth or subsequent offense within a two-year period following the first offense. In addition to any other penalty, the store's license to sell tobacco products or nicotine products or the store's sales tax permit for a store that is predominantly engaged in the sale of vapor products in which the sale of other products is merely incidental may be suspended for a period not exceeding sixty (60) days.
- (e) Proof that the defendant demanded, was shown, and reasonably relied upon proof of age shall be a defense to any action brought pursuant to this section. A person cited for violating this section shall be deemed to have reasonably relied upon proof of age, and such person shall not be found guilty of the violation if such person proves that:
- (1) The individual who purchased or received the tobacco product, nicotine product or vapor product presented a driver license or other government-issued photo identification purporting to establish that such individual was twenty-one (21) years of age or older, or
 - (2) The person cited for the violation confirmed the validity of the driver license or other government-issued photo identification presented by such individual by performing a transaction scan by means of a transaction scan device.

Provided, that this defense shall not relieve from liability any person cited for a violation of this section if the person failed to exercise reasonable diligence to determine whether the physical description and picture appearing on the driver license or other government-issued photo identification was that of the individual who presented it. The availability of the defense described in this subsection does not affect the availability of any other defense under any other provision of law.

SECTION III: Chapter 13, Article 2. Section 13-36 of the Code of Ordinances of the City of Lindsay, Oklahoma, is hereby amended to read as follows:

SEC. 13-36. – DISTRIBUTION OF TOBACCO PRODUCT AND VAPOR PRODUCT SAMPLES

- (a) It shall be unlawful for any person or retailer to distribute, tobacco products, nicotine products, vapor products or product samples to any person under twenty-one (21) years of age.
- (b) No person shall distribute tobacco products, nicotine products, vapor products or product samples in or on any public street, sidewalk, or park that is within three hundred (300) feet

of any playground, school, or other facility when the facility is being used primarily by persons under twenty-one (21) years of age.

- (c) When a person is convicted or enters a plea and receives a continued sentence for a violation of subsections (a) or (b) of this section, the total of any fines, fees, or costs shall not exceed the following:
 - (1) Not more than One Hundred Dollars (\$100.00) for the first offense;
 - (2) Not more than Two Hundred Dollars (\$200.00) for the second offense; and
 - (3) Not more than Three Hundred Dollars (\$300.00) for a third or subsequent offense.

SECTION IV: Chapter 13, Article 2, Section 13-37 of the Code of Ordinances of the City of Lindsay, Oklahoma, is hereby amended to read as follows:

SEC. 13-37. – PUBLIC ACCESS TO DISPLAYED TOBACCO, NICOTINE AND VAPOR PRODUCTS

- (a) It is unlawful for any person or retail store to display or offer for sale tobacco products, nicotine products, or vapor products in any manner that allows public access to the tobacco products, nicotine products or vapor products without assistance from the person displaying the tobacco products, nicotine products or vapor products or an employee or the owner of the store. The provisions of this subsection shall not apply to retail stores which do not admit into the store persons under twenty-one (21) years of age.
- (b) When a person is convicted or enters a plea and receives a continued sentence for a violation of this section, the total of any fines, fees, or costs shall not exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION V: Chapter 13, Article 2, Section 13-39 of the Code of Ordinances of the City of Lindsay, Oklahoma, is hereby amended to read as follows:

SEC. 13-39. – REPORTING OF VIOLATIONS AND COMPLIANCE CHECKS

- (a) Any conviction for a violation of this Article and any compliance checks by a municipal police officer pursuant to subsection C of this section shall be reported in writing to the Alcoholic Beverage Laws Enforcement (ABLE) Commission within thirty (30) days of such conviction or compliance check. Such reports shall be compiled in the manner prescribed by the ABLE Commission. Convictions shall be reported by the Court Clerk or their designee and compliance checks shall be reported by the Chief of Police or his designee.
- (b) For the purpose of determining second or subsequent violations, both the offenses penalized by the ABLE Commission as administrative fines and the offenses penalized by the municipality and reported to the ABLE Commission, shall be considered together in such determination.

- (c) Persons under twenty-one (21) years of age may be enlisted by the Police Department to assist in compliance checks and enforcement of this Article pursuant to the rules of the ABLE Commission.

SECTION VI: Chapter 13, Article 2, Section 13-45 of the Code of Ordinances of the City of Lindsay, Oklahoma, is hereby amended to read as follows:

SEC. 13-45. – PROHIBITED CONDUCT AND PENALTIES

- (a) The following is prohibited conduct:

- (3) No person is allowed to smoke Tobacco Products or Marijuana or use Vapor Products or vape Marijuana in any indoor place used by or open to the public, public transportation, or any indoor workplace, except as specifically provided by Oklahoma law.
- (4) No person is allowed to smoke Tobacco Products or Marijuana or use Vapor Products or vape Marijuana on any Municipal Property, indoor and outdoor, including parks and recreational areas.
- (5) Nothing in this ordinance prohibits any person or entity from prohibiting Smoking or the use of Tobacco Products or Vapor Products or Marijuana on their property, even if the use of Tobacco Products or Vapor Products is not otherwise prohibited in that area.
- (6) No person or entity shall knowingly permit smoking of Tobacco Products or Marijuana or the usage of Vapor Products or Marijuana vapes in an area that is under their control, if the use or smoking of Tobacco Products or Marijuana or the use of Vapor Products or Marijuana vapes is prohibited by law in that area.
- (7) No person or entity shall permit the placement of ash receptacles, such as ash trays or ash cans, within an area under the control of that person or entity and in which Smoking is prohibited by law. The presence of ash receptacles shall not be a defense to a charge of smoking Tobacco Products or Marijuana or the use of Vapor Products or Marijuana vapes in violation of any provision of this ordinance.
- (8) No person shall dispose of Smoking, Vapor, Tobacco Product, or Vapor Product waste within an area in which Smoking of Tobacco Products, Marijuana or Vapor Products and Marijuana vapes is prohibited.
- (9) No person or entity shall intimidate, threaten, or otherwise retaliate against another person or entity that seeks to attain compliance with this ordinance.

- (b) Enforcement of this section shall be the responsibility of Lindsay, Oklahoma. In addition, any peace officer or code enforcement official may enforce this chapter.
- (c) Any person who knowingly violates this section shall be punished by a citation and fine of not less than \$50 and not more than \$100.
- (d) The possession of a lighted Tobacco Product or Marijuana in violation of this ordinance is a nuisance.

- (e) The remedies provided by this section are cumulative and in addition to any other remedies available at law or in equity.
- (f) Each instance of Tobacco Product or Vapor Product use in violation of this section shall constitute a separate violation.
- (g) The use of a Vapor Product or Marijuana vape in violation of this section is a nuisance.
- (h) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this section regarding Tobacco Product or Vapor Product use shall also constitute a violation of this section.
- (i) In addition to other remedies provided by this section or by other law, any violation of this section regarding Tobacco Product or Vapor Product use may be remedied by the City Council, including, but not limited to, administrative or judicial nuisance abatement proceedings, criminal code enforcement proceedings, and suits for injunctive relief.

Statutory Reference: 63 O.S. § 1-1523 (2021).

SECTION VII: Chapter 13, Article 2 of the Code of Ordinances of the City of Lindsay, Oklahoma, is hereby amended by adding a section, to be numbered 13-47, which reads as follows:

SEC. 13-47. – REQUIRED SIGNS

- (a) The person or entity that has legal or de facto control of an area in which Smoking and the use of Tobacco Products or Vapor Products is prohibited by this section shall post a clear, conspicuous, and unambiguous sign at each point of entry to the area, and in prominent locations within the area.
- (b) For restrictions on Smoking and the use of Tobacco Products or Vapor Products in Indoor Areas, the sign or decal shall be at least 4 inches by 2 inches in size and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free environment is provided. For restrictions on the use of Tobacco Products or Vapor Products in Outdoor Areas, signs shall be weather-resistant, at least 15 inches by 15 inches in size, with lettering of at least 1 inch, and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free environment is provided.
- (c) For purposes of this section, the City Manager or his/her designee shall be responsible for the posting of signs on Municipal Property, both indoor and outdoor.
- (d) Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of Smoking or the use of Tobacco Products or Vapor Products in violation of any other provision of this ordinance.

SECTION 2:

If any part, article, section, or subsection of this ordinance shall be held invalid or unconstitutional for any reason, such holding shall not be construed to impair or invalidate the remainder of said ordinance, notwithstanding such holding.

Section 3: EMERGENCY CLAUSE

It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Lindsay and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and its passage and approval.

END

The foregoing ordinance was introduced before the Lindsay City Council on the ____ day of _____, 202__, and was duly adopted and approved by the Mayor and City Council on the ____ day of _____, 202__, and after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et seq.)

ATTEST:

MAYOR

CITY CLERK

RESOLUTION NO. 2023-05

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDSAY, GARVIN COUNTY, OKLAHOMA:

That in accordance with the Charter of the City of Lindsay, Garvin County, Oklahoma, the Lindsay Code of Ordinances, and the statutes of the State of Oklahoma, a Non-Partisan Regular Election shall be conducted by the Garvin County Election Board on the first Tuesday in April, 2024 (April 2, 2024), for the purpose of electing Three City Council Members for a term of two (2) years.

BE IT FURTHER RESOLVED that each candidate for office shall be a qualified elector and fully comply with the provisions of the Ordinances and the Charter of the City of Lindsay, Oklahoma, and the election laws of the State of Oklahoma.

BE IT FURTHER RESOLVED that the officers of the City of Lindsay, Oklahoma, to be elected shall be elected at large, by all of the qualified voters of the City of Lindsay, and shall serve a term as provided herein or until a successor is lawfully elected and qualified.

BE IT FURTHER RESOLVED that each candidate for City office shall be a qualified elector of that City and that each candidate for office of council member shall be an actual resident of said City for a period of not less than six (6) months. Any qualified elector must sign a sworn statement of his candidacy with the City Clerk not more than thirty days and not less than fifteen days before the election at which he desires to be candidate. Filing period will be Monday, February 5, 2024, Tuesday, February 6, 2024, and Wednesday, February 7, 2024.

BE IT FURTHER RESOLVED that pursuant to 26 O.S. Section 12-103 (C) the City of Lindsay certifies to the County Election Board that no persons reside within that portion of Precinct 3 in Erin Springs located outside the city limits of the City of Lindsay and that Precinct No. 3 should not be opened for the election.

BE IT FURTHER RESOLVED that pursuant to 26 O.S. Section 12-103 (C) the City of Lindsay certifies to the County Election Board that no persons reside within that portion of Precinct 5 in McClain County located within the city limits of the City of Lindsay and that Precinct No. 5 should not be opened for the election.

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to the Secretary of the Garvin County Election Board at least sixty (60) days prior to the date of said election and at least fifteen (15) days prior to the first day of the filing period established herein and in no event later than **January 15, 2024**.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in a newspaper of general circulation within the City of Lindsay at least ten (10) days prior to the first day of the filing period established herein and in no event later than **January 22, 2024**.

ADOPTED AND APPROVED this 11th day of December, 2023.

Tom Inman, MAYOR

ATTEST:

Liz Sloat, CITY CLERK

(SEAL)

City of Lindsay – Lindsay Public Works Authority

CHANGE ORDER - #4

The undersigned agree as follows:

1. The purpose of this Change Directive is to amend the terms of the Agreement between City of Lindsay/Lindsay Public Works Authority and Utility Technology Services, Inc. ("UTS") dated, March 22, 2022.

2. Proposed Changes to the Work:

Adding Additional Electric Meters

11 ea	Installation – 1-1/2" Meter	\$280.00ea
30ea	Installation – 2" Meter	\$280.00ea
3ea	Installation – 3" Meter	\$825.00ea

3. The Contract Price Prior to this Change Order was \$2,284,745.00

4. The new Contract Price including this Change Order shall be \$2,298,700.00.

5. The Schedule of Work shall be increased by 0 days.

6. The following documents, if any, are included as attachments to this Change Order:

7. All other terms and conditions in the Agreement remain in full force and effect.

Dated this 1st day of December, 2023

City of Lindsay/Lindsay Public Works Auth.

Utility Technology Services, Inc.



By: _____

By: Al Weber

Its: _____

Its: Municipal Division Mgr.

Date: 7 _____

Date: 12-01-23