

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JULY 8, 2013** at **6:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: BOBBY WILLIAMS, MARY SMITH, BILLY CLAPPER,
AND TODD LITTLETON

MEMBERS ABSENT: TERESA BUCK

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, BRUCE
ANTHONY, RAY COLLIER, DON CLUCK, SEAN DOUGLAS,
JULIUS CONLEY, SHANA MCKEE, ANDREW GRAHAM,
BECKY WRIGHT, CHARLA HAMILTON

OTHERS PRESENT: BETSY WHITE, PATRICIA BLACK, MICHAEL BUSH, DONNA
MCKINNEY, SANDY WILLIAMS, JANE BRYANT, KELI FRAZIER, JO BAZHAW, ALUSON
KOPYCINSKI, BREANNA RUSSELL, CARRIE MILLER, ROSCOE DORSEY, LES
MCDERMOTT, AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Mayor Bobby Williams called the meeting to order at 6:04 p.m.

ROLL CALL Wendy Marble called the roll and declared a quorum present

PLEDGE OF ALLEGIANCE Bobby Williams led the pledge

INVOCATION Bobby Williams gave the invocation

ORDER OF BUSINESS

1. INTRODUCTION OF GUESTS / HEARING OF CITIZENS OR DELEGATES

(This is an opportunity for citizens to address the City Council. If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. City Council rules and regulations limit visitor comments to a maximum of three minutes should be directed to the City Council as a whole. The Oklahoma Open Meeting Act prohibits the City Council from taking official action on requests made during this portion of the agenda unless otherwise noted on this agenda.)

2. CONSENT DOCKET

(This item is placed on the agenda so that the City Council, by unanimous consent, can designate routine items and those items requiring no discussion to be approved or acknowledged in one motion. If any item does not meet with approval of all Council members, that item will be removed from the consent docket and considered in regular order)

- a. APPROVAL minutes for City Council meeting June 10, 2013
- b. ACKNOWLEDGMENT receipt of payroll and claims for June 2013
- c. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for June 2013
- d. APPROVAL re-appointment of Jeff Woodyard to Position 1 on the Planning Commission for a term expiring June 30, 2016
- e. APPROVAL appointment of Jimmy Brown to Position 5 on the Planning Commission for a term expiring June 30, 2015
- f. APPROVAL appointment of Shelly Overholt to Position 5 on the Parks Board for a term expiring June 30, 2017
- g. APPROVAL appointment of Sandy Williams to Position 1 on the Parks Board for a term expiring June 30, 2018

- h. APPROVAL re-appointment of Frances Voreis as Tenant Commissioner Position 5 on the Tuttle Housing Authority Board of Commissioners for a term expiring August 1, 2016
- i. APPROVAL **Resolution 2013-12** establishing the 911 emergency telephone fee rates for calendar year 2014
- j. APPROVAL **Resolution #2013-13** authorizing the submittal of a Energy Smart Communities grant application to perform energy-efficient retrofits of lightning, doors & windows, and HVAC at 305 W Main St.
- k. APPROVAL commitment for required 20% cash/in-kind match for Energy Smart Communities grant to perform energy-efficient retrofits of lightning, doors & windows, and HVAC at 305 W Main St if awarded
- l. APPROVAL provider agreement with the Grady County Emergency Medical Services District for FY2013-14
- m. APPROVAL purchase of 2011 Chevrolet Impala Police vehicle
- n. APPROVAL appointment of Donna McKinney to Position 3 on the Parks Board for a term expiring June 30, 2015

Motion was made by Williams, seconded by Smith to adopt the consent agenda items 2a, b, c, and i. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

3. CONSIDERATION of Items Removed from Consent Docket

- d. APPROVAL re-appointment of Jeff Woodyard to Position 1 on the Planning Commission for a term expiring June 30, 2016
- e. APPROVAL appointment of Jimmy Brown to Position 5 on the Planning Commission for a term expiring June 30, 2015
- f. APPROVAL appointment of Shelly Overholt to Position 5 on the Parks Board for a term expiring June 30, 2017
- g. APPROVAL appointment of Sandy Williams to Position 1 on the Parks Board for a term expiring June 30, 2018
- h. APPROVAL re-appointment of Frances Voreis as Tenant Commissioner Position 5 on the Tuttle Housing Authority Board of Commissioners for a term expiring August 1, 2016
- n. APPROVAL appointment of Donna McKinney to Position 3 on the Parks Board for a term expiring June 30, 2015

Mayor Williams recognized and thanked each of the appointees for their past and future service on the committees.

Motion was made by Smith, seconded by Clapper to adopt the consent agenda items 2d, e, f, g, h, and n. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

- l. APPROVAL provider agreement with the Grady County Emergency Medical Services District for FY2013-14

Smith presented the funding is not dispersed fairly throughout the county and would like to see changes. Chief Anthony presented a more fair distribution of funding is being looked into by the district.

Motion was made by Smith, seconded by Littleton to adopt the consent agenda item 2l. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

- m. APPROVAL purchase of 2011 Chevrolet Impala Police vehicle

Clapper commended Chief Cluck for saving the city \$10,435.00 on the vehicle purchase and commended the other City Department heads for their diligence in spending money wisely and saving the City money.

Motion was made by Clapper, seconded by Smith to adopt the consent agenda item 2m. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

HEARING OF CITIZENS

Jo Bazhaw presented cemetery committee is asking for the council's help with pending projects. Five years ago the Council approved to pave the roads at the cemetery and it has not been done. Section J has no road at all. Water line has not been installed. Asking for the council to make the cemetery a priority and get the projects finished. Clapper presented council did approve \$27,000 for paving with the county providing the labor. Young will speak to county commissioner on paving. Funds are allocated for paving material. Bazhaw asked about hiring contractor for the water line project. Clapper said council will focus attention on cemetery.

- j. APPROVAL Resolution #2013-13 authorizing the submittal of a Energy Smart Communities grant application to perform energy-efficient retrofits of lightning, doors & windows, and HVAC at 305 W Main St.

Clapper presented questions of cost for the project. He does not think this enough money to complete the work. Douglas presented this project could require more funding. Young discussed details of improvements. Conley presented contractors are looking at project this week to provide bids. Smith presented this needs updating due to children in the building.

Motion was made by Smith, seconded by Littleton to adopt the consent agenda item 2j. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

- k. APPROVAL commitment for required 20% cash/in-kind match for Energy Smart Communities grant to perform energy-efficient retrofits of lightning, doors & windows, and HVAC at 305 W Main St if awarded

Motion was made by Clapper, seconded by Smith to adopt the consent agenda item 2k. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

4. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION **Resolution 2013-14** CONSIDERATION AND POSSIBLE ACTION WITH RESPECT TO A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE TUTTLE PUBLIC WORKS AUTHORITY (THE "AUTHORITY") ISSUING ITS UTILITY SYSTEM REVENUE NOTE, SERIES 2013 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURE AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; RATIFYING AND CONFIRMING AN AMENDED LEASE AGREEMENT PERTAINING TO THE CITY'S WATER, SANITARY SEWER, AND GAS DISTRIBUTION SYSTEMS; ESTABLISHING THE CITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY OR ON BEHALF OF SAID CITY IN CALENDAR YEAR 2013, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Motion was made by Williams, seconded by Littleton to approve agenda item 4a. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

Motion was made by Williams, seconded by Smith to enter into Executive Session with the City Attorney for discussion of Item 9c at 6:30 p.m.

Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

9. EXECUTIVE SESSIONS

(Section 307, Title 25, Oklahoma Statutes permits the public body to meet in executive session for certain specified reasons under certain specified conditions. Any formal action will occur in regular session)

- a. Confidential communications between the governing body and its attorney regarding pending claim and investigation and possible litigation concerning issues relating to cablevision service within the City of Tuttle, Oklahoma. Possible Executive Session for confidential communications between the governing board and its attorney upon advice of counsel. Proposed executive session pursuant to 25 O.S. Section 307(B)(4).

1. CONSIDERATION action related to Executive Session Item 9a

- b. CONSIDERATION of adopted Resolution 2012-17 authorizing legal action against Jimmy Thunderbird (a.k.a. John Edwards Timmons) in District Court for the abatement of a nuisance at 5318 E. SH-37 in Tuttle, Oklahoma. Pursuant to 25 O.S. Section 307(B)(4).

- 1. CONSIDERATION action related to Executive Session Item 9b

- c. Negotiation of amendment to the 2013-2014 collective bargaining agreement between the City of Tuttle and the Fraternal Order of Police representative regarding the employees of the Tuttle Police Department and take appropriate action. Proposed executive session pursuant to 25 O.S. Section 307(B)(2)

- 1. CONSIDERATION action related to Executive Session Item 9c

David Perryman announced for the record that no other items were discussed in the meeting except for what was stated on the agenda.

No Action Taken

Mayor Williams reconvened the meeting at 6:55 p.m.

- b. DISCUSSION and related CONSIDERATION regarding compensation for City employees

Motion was made by Williams, seconded by Clapper to table agenda item 4b. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

- c. DISCUSSION and related CONSIDERATION of current spending limit for City Manager

Motion was made by Williams, seconded by Clapper to table agenda item 4c. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

- d. DISCUSSION and related CONSIDERATION of use of inmates for TPWA labor

Williams presented he receives unfavorable public reactions to inmate labor. City relies too much on inmate labor. Mayor would like to use inmates at the parks and cemetery only.

- e. DISCUSSION and related CONSIDERATION Budget Amendment 2013-02 regarding receipt of police grant

Conley presented this is money received for grant from last year that needs to be properly allocated in budget for this year.

Motion was made by Clapper, seconded by Smith to approve agenda item 4e. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

- f. DISCUSSION and related CONSIDERATION **Budget Amendment 2013-04** regarding revenues and expenditures for Ice Cream Festival
- Conley presented money from Festival is a new revenue due to this being the City's first year to manage the festival. Council discussed the use of festival earnings for parks projects. Young presented Parks department will decide projects for use of funds.**
- Motion was made by Clapper, seconded by Smith to approve agenda item 4f. Motion carried as follows:**
- Aye: Littleton, Smith, Clapper and Williams**
- Nay: None**
- g. APPROVAL **Ordinance 2013-18** – Anti tobacco amendment
- Anti tobacco group presented Council with information and provided details. Discussed Tuttle becoming a certified healthy community and receiving grant money.**
- Motion was made by Clapper, seconded by Littleton to approve agenda item 4g. Motion carried as follows:**
- Aye: Littleton, Smith, Clapper and Williams**
- Nay: None**
- h. DISCUSSION and related CONSIDERATION amending the reservation agreement between the City of Tuttle and the Friends of the Tuttle Public Library
- Young presented this is amended agreement for new address 305 W. Main due to selling 301 W. Main property. City will bill FOTPL for utilities.**
- Motion was made by Clapper, seconded by Smith to approve agenda item 4h. Motion carried as follows:**
- Aye: Littleton, Smith, Clapper and Williams**
- Nay: None**
5. COMMUNITY DEVELOPMENT
- a. DISCUSSION and related CONSIDERATION **Ordinance 2013-16** (PC Petition 2013-15) rezoning property located at 5715 E. Tyler Drive from A-1 to R-1B
- Young consulted attorney, Planning Commission recommended approval but property owner later requested that no action be taken until he decides if he wants rezoned.**
- Motion was made by Smith, seconded by Littleton to table agenda item 5a until the October 14 City Council Meeting. Motion carried as follows:**
- Aye: Littleton, Smith, Clapper and Williams**
- Nay: None**

6. PUBLIC SAFETY

- a. DISCUSSION and related CONSIDERATION purchase of SCBA's for Fire Department

Anthony asked the Council to take no action until all quotes are received.

Motion was made by Clapper, seconded by Littleton to take no action agenda item 6a. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

7. CEMETERY, PARKS AND RECREATION

- a. DISCUSSION and related CONSIDERATION Grasshopper lawn mower stolen from cemetery chapel garage June 26

Collier presented information regarding theft of mower. Council discussed locking the gate and other precautions to take to prevent theft.

Motion was made by Littleton, seconded by Clapper to approve agenda item 7a. Motion carried as follows:

Aye: Littleton, Smith, Clapper and Williams

Nay: None

8. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Douglas presented monthly report. \$160,000 grant received for walking trails project.

Anthony presented monthly report. EMS 3 is active but EMS 2 is in for repairs. Three new inters started program. Conducted a training burn on 80 acres.

Cluck presented monthly report. 2 officer interviews pending. No tickets were written for fireworks.

Conley presented sales tax report. Revenue down 2%.

Collier presented monthly report. TPWA completed the Battly Drive tinhorn project, continuing to mow, and working at park on tree damage.

Marble presented report of EMS billing. The cemetery board has a position to fill due to resignation of Johnny Matlock. Tuttle Housing Authority has a vacant position to fill.

- b. Councilmember Reports

Littleton attend OML meeting for new council members.

Smith commented on the great fireworks display.

NEW BUSINESS

ANNOUNCEMENTS

ADJOURNMENT

**Motion was made by Smith, seconded by Williams to adjourn the meeting at 7:42 p.m. Motion carries as follows:
Aye: Littleton, Smith, Clapper and Williams
Nay: None**

Attest:

Mayor, Bobby Williams

City Clerk

DRAFT