

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **AUGUST 12, 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, TERESA BUCK AND TODD LITTLETON

MEMBERS ABSENT: NONE

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

OTHERS PRESENT: SEAN FAIRBAIRN, BRIAN MCENTIRE, JO ANN & CARL GENTRY, ROGER JOLLEY, JIM & EDEL MINTER, RICHARD & MARSHA SHUCK, MIKE REESE, CHRIS ANGEL, MARTY & BARBARA STEPHENSON, JIM & JAN STEWART, RICH SCHWALBACH, LARRY & DEBBIE MCCALIP, ANITA & JULIAN RAMIREZ, BRYAN POTTS, EARL DEVORE, CAMDEN COBLE, CHUCK MORRISON, MEL & JOYCE CAPUTO, CARL & REITA STONEBARGER, LYLA PHELPS, MIKE BRUM, LINDA CODY, ROBERT HARMON, AREITTA CARTER, KITTY ALLER, JO BAZHAW, JANE BRYANT, SUSAN THOMPSON, DENNIS LEHMAN, APRIL MORRISON, CHRISTY MCKINLEY, GLORIA JESSUP, GERRI BOYD, PATRICIA BLACK, WILLIAM INGRAM, TOM J. MCKINLEY, LISA & DAMON HEINRICH, DANNY & LISA SELF, AND OTHERS THAT DID NOT SIGN IN

**CALL TO ORDER** Mayor Bobby Williams called the meeting to order at 6:01 p.m.

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

**PLEDGE OF ALLEGIANCE** Bobby Williams led the pledge

**INVOCATION** Todd Littleton 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.)

- a. **Richard Shuck presented information in regard to his property and business plans at 4006 E. Highway 37.**
- b. **Mel Carpenter and Reita Stonebarger declined to speak. The item they want to address is on the agenda.**
- c. **Brian McIntire presented his concerns regarding the lack of care and maintenance at Fairview Cemetery over the past six years. He presented his disgust and shame of the cemetery and that it is a disgrace to the city.**

**Mayor Williams presented the council is aware of the ongoing problem; it is on the agenda for discussion and it will be addressed during the meeting.**

**McIntire presented ideas for improvement; such as a full time care taker, water line, paving and locking gates. His frustration is with lack of improvements that have been approved by the council but the City has not taken action. He wants someone to be held accountable.**

**2. STREETS**

- a. DISCUSSION and related CONSIDERATION of Silver Ridge and River Ridge drainage issues**

**Jeff Cowan presented packet of information to council members and discussed the options for storm water drainage plan for the two additions and surrounding properties. He requested a core group of residents be selected to make decisions for the additions.**

**David Perryman presented the City did not have drainage requirements in the past when these developments were platted. Perryman asked if this plan with detention ponds will take care of this development and other surrounding property that could be developed. Perryman will review previous records for each addition.**

**Cowan presented this is a comprehensive plan for these two additions.**

**Clapper questioned if the neighborhoods have homeowner associations.**

**Mayor Williams presented the complexity of the problems and many decisions to be made need the involvement of the entire community and the City Council. Williams would like to table this item and call a special meeting to make decisions. Mary Smith presented the neighborhoods and private property owners should appoint representatives that can make decisions on the behalf of the community.**

**Perryman suggested using the website to notify homeowners of the special meeting.**

**Motion was made by Williams, seconded by Clapper to table agenda item 2a for a Special Council meeting to be set at a later date. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

- b. DISCUSSION and related CONSIDERATION of entry median to Silver Ridge addition**

**Young presented the information about cutting down the trees in the median. Buck presented the majority of neighbors agreed to remove the median. They also want the light poles moved and the sides of the road repaired. Collier presented his estimate of \$3200 for removal of median. Clapper wants a petition of signatures that the majority want this work done before the City proceeds. The City will organize a petition and send to property owners. Perryman presented his agreement to a petition.**

**Motion was made by Clapper, seconded by Littleton to authorize the City Manager and staff to prepare a petition for support or opposition of removing the median. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

- c. DISCUSSION and related CONSIDERATION of area of Silver City Ridge Road for possible widening of street or relocating a mailbox for traffic safety reasons

**Young presented location of mailbox and that it is private property but the City has authority to regulate the location. Clapper discussed the location and presented who the owner is. Possibly mailbox was not moved when street was widened. Williams inquired about notifying owner. Buck replied she spoke to owner last week and he did not want to relocate the mailbox.**

**Motion was made by Williams, seconded by Smith to approve Item 2c and notify the owner about relocating the mailbox. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

- d. DISCUSSION and related CONSIDERATION of repair of sink holes/pot holes in Silver City Ridge addition and River Ridge addition

**Young presented these impressions with spidering and cracks are happening in all neighborhoods developed since the year 2000 and the City does not have the resources to make repairs. Council members discussed sink holes and potholes and making repairs using a contractor or buying equipment. Clapper counted 200 potholes that have been repaired on Mockingbird. Collier has been pricing crack repair equipment. Williams made motion to get bids to purchase equipment.**

**Motion was made by Williams, seconded by Clapper to approve Item 2d authorizing city to obtain quotes for purchasing equipment and present at the next meeting. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

#### CONTINUATION OF HEARING OF CITIZENS OR DELEGATES

- a. **Mel Carpenter spoke regarding flooding on his property located on Stardust Lane. There is more runoff coming from the south than in previous years. Drainage ditch on Excalibur needs to be dredged and cleaned.**

#### 3. 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 Councilmembers, that item will be removed from the consent docket and considered in regular order)

- a. APPROVAL minutes for City Council meeting July 8, 2013

- b. ACKNOWLEDGMENT receipt of payroll and claims for July 2013
- c. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for July 2013
- d. CONSIDERATION **Resolution #2013-16** accepting the Recreational Trails Program grant award of \$160,000 through Oklahoma Tourism & Recreation Department
- e. CONSIDERATION contract with AT&T for 3 years in exchange for lowered per-line costs for analog telephone lines used for City operations.
- f. CONSIDERATION direction to request proposals for purchase & installation of generators & related equipment at City Hall & Public Safety building.
- g. CONSIDERATION renewal of annual contract with CodeRED to provide emergency notification services.

**Motion was made by Williams, seconded by Smith to adopt the consent agenda items 3a, b, c, d, e and g. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

4. CONSIDERATION of Items Removed from Consent Docket

- f. CONSIDERATION direction to request proposals for purchase & installation of generators & related equipment at City Hall & Public Safety building.

**Clapper inquired what will happen to old generators. Douglas presented older generators will be used in places that currently do not have generators (Station 2 and Cimarron repeater hut).**

**Motion was made by Clapper, seconded by Littleton to adopt the consent agenda item 3f. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

5. GENERAL GOVERNMENT

- a. ACCEPTANCE of audit by Angel, Johnston & Blasingame, P.C. for Fiscal Year 2012

**Chris Angel presented explanation of audit and recommendations for City Staff.**

- b. DISCUSSION and related CONSIDERATION to open salary negotiations with Tuttle Fraternal Order of Police Lodge #197

**Officer Graham presented a formal request to open contract negotiations with the City for current contract ending December 2014. Perryman presented the item will be discussed in Executive session and this is a formal request to renegotiation the current contract.**

**No action required for this item.**

- c. DISCUSSION and related CONSIDERATION regarding compensation for City employees (tabled from July 8, 2013 meeting)

Young presented City Staff are compiling data to present to the council in mid-September.

**Motion was made by Williams, seconded by Smith to table agenda item 5c. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

- d. DISCUSSION and related CONSIDERATION of current spending limit for City Manager (tabled from July 8, 2013 meeting)

**Buck presented limit is too high and requests knowledge of what is being spent. Perryman presented limit is set by ordinance and can be changed. Clapper asked Buck if it is the dollar amount or the not knowing what is being spent and she replied it is the not knowing. Council requested a weekly report. Young presented the weekly claims will be posted on the City web page.**

**Motion was made by Clapper, seconded by Smith to approve agenda item 5d. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

- e. DISCUSSION and related CONSIDERATION **Budget Amendment 2013-05** regarding Fire Management Assistance Grant revenues

**Conley presented explanation of amendment. Anthony presented it is reimbursement for task force.**

**Motion was made by Smith, seconded by Clapper to approve agenda item 5e & 5f. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

- f. DISCUSSION and related CONSIDERATION **Budget Amendment 2013-06** regarding Fire Grant revenues and expenditures

**Douglas presented Item f is separate amendment for money received from FEMA that was accepted at an earlier meeting and this amendment makes the money available.**

**Motion was made by Smith, seconded by Clapper to approve agenda item 5f. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

- g. DISCUSSION of Appointment of Board Position for Cemetery Advisory Committee Board Member for Tuttle Housing Authority

**Clapper asked for community involvement to fill the positions.**

**Motion was made by Williams, seconded by Smith to table agenda item 5g. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

6. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION **Ordinance 2013-19** regarding the request of Gloria Jessup to have property at 115 N. Mustang Road rezoned from C-2 to C-5

**Motion was made by Williams, seconded by Clapper to approve agenda item 6a. Motion carried as follows:**

**Aye: Buck, Littleton, Smith, Clapper and Williams**

**Nay: None**

- b. DISCUSSION and CONSIDERATION **Resolution 2013-15** regarding the request of Willbros for a Use on Review to operate an Oil Field Services/Pipeline Construction business at 115 N Mustang Rd

**Clapper asked if any oil would be stored on site. Young presented oil field trucks and equipment only.**

**Motion was made by Clapper, seconded by Littleton to approve agenda item 6b. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

7. CEMETERY, PARKS AND RECREATION

- a. DISCUSSION and related CONSIDERATION of Road Paving, Waterline installation and general maintenance at Fairview Cemetery

**Williams presented his concern for lack of care at the Cemetery. This has to be taken care of immediately with no excuses. Clapper asked if money is available and Young said yes it is. Young presented this is a labor problem with a lack of resources to complete the projects. Williams requested we use contractors for some of the projects. Young presented inmates are now only to be used for mowing cemetery and parks. Young will be presenting possible reorganization of Public Works department. Williams said the Cemetery has to be the main priority. Jo Bazhaw told council the Co-op has MSMA chemical that works well on grass burrs. City has been following the OSU Extension guidelines for spraying this year. Clapper requested getting this sprayed, mowed and bagged immediately. Young said City will stop the baling and brush hog the overgrown property. Clapper asked for waterline bid from contractors.**

**Motion was made by Clapper, seconded by Williams to approve agenda item 7a as noted and discussed. Motion carried as follows:**

**Aye: Littleton, Smith, Clapper and Williams**

**Nay: None**

8. INFORMATION AND REPORTS

a. City Manager and Department Reports

**Anthony presented Fire and EMS Department reports**

**Cluck presented Police Department report. Two new officers hired to start after August 21, 2013.**

**Douglas presented Emergency Management report**

**Collier presented Public Works report**

**Conley presented July was the City's second best month for sales tax revenue.**

**Young presented DEQ was out inspecting the gas station in order to begin renovations and working with contractors for estimates. Cimarron Road south drainage easements are almost secured.**

b. Councilmember Reports

**Buck presented Mrs. Shipman filed a claim due to pot hole that caused vehicle damage on Silver City Rd. Mr. Jolley on Daugherty Road asked for help from City on county grading. Collier will look into both items.**

**Clapper presented a resident from Silver Ridge requested vacant lot to be mowed on Stardust Lane.**

**Smith presented what a great job the City staff and inmates did working the rodeo.**

**Motion was made by Williams, seconded by Smith to recess the City side at 8:17 P.M. and begin TPWA after 5 minute recess. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

**Resident discussed 16 years that a neighbor has not kept up on the mowing and would like the city to enforce the ordinance. Young presented 10 day notice has to go out to notify the resident.**

**Motion was made by Williams, seconded by Smith to enter into Executive Session with the City Attorney for discussion of Item 9a,b,c at 8:43 p.m. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith 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. 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 9a

- b. 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 9b
- c. Confidential communications between the City Council and a current business requesting incentives for expansion, pursuant to 25 O.S. Section 307(C)(10).
  - 1. CONSIDERATION action related to Executive Session Item 9c

**Mayor Williams reconvened the meeting at 9:37 p.m.**

**Motion was made by Smith seconded by Littleton to direct the City Attorney and City Manager to draft a proposal for consideration of incentives requested by current business.**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

**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 was taken on Item 9 a and 9 b**

**NEW BUSINESS**

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Motion was made by Williams seconded by Clapper to adjourn the meeting at 9:42 p.m. Motion carried as follows:**

**Aye: Buck, Littleton, Clapper, Smith and Williams**

**Nay: None**

Attest:

\_\_\_\_\_  
Mayor, Bobby Williams

\_\_\_\_\_  
City Clerk