

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **SEPTEMBER 9, 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, DON CLUCK, JULIUS CONLEY, SHANA MCKEE, ANDREW GRAHAM

OTHERS PRESENT: SHAWN FROST, GERALD HUFFMAN, JO BAZHAW, JEFF WILLIAMS, DENNIS LEHMAN, DANNY SELF, LYLA PHELPS, LONNIE PAXTON, RICHARD BRADSHAW, JANE BRYANT, LORINDA SIPE, KITTY ALLEN, JAMES CALHOUN, MARY SPARKS, BRIAN MCENTIRE, JEFF HARRISON, AND OTHERS THAT DID NOT SIGN IN

**CALL TO ORDER** Mayor Bobby Williams called the meeting to order at 6:05 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.)

#### **No Citizen's request to speak or introduction of guests**

#### 2. PRESENTATIONS & PROCLAMATIONS

- a. Lonnie Paxton will give an update regarding the status of the former Bank of Tuttle building at SW 3rd St and W. Main St

**Mr. Paxton presented four options for rebuilding the Bank building. He is waiting on engineer and architect for final plans in order to proceed.**

- b. Jeff Williams will give an update regarding the status of the former Williams Discount Foods building at SE 3rd St and E Main St

**Mr. Williams presented he is waiting on final decision from insurance company to proceed.**

- c. The Friends of the Tuttle Public Library will give an update regarding the status of the establishment of a volunteer library

**Ms. Lorinda Sipe presented update on progress of the volunteer library.**

- d. Recognition of Ray Collier for his 4 years as Public Works Director

**Mr. Collier was not present but recognized for his service to the City.**

- e. Proclamation from Mayor recognizing the observance of Constitution Week

**Mayor Williams proclaimed September 17-23, 2013 as Constitution Week.**

- 3. Discussion and questions regarding items on the consent docket

4. 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 minimum 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 August 12, 2013
- b. APPROVAL minutes for Special City Council meeting August 22, 2013
- c. APPROVAL minutes for Special City Council meeting August 29, 2013
- d. ACKNOWLEDGMENT receipt of payroll and claims for August 2013
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for August 2013
- f. APPROVAL of agreements between Integris and Tuttle EMS
- g. APPROVAL **Resolution #2013-17** authorizing submittal of a REAP Grant application to drill Water Well #12.
- h. APPROVAL Capital Needs Summary & Five-Year Plan for the REAP Grant application to drill Water Well #12.
- i. APPROVAL Cash Leverage towards the REAP Grant application to drill Water Well #12.
- j. APPROVAL **Resolution #2013-18** authorizing submittal of a Justice Assistance Grant - Local Law Enforcement Grant through District Attorney Council for in-car computers & radios for the Police Department.
- k. APPROVAL **Resolution #2013-19** authorizing submittal of a State-Local Assistance Grant through Oklahoma Emergency Management for supporting funds for the Emergency Management Department.
- l. APPROVAL **Resolution #2013-20** authorizing submittal of a Hospital Preparedness Program Grant through Oklahoma State Department of Health for disaster preparedness equipment for the EMS Department.
- m. APPROVAL declaring as surplus computer equipment used by the Finance Department.
- n. APPROVAL **Budget Amendment 2013-07** appropriating funds for the purchase of two police vehicles already approved by the City Council
- o. ITEM REMOVED FROM AGENDA
- p. APPROVAL **Budget Amendment 2013-08** appropriating funds for the Safe Crossings Grant

**Motion was made by Williams, seconded by Smith to adopt the consent agenda items 4a through 4p. Motion carried as follows:**

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

**Nay: None**

5. CONSIDERATION of Items Removed from Consent Docket
6. GENERAL GOVERNMENT
  - a. DISCUSSION and related CONSIDERATION regarding the creation of a pay scale and plan for City of Tuttle and Tuttle Public Works Authority employees  
**Young presented the progress of the pay scale and growth schedule, explaining the different levels. A workshop will be held at a later date to review the plan.**
  - b. DISCUSSION and APPOINTMENT to the Cemetery Advisory Committee for a term ending June 30, 2016 (tabled from August 12, 2013 meeting)  
**Mayor Williams accepted the appointment from Brian McEntire to join the Cemetery Advisory Committee.**
  - c. DISCUSSION and APPOINTMENT to the Board of Commissions for the Tuttle Housing Authority for a term ending June 30, 2016 (tabled from August 12, 2013 meeting)  
**Motion was made by Smith, seconded by Littleton to table agenda item 6c. Motion carried as follows:**  
**Aye: Buck, Littleton, Clapper, Smith and Williams**  
**Nay: None**
7. COMMUNITY DEVELOPMENT
  - a. DISCUSSION and related CONSIDERATION **Ordinance 2013-21** regarding the request of Ramona Huffman to have property at 506 N. Frisco Road rezoned from A-1 to R-1B (PC Petition 2013-21)  
**Young presented the Planning Commission's results.**  
**Motion was made by Smith, seconded by Clapper to approve agenda item 7a. Motion carried as follows:**  
**Aye: Buck, Littleton, Clapper, Smith and Williams**  
**Nay: None**
  - b. DISCUSSION and related CONSIDERATION request of Ramona Huffman to appeal the decision of the Planning Commission denying her request for a lot split at 506 N. Frisco Road (PC Petition 2013-22)  
**Purchaser of the lot presented a copy of the survey to the Council. Owner of property presented his opinion.**  
**Motion was made by Smith, seconded by Buck to table agenda item 7b. Refer back to the Planning Commission to call a special meeting for a decision. Motion carried as follows:**  
**Aye: Buck, Littleton, Clapper, Smith and Williams**  
**Nay: None**
  - c. DISCUSSION and related CONSIDERATION Discuss and Take Appropriate Action to establish the date and time of a public hearing on the question of the proposed annexation of all or part of the following described real property into the municipal limits of the City of Tuttle, Oklahoma, to-wit: Lots 19 and 20 and the

North 96.19 feet of Lot 21, all in Block 1, Cedar Springs Addition, being as subdivision of a part of the East Half of the West Half of Section 3, Township Nine North, Range Five West, I.M., Grady County, Oklahoma, to the extent that said lands are not currently located within the municipal limits of the City of Tuttle, and directing that notice of the proposed annexation be published in the Tuttle Times and that notice be mailed to all parties entitled thereto pursuant to statute.

**Mr. Frost presented why he wants to be in the City limits. City Attorney presented the notice shall be published September 19 and a Public Hearing will be conducted October 14 during the City Council meeting.**

**Motion was made by Williams, seconded by Clapper to approve agenda item 7c. Motion carried as follows:**

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

**Nay: None**

8. STREETS

- a. DISCUSSION and related CONSIDERATION regarding the entry median to the Silver Ridge Addition

**Young and Council discussed the response to the questionnaire about the median. Buck presented the response was in favor of leaving the median in place.**

**Motion was made by Williams, seconded by Clapper to approve agenda item 8a in favor of the median to remain in place. Motion carried as follows:**

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION Approval of a Resolution No. of the Mayor and Council of the City of Tuttle, Oklahoma, determining in response to receipt of materials submitted by the City Engineer that a street improvement district for Waldon Drive should be created and instructing the City Clerk and City Engineer to give notice of a hearing on the proposed district pursuant to 11 O.S. Section 39-106(F) and that said notice shall comply with the provisions of 11 O.S. Section 39-107

**City Attorney presented the residents shall be notified in writing of a hearing to create a street improvement district.**

**Motion was made by Clapper, seconded by Smith to table agenda item 8b. Motion carried as follows:**

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

**Nay: None**

- c. DISCUSSION regarding condition of roads and planning for capital road projects

**Young presented a plan needs to be implemented to provide improvements to the streets. Young presented training is available and will be utilized for pothole patching and street repair for public works employees.**

**Council members asked for a prioritized list of street projects starting with the worst. City staff will begin the list.**

9. CEMETERY, PARKS AND RECREATION

- a. DISCUSSION and related CONSIDERATION awarding contract to construct a new water line at Fairview Cemetery

**Conley presented the water bid information to the council. Ron Williams Plumbing had the lowest bid in the amount of \$7,975 (later lowered to \$7,025 by contractor).**

**Motion was made by Clapper, seconded by Littleton to approve agenda item 9a instructing staff to present a Notice to Proceed to Ron Williams Plumbing. Motion carried as follows:**

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

**Nay: None**

**Mr. McEntire asked if the roads will be cut and how long it will take to repair. Conley presented scope of project and paving bids are being accepted. Young presented Public Works Director has resigned and the City is currently seeking a replacement, which may cause a further slow down of progress.**

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

**Young presented Cemetery Board met last week to approve the waterline project. Clapper asked for a Notice to Proceed be sent tomorrow to Ron Williams Plumbing. Young reported grass maintenance improving as reported by City official and staff member attending funerals last week.**

**McEntire asked about condition of current streets and how to address the washed out areas. Williams asked for pictures to be provided for further discussion.**

10. INFORMATION AND REPORTS

- a. City Manager and Department Reports

**Chief Cluck presented his monthly report. The department needs to hire two dispatchers and one officer. Officer Lanier and canine made two arrests.**

**Chief Anthony presented his monthly report. All interns in program have medical certification. The department has four openings. Three EMS units are running which allows for maintenance of units if required.**

- b. Councilmember Reports

**No reports**

**Motion was made by Smith, seconded by Clapper to recess the City side at 7:25 P.M. and begin TPWA after 5 minute recess. Motion carried as follows:**

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

**Nay: None**

11. 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)

**Motion was made by Williams, seconded by Smith to enter into Executive Session with the City Attorney at 8:02 p.m. Motion carried as follows:**

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

**Nay: None**

- 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 11a
- 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 11b
- 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 11c

**Mayor Williams reconvened the meeting at 8:24 p.m.**

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

**No action was taken**

**NEW BUSINESS**

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Motion was made by Smith seconded by Clapper to adjourn the meeting at 8:25 p.m. Motion carried as follows:**

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

**Nay: None**

Attest:

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Mayor, Bobby Williams

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City Clerk