

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JANUARY 13, 2014 at 6:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: NOMNE

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, BRUCE  
ANTHONY, DON CLUCK, SEAN DOUGLAS, JULIUS CONLEY,  
ANDREW GRAHAM JEFF ALTHOFF AND MARCIE BEHRENS

OTHERS PRESENT: VICTOR MCALISTER, GERALD KUHLMAN, WINDLE HARDY,  
LES MCDERMOTT, JEFF HARRISON, AND OTHERS THAT  
DID NOT SIGN IN

**CALL TO ORDER** Mayor Bobby Williams called the meeting to order at 6:02 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.)

**Gerald Kuhlman presented his wish not to be forced to have trash service. Mayor Williams acknowledged his request and told him it is required of all residents in Tuttle City limits. He said someone will contact him regarding his request in the next few days.**

#### 2. PRESENTATIONS, PROCLAMATIONS & RECOGNITION

a. DISCUSSION with Grady County Commissioner Windle Hardy regarding a possible election to establish a countywide sales tax to fund fire departments in Grady County

**Windle discussed the possible fire tax that will be on the June ballot. He discussed how the funds will be allocated. Young asked the council what their stance is on the matter and they would like more information in order to make a decision.**

#### 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 December 9, 2013
- b. ACKNOWLEDGMENT receipt of payroll and claims for December 2013

- c. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for December 2013
- d. APPROVAL agreement with Crawford & Associates, P.C. to provide financial services for 2014
- e. APPROVAL Reimbursement agreement between the City and County Commissioners for work on Waldon Dr
- f. APPROVAL Project agreement with the Oklahoma Department of Transportation for the reconstruction of S Cimarron Rd
- g. APPROVAL **Resolution 2014-02** approving agreement with the Oklahoma Department of Transportation for the reconstruction of S Cimarron Rd
- h. APPROVAL Project agreement with the Oklahoma Department of Transportation for school zone safety improvements on S Cimarron Rd
- i. APPROVAL **Resolution 2014-03** approving agreement with the Oklahoma Department of Transportation for school zone safety improvements on S Cimarron Rd
- j. APPROVAL to issue payment of \$357,972 to the Oklahoma Department of Transportation for the City's local share for the reconstruction of S Cimarron Rd and school safety improvements
- k. APPROVAL contract 15836 SEECBG 09 with Oklahoma Department of Commerce to receive \$28,902.54 with a match of \$7,225.64 under Energy Efficiency & Conservation Block Grant (EECBG) program for energy-efficient retrofits to City property located at 305 W Main Street
- l. APPROVAL contract with Oklahoma Emergency Management to receive \$10,000 matched by FY2014 Emergency Management budget allocation under Emergency Management Performance Grant/State-Local Assistance (EMPG/SLA) program for emergency management operations
- m. APPROVAL authorizing purchase of two new police vehicles (1) 2013 Chevrolet Tahoe Police Package and (1) Chevrolet Caprice Police Package Vehicles in an amount not to exceed \$80,000.00.
- n. ACCEPTANCE of Resignation from the Parks and Recreation Board of Travis Schafer for Position 2

**Motion was made by Williams, seconded by Clapper to adopt the consent agenda items 4a through n except for e. 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 regarding the City's retirement plan for city employees

**Conley presented the City would like to request proposals or bids for the retirement plan in order to better serve the employees. No action required.**

- 4e. APPROVAL Reimbursement agreement between the City and County Commissioners for work on Waldon Dr

**Perryman explained the reimbursement agreement, but more information is required to complete the contract. This item was tabled.**

**Littleton excused himself from the meeting.**

7. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION adoption of **Ordinance 2014-02** amending the Code of Ordinances updating language pertaining to codes adopted by reference

**Young is working on codification. This ordinance updates codes requiring only 1 copy of books to be kept.**

**Motion was made by Williams, seconded by Buck to approve Item 7a.  
Motion carried as follows:**

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION adoption of **Ordinance 2014-03** repealing conflicting regulations for flood prone areas

**Section of Ordinance was not deleted, this deletes the conflicting information.**

**Motion was made by Williams, seconded by Smith to approve Item 7b.  
Motion carried as follows:**

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

**Nay: None**

- c. DISCUSSION and related CONSIDERATION **Resolution 2014-01** updating fees for the Community Development Department

**Young suggested discussing later in the meeting after street ordinances.**

**Motion was made by Williams, seconded by Clapper to table Item 7c until later in the meeting. Motion carried as follows:**

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

**Nay: None**

- d. DISCUSSION and related CONSIDERATION regarding a roofing licensing ordinance

**Clapper presented this provides protection for citizens. Perryman presented discussing and bring back ideas for fee schedule next month. Young discussed City's permitting procedures. Motion was made by Williams, seconded by Clapper to table Item 7d. Motion carried as follows:**

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

**Nay: None**

- e. DISCUSSION and related CONSIDERATION adoption of **Ordinance 2014-06** amending the Subdivision Regulations Regarding Variances

**Young presented variances have been submitted to the planning commission. Deer Ridge Run streets do not meet the strength test and Prairie Hills does not want curb and gutters since it does not match existing. Fee schedule for publication and mailing will be changed.**

**Motion was made by Williams, seconded by Clapper to approve Item 7e. Motion carried as follows:**

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

**Nay: None**

**There was a scrivener's error on the Ordinance number that was included in the Council packet but the number is correct (2014-06) on the agenda and the copies to be signed by the Mayor.**

- f. DISCUSSION and related CONSIDERATION **PC Petition 2014-05** request of Gridiron Towers, LLC to construct a wireless communications facility at 12 S. Morgan Road

**McAlister presented a 190 foot tower to be constructed. Young presented the City has no regulations for towers. Smith presented the City needs an ordinance for communications towers. Perryman presented no notice to residents is required for construction. Young presented slat fence will be used and question was raised about landscaping. Buck presented the planning commission approve this. She thought it would be important to make it look more appealing. Clapper concerned concrete does not meet the City Codes. McAlister said they will meet all City codes as required and are willing to make changes.**

**Motion was made by Smith, seconded by Williams to approve Item 7f meeting the city codes and with the understanding of additional requirements as noted in the Planning meeting minutes. Motion carried as follows:**

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

**Nay: None**

8. UTILITIES

- a. DISCUSSION and related CONSIDERATION adoption of **Ordinance 2014-04** prohibiting interference with the natural gas system

**Young presented this item is needed for code enforcement to write citations. Motion was made by Williams, seconded by Clapper to approve Item 8a. Motion carried as follows:**

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

**Nay: None**

9. STREETS

- a. DISCUSSION and related CONSIDERATION adoption of **Ordinance 2014-01** amending the regulations for streets and other public spaces

**Young presented curb cutting requirements were not in the correct section. Update three other sections, residents sidewalk maintenance, concrete trucks stop spilling on street, connecting driveway to street resident must maintain.**

**Motion was made by Williams, seconded by Clapper to approve Item 9a.  
Motion carried as follows:**

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

**Nay: None**

- b. DISCUSSION regarding crack sealing city streets

**Young and Anthony presented crack sealing machine test was completed. Anthony recommended a lease. The cost is \$5000 a week to rent or \$50,000 approximately to purchase.**

- c. DISCUSSION and related CONSIDERATION Consider acknowledgment of property owners' unanimous Consent and Waiver regarding Waldon Drive

**Perryman presented this document will be the dollar amount the property owners will pay. Young and Hardy need to discuss and finalize the costs. Need this document signed by all property owners before assessment ordinance can be approved. No action taken.**

- d. DISCUSSION and related CONSIDERATION Consider Assessment Ordinance for Waldon Drive Improvement District

**No action taken.**

10. INFORMATION AND REPORTS

- a. City Manager and Department Reports

**Young presented Cimarron Road project is moving forward. ODOT will overlay highway 4 this summer. Tree limb collection was a success. Codification will be reviewed and ready for approval next month.**

**Althoff presented gas report and audit compliance report.**

**Anthony presented EMS have new tablets. EMS 3 is being repaired. City is in high fire danger. Driveway behind Station 1 has been poured.**

**Cluck presented one officer in the academy, one waiting and need to hire one. PD is running animal control calls.**

**Douglas presented the REAP grant was turned down. CDBG 4<sup>th</sup> street sewer has been approved as well as the library retrofit. The second round of storm shelter rebates is now open. New website is [emttuttle.com](http://emttuttle.com)**

**Young presented Public Works director interviews are taking place.**

**Perryman presented the Timmons judgement is pending appeal.**

- 7c. DISCUSSION and related CONSIDERATION **Resolution 2014-01** updating fees for the Community Development Department

**Motion was made by Smith, seconded by Buck to adopt agenda item 7c.  
Motion carried as follows:**

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

**Nay: None**

- b. Councilmember Reports

**Buck presented her request to review the councilmember and mayor pay raise. Perryman will look at other cities and provide information. This can only go into affect after the next election or other date can be set.**

**Buck presented the council members should set a meeting to go over their objectives and goals. Perryman will look at setting up a time and place.**

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)

- 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

**No Executive Session required**

**NEW BUSINESS**

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Motion was made by Williams, seconded by Smith to adjourn the City side at 7:45 P.M. and begin TPWA agenda after a five minute break.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

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Mayor, Bobby Williams

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City Clerk