

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **MAY 12, 2014 at 6:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: T.J. CHESTER, MARY SMITH, TODD LITTLETON AND TERESA BUCK

MEMBERS ABSENT: BILLY CLAPPER

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, BRUCE ANTHONY, DON CLUCK, SEAN DOUGLAS, JULIUS CONLEY, AARON SLATTERY, JEFF ALTHOFF, MARCIE BEHRENS, NATASHA SAPP, BECKY WRIGHT, MARK PLUMLEE, TERRY BROWN AND ANDREW GRAHAM

OTHERS PRESENT: TREY HUNTER, RHONDA CHESTER, DEANNA HARDESTY, DENNIS LEHMAN, KRISTU ROSE, LORETTA PLUMLEE, BECKY ARTERBERRY, LINDA CODY, BILLY JOSLIN, LYN PITTENRIDGE, ELBERTA JONES, EUGENE CORLEY, JANICE CORLEY AND OTHERS THAT DID NOT SIGN IN

SWEARING IN OF NEW MAYOR AND WARD 3 CITY COUNCIL MEMBER Honorable Judge Steve Hendrickson read the oath of office as Mr. Chester raised his right hand and repeated the oath for the official swearing in process for the position of Mayor.

Honorable Judge Steve Hendrickson read the oath of office as Mr. Littleton raised his right hand and repeated the oath for the official swearing in process for the Ward 3 Council position.

CALL TO ORDER Mayor Tommy Joe Chester called the meeting to order at 6:08 p.m.

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

PLEDGE OF ALLEGIANCE Mayor Chester led the pledge

INVOCATION Todd Littleton gave the invocation

ELECTION OF VICE-MAYOR

Nomination was made by Littleton, seconded by Buck to appointment Mary Smith as Vice Mayor.

Motion carried as follows:

Aye: Buck, Littleton, and Chester

Nay: None

RECESS FOR BRIEF RECEPTION Mayor Tommy Joe Chester recessed the meeting at 6:12 p.m.

CALL TO ORDER Mayor Tommy Joe Chester reconvened the meeting at 6:26 p.m.

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.)

Deanna Hardesty, property owner, spoke about the West Creek Dam. She presented information that the dam has restricted water flow and threatens the City flow of waste

water. She requested the dam to be modified or torn out. She presented Council & staff with informational letter.

2. PRESENTATIONS, PROCLAMATIONS & RECOGNITION

- 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 was not available.

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 Council members, that item will be removed from the consent docket and considered in regular order)

- a. APPROVAL minutes for City Council meeting April 14, 2014
- b. ACKNOWLEDGMENT receipt of payroll and claims for March 2014 (tabled from April meeting)
- c. ACKNOWLEDGMENT receipt of payroll and claims for April 2014
- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for April 2014
- e. APPROVAL Contract with Oklahoma Department of Tourism & Recreation for Land & Water Conservation Fund grant program award of \$141,000 toward soccer fields, parking facilities & playground equipment at the Cemetery Road Park.
- f. APPROVAL Resolution 2014-11 Application to US Department of Justice Community-Oriented Policing Services (COPS) Hiring Grant Program not-to-exceed \$250,000 for 75% of eligible costs of hiring one police officer for 4 years.
- g. APPROVAL **Budget Amendment 2014-5.3** for FMAG check in the amount of \$2806.28 for response to Meers and Ferguson fires in 2012
- h. ACCEPTANCE of roads and drainage in Hill's Whispering Lakes Phase IV (PC 2014-15)
- i. ACCEPT resignation of Jimmy Brown from Position 5 of Planning Commission, term expiring 6/30/15

Motion was made by Smith, seconded by Littleton to adopt the consent agenda items 4a,b,c,d,e,f,g,h and i. Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

5. ~~CONSIDERATION of Items Removed from Consent Docket~~

6. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION of Election of Trustees for Oklahoma Municipal Assurance Group Board of Trustees

Motion was made by Smith, seconded by Littleton to approve Item 6a selecting Burson, Cain and Polk.

Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

- b. DISCUSSION and related CONSIDERATION selection of Council Representative for Association of South Central Oklahoma Governments (ASCOG) Board and Committees
Motion was made by Littleton, seconded by Chester to approve Items 6b and 6c to appoint Smith as the representative for ASCOG & ACOG.
Motion carried as follows:
Aye: Buck, Littleton, Smith and Chester
Nay: None
- c. DISCUSSION and related CONSIDERATION selection of Council Representative for Association of Central Oklahoma Governments (ACOG) Board and Committees
Motion was made by Littleton, seconded by Chester to approve Items 6b and 6c to appoint Smith as the representative for ASCOG & ACOG.
Motion carried as follows:
Aye: Buck, Littleton, Smith and Chester
Nay: None
- d. DISCUSSION and related CONSIDERATION selection of Council Representative for Tuttle Area Chamber of Commerce (TACC) Board and Committees
Motion was made by Smith, seconded by Chester to approve Items 6d to appoint Littleton as the representative for TACC.
Motion carried as follows:
Aye: Buck, Littleton, Smith and Chester
Nay: None
- e. DISCUSSION and related CONSIDERATION appointment to Position 5 on the Planning Commission for a term expiring June 30, 2015
Young presented applications are being accepted.
Motion was made by Littleton, seconded by Smith to TABLE Items 6e until the next regular meeting.
Motion carried as follows:
Aye: Buck, Littleton, Smith and Chester
Nay: None
- f. DISCUSSION regarding Health Insurance and Retirement Plan for City Employees
Conley presented staff are reviewing retirement and health insurance. Retirement plan will continue with no change of provider but health insurance plan will be a new provider due to the increase in cost of the current plan. More information will be provided before the renewal date of July 1, 2014.

7. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION declaring structure and property at 23 N. Sara Road to be a public nuisance, structure as dilapidated, and other related action thereto
Cluck presented information on property. Young spoke with the custodian of the property last week.
Mr. Corley presented he has been a resident of Tuttle for 65 years and they are working on removing the equipment but 50 years of his relatives collecting will take a while to remove.
Perryman presented staff and council need to work out the language with benchmarks for owner to remove equipment and improve the property. A time frame needs to be set in order to calculate the removal progress.
Motion was made by Chester, seconded by Buck to TABLE Items 7a until the next regular meeting.

Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

- b. DISCUSSION and related CONSIDERATION declaring an un-permitted dam in the 800 block of Gregory Rd to be a public nuisance and dilapidated structure and other related action thereto

Young presented Mr. Griffin is out of town.

Motion was made by Littleton, seconded by Smith to TABLE Items 7b until the next regular meeting.

Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

- c. DISCUSSION and related CONSIDERATION declaring structure at 601 W. Holly to be a public nuisance and dilapidated structure, ordering the structure to be boarded and secured, and other related action thereto

Cluck attempted to call property owner who lives in California but was unable.

Motion was made by Smith, seconded by Chester to approve Item 7c ordering the structure to be boarded and secured.

Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

- d. DISCUSSION and related CONSIDERATION declaring structure and property at 217 N. Mustang Road to be a public nuisance, structure as dilapidated, and other related action thereto

Cluck presented information on the property. Mr. Pittenridge presented the home was built in 1923 and the cost of demolition will be \$6000-\$7000. He needs more time to afford this. He is willing to board the windows and secure the building within 30 days.

Motion was made by Littleton, seconded by Smith to approve Item 7d and accept property owner's commitment to secure in 30 days and work out a time table to tear down.

Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

8. PUBLIC SAFETY

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

Anthony presented his proposal request for 12 SCBA's. The grant for 24 SCBA's is still pending. Buck asked what is the minimum to get by with now? Littleton asked why these were not budgeted for? Smith asked City Manager if there is money available? Young presented lease purchase might be an option or a portion of the funds could be absorbed from other departments.

Motion was made by Littleton, seconded by Smith to approve Item 8a to purchase (4) four SCBA's and work to purchase (4) four more before August.

Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

- b. APPROVAL **Budget Amendment 2014-5.4** for purchase of SCBA's
Conley presented this will be an internal line item adjustment and no Budget Amendment is required.
Motion was made by Chester, seconded by Smith to STRIKE Item 8b.
Motion carried as follows:
Aye: Buck, Littleton, Smith and Chester
Nay: None

- c. DISCUSSION and related CONSIDERATION of **Resolution 2014-12** Application to State Department of Health Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Fund (OERSSIRF) program
Anthony presented it is an EMS oriented grant, with 30 days to submit and there is no out of pocket cost to the City.
Motion was made by Smith, seconded by Buck to approve Item 8c.
Motion carried as follows:
Aye: Buck, Littleton, Smith and Chester
Nay: None

9. PARKS AND RECREATION

- a. DISCUSSION and related CONSIDERATION request of TASA to place free advertising signs at the baseball fields (variance of Resolution 2011-34)
Billy Joslin presented information requesting businesses paying less than what is stated in the resolution. Sapp presented the Parks Board is concerned that making deals varies from what the Resolution states and where do you draw the line. Council asked for input from those requesting discounts.
Motion was made by Smith, seconded by Chester to TABLE Item 9a until the next meeting.
Motion carried as follows:
Aye: Buck, Littleton, Smith and Chester
Nay: None

10. INFORMATION AND REPORTS

- a. City Manager and Department Reports
Douglas presented his report. There were eight days of severe weather in April, discussed conferences and training he attended and update on grant projects pending.
Cluck presented his report. One officer graduated CLEET, one is in training, and one is in field training. Department is working on accreditation. The seat belt grant program starts May 19.
Anthony presented his report. His department is losing one intern and several other employees are interviewing other places. Young commented on the excellent work of the fire department after the storm last week.
Slattery presented his report. Slattery presented the 257 locates completed this month takes approximately two people one week worth of time. Asphalt repair to begin for Silver Ridge entrance and Eagle Ridge. Trash service has significantly improved over the last month. Littleton and Chester commented on how good the mowing on highway right of ways and cemetery is.
Conley presented his report. The sales tax is up 1% from last year.

Young reminded all of the Ice Cream Festival this Saturday. Cimarron Road project is scheduled to begin but the phasing plan is incorrect due to the delays. Waldon Drive work has begun.

b. Councilmember Reports

Littleton asked when and where gas services might be expanding. Slattery presented list of areas including Deer Ridge Run, Riata Ranch, Winding Creek, Grandview and Prairie Hills.

Motion was made by Littleton, seconded by Smith to recess the City side at 8:20 P.M. and begin TPWA agenda.

Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

Mayor Chester reconvened the Executive Session of City Council meeting at 8:23 p.m.

Young presented an error on Item 11a.

Motion was made by Smith, seconded by Littleton to STRIKE Item 11a from the Executive Session due to a typographical error.

Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

Motion was made by Smith, seconded by Littleton to begin the Executive Session for Items 11 b and 11c. Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

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)

a. CONSIDERATION going into Executive Session regarding negotiations between the City of Tuttle and the Fraternal Order of Police. (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1)

1. CONSIDERATION action related to Executive Session Item 11a

b. Confidential communications between the governing body and its attorney regarding pending arbitration between Steven Wylie and 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 11b

c. CONSIDERATION job performance review of the City Treasurer. (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1)

1. CONSIDERATION action related to Executive Session Item 11c

David Perryman announced for the record that no other items were discussed in the meeting except for what was stated on the agenda and no action was taken. Perryman stated his opinion for the record of the status of Julius Conley, the Interim deputy treasurer; with regard to increasing the bank collateral securing city deposits, that he shall have no personal liability. He also suggested that he not decrease the pledged collateral to the bank.

Mayor Chester reconvened the meeting at 9:12 p.m.

NEW BUSINESS

ANNOUNCEMENTS

ADJOURNMENT

Motion was made by Littleton, seconded by Buck to adjourn the City Council meeting at 9:14 p.m. Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: None

Attest:

Wendy Marble, City Clerk

Mayor, Tommy Joe Chester