

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JULY 14, 2014 at 6:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: NONE

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, BRUCE ANTHONY, DON CLUCK, SEAN DOUGLAS, JULIUS CONLEY, AARON SLATTERY, JEFF ALTHOFF AND JEFF COWAN

OTHERS PRESENT: EMERY DYE, DENNIS LEHMAN, BILL BOYD SR., MRS. BOYD, JAYSON KNIGHT AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Mayor Chester 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 Boy Scout Broady Hetzel 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.)

2. PRESENTATIONS, PROCLAMATIONS & RECOGNITION

- a. Recognition of Retirement of Captain Bill Boyd, Sr. of the Tuttle Police Department for 23 years of service

Captain Boyd was presented with a plaque and congratulated by members of the Police Department and City Council.

- b. Presentation of Level One Certification for Tuttle Police Department

Phil Cotton from Oklahoma Association of Chiefs of Police presented information regarding the Certification. Phil Spearman of the Norman Police Department presented the certification award to Chief Cluck, Sergeant Graham and Captain Boyd. Mayor and Council, Cotton, Spearman and Jim McCullough of OMAG congratulated the department for accomplishing the certification. Less than 20 departments in the state have received this certification.

3. Discussion and questions regarding items on the consent docket

Smith requested Item e, g, and I for discussion.

She confirmed the selection of Don Elkins to be a very good choice and that he is a very qualified to serve on the Parks Board.

Item g what portion of Waldon will be renamed? North South portion

Item l what was the previous jail rate? Cluck presented the rate was \$57.

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 June 9, 2014
- b. APPROVAL minutes for Special City Council meeting June 30, 2014
- c. ACKNOWLEDGMENT receipt of payroll and claims for June 2014
- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for June 2014
- e. APPROVAL appointment of Don Elkins to Position 2 on the Parks and Recreation Board for a term ending June 30, 2019
- f. APPROVAL of Northern District 2014 EMS Provider Agreement with Grady Emergency Medical Services District for fiscal year 2014-15
- g. APPROVAL renaming the north-south portion of Waldon Dr from E. Tyler to ½ mile south to Hites Dr
- h. APPROVAL **Resolution 2014-15** establishing the 911 emergency telephone fee rates for calendar year 2015
- i. APPROVAL surplus of Police Department equipment to include (3) bullet proof vests to Armor of God project and (7) laptop computers and (2) in car Video systems
- j. APPROVAL Memorandum of Understanding between Tuttle Emergency Management, the City of Tulsa & the Oklahoma Department of Public Safety for access to the Oklahoma Wireless Information Network (OKWIN)
- k. ACCEPTANCE Award of \$152,298 Assistance to Firefighters Grant (AFG) funds from FEMA for the purchase of self-contained breathing apparatus, refilling station, and radio pagers for the Fire Department
- l. APPROVAL amendment to Jail Service Contract with Grady County Criminal Justice Authority
- m. TABLE of vote to terminate existing reservation agreement with the Silver City Tractor Club for use of facilities at Schrock Park (Item is tabled to the August 11, 2014 Council Meeting)
- n. TABLE of vote to terminate existing reservation agreement with the TASA for use of facilities at Schrock Park (Item is tabled to the August 11, 2014 Council Meeting)
- o. TABLE of vote to terminate existing reservation agreement with the Tuttle Round Up Club for use of facilities at Schrock Park (Item is tabled to the August 11, 2014 Council Meeting)

Motion was made by Smith, seconded by Chester to approve Consent Docket

Items a,b,c,d,e,f,g,h,i,j,k,l,m,n and o. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

5. CONSIDERATION of Items Removed from Consent Docket

6. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION **Resolution 2014-16** amending employee hand book regarding vacation/annual leave benefits

Conley presented information regarding the changes to the employee benefits.

Motion was made by Smith, seconded by Littleton to approve Item 6a amending the employee benefits. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- b. DISCUSSION and related CONSIDERATION request of the City Council to the Oklahoma Municipal League to support legislation requesting an amendment to Article 10 Section 9 of the Oklahoma Constitution (**Resolution 2014-17**)

Young presented Smith and Littleton requested support of OML for this legislation. Smith and Littleton shared their views on the subject.

Motion was made by Smith, seconded by Littleton to approve Item 6b. Motion carried as follows:

Aye: Buck, Littleton, Smith and Chester

Nay: Clapper

- c. DISCUSSION and related CONSIDERATION request of the City Council to the Oklahoma Municipal League to support legislation to amend 69 OS 901 requiring the Oklahoma Transportation Commission to participate in the maintenance of drainage systems and facilities along state or federal highways within municipalities (**Resolution 2014-18**)

Young presented information of damage to State highways by the state; that they are not responsible for and the City has to repair.

Motion was made by Clapper, seconded by Smith to approve Item 6c. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

7. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION regarding PC-2014-04 request of Richard Shuck for a Use-on-Review/Specific Use Permit to operate a Roofing Contracting business at 4006 E SH-37 from C-1 to C-5

Request to place Zoning Ordinance SUP on August agenda.

Motion was made by Smith, seconded by Clapper to approve Item 7a. Motion carried as follows:

Aye: Buck, Littleton, Clapper, 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 (tabled from June 9, 2014 meeting)

Motion was made by Littleton, seconded by Clapper to TABLE Item 7b until the next meeting.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

8. PUBLIC SAFETY – No Business

9. STREETS – No Business

Clapper asked for report on Cimarron Rd. project. Cowan presented project is ahead of schedule and Phase I will be open for school traffic. Sidewalk project is progressing on schedule.

10. PARKS, RECREATION AND CEMETERY

a. DISCUSSION and related CONSIDERATION **Resolution 2014-14** establishing and amending Fairview Cemetery fees

Brian McEntire presented Cemetery Advisory Committees recommendation of fees. The committee decision was made out of financial necessity to maintain the cemetery.

Conley presented budget information.

Motion was made by Littleton, seconded by Chester to approve Item 10a as submitted. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

b. DISCUSSION and related CONSIDERATION **Ordinance 2014-16** amending the Code of Ordinances updating the authorization for the establishment of fees for Fairview Cemetery

Motion was made by Smith, seconded by Clapper to approve Item 10b as submitted. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Smith, seconded by Littleton to approve Emergency Clause for Item 10b. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

c. DISCUSSION and related CONSIDERATION regarding the development of User Agreements for Tuttle Parks

Young asked for any discussion of the agreements.

Smith abstained and presented her view as a member of the Round up Club

Perryman explained legal aspect of contracts and insurance.

Chester presented all 3 organizations are welcome and wanted at the park. The council is eager to work out agreements to benefit all involved.

11. INFORMATION AND REPORTS

a. City Manager and Department Reports

Anthony presented his report. He discussed the SCBA grant award and the 522 grant for new ambulance. He reported the score was not high enough to receive the health department grant.

Cluck presented his report. Department promoted Animal Control Officer to Police Officer and promoted part time dispatcher to ACO position.

Douglas presented his report. He reported on AFG grant award.

Slattery presented his report and added a new water consumption report. The gas system items to improve at the request of the Corporation Commission are complete. Both cemeteries have been sprayed. Update on street progress.

Conley presented the sales tax is up 3.7% this month.

Young presented after meeting with county commissioner, they are no longer able to assist on non-road projects. This will have an impact on park projects.

Young presented the Tri-City chamber luncheon is this week, commented on the great job of City mowing by Joe Bridgers, and reminded all of the movie nights in the park.

b. Councilmember Reports

Buck inquired about the entrance road project in Silver Ridge and stressed the importance of doing the work correctly.

Smith presented she met with the Lumber Store and residents that reside near by and had a productive meeting.

Clapper congratulated department heads for their work.

Motion was made by Chester, seconded by Buck to recess the City side at 7:45 p.m. for a ten minute break then begin TPWA meeting.

Mayor Chester reconvened the Executive Session of City Council meeting at 8:27 p.m.

Mayor Chester resumed the meeting at 9:30 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 and no action was taken in Executive Session.

12. 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 Tort Claim of Leslie Hibern. (Proposed Executive Session pursuant to 25 O.S. Section 307 (B)(4) for confidential communications between the City Manager, the City Council and the City Attorney concerning this pending claim upon the advice of the City Attorney and if the City Council determines that public disclosure would seriously impair the ability of the City of Tuttle to process the claim or conduct an investigation. The City Council shall make such determination in open session. No action shall be taken in executive session and any action taken at the conclusion of the executive session must be taken in open session.

1. CONSIDERATION action related to Executive Session Item 12a

Motion was made by Smith, seconded by Buck to approve Item 12a for payment.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- b. CONSIDERATION of Formal Request to Negotiate received from Tuttle Lodge # 197 of the Fraternal Order of Police (Proposed Executive Session pursuant to 25 O.S. Section 307 (B)(2) to discuss negotiations between the City of Tuttle and representatives of an employee group. The City Council shall make a determination as to its intent to enter into executive session in open session. No action shall be taken in executive session and any action taken at the conclusion of the executive session must be taken in open session.
 - 1. CONSIDERATION action related to Executive Session Item 12b
- c. CONSIDERATION of Notice of Tort Claim of Cheryl and David Straka. (Proposed Executive Session pursuant to 25 O.S. Section 307 (B)(4) for confidential communications between the City Manager, the City Council and the City Attorney concerning this pending claim upon the advice of the City Attorney and if the City Council determines that public disclosure would seriously impair the ability of the City of Tuttle to process the claim or conduct an investigation. The City Council shall make such determination in open session. No action shall be taken in executive session and any action taken at the conclusion of the executive session must be taken in open session.
 - 1. CONSIDERATION action related to Executive Session Item 12c

NEW BUSINESS
ANNOUNCEMENTS
ADJOURNMENT

Motion was made by Littleton, seconded by Smith to adjourn the City Council meeting at 9:31 p.m. Motion carried as follows:
Aye: Buck, Littleton, Clapper, Smith and Chester
Nay: None

Attest:

Wendy Marble, City Clerk

Tommy Joe Chester, Mayor