

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **NOVEMBER 10, 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, DON CLUCK, SEAN DOUGLAS, JULIUS CONLEY, DENNIS WALL, BRUCE ANTHONY, AARON SLATTERY, NATASHA SAPP, WJ MORGAN AND TY GORHAM

OTHERS PRESENT: BILLY GRIFFIN, GLEN CAMPBELL, DAVID ALLRED, DENNIS THOMAS AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Mayor Chester called the meeting to order at 6:03 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

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

a. Recognition of Ty Gorham for completion of Fire Intern program

Gorham was presented a plaque and congratulated for completing the fire intern program

3. Discussion and questions regarding items on the consent docket

Smith pulled item h and m from consent docket for discussion

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 October 13, 2014
- b. APPROVAL minutes for Special City Council meeting October 20, 2014
- c. APPROVAL minutes for Special City Council meeting October 27, 2014
- d. ACKNOWLEDGMENT receipt of payroll for September 2014
- e. ACKNOWLEDGMENT receipt of payroll and claims for October 2014

- f. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for October 2014
- g. APPROVAL Budget Amendment 2014-11.1 Fire Operational Grant
- h. APPROVAL Resolution 2014-__ (if necessary by resolution) closing an easement located on land owned by the City of Tuttle and Tuttle Public Works Authority located in Section 35, Township 10 North, Range 5 West, IM
- i. APPROVAL City Council meeting schedule for Calendar Year 2015
- j. DISCUSSION and related CONSIDERATION Budget Amendment 2014-11.7 Waldon Drive
- k. ACCEPTANCE of resignation from Justin Koch, serving Position 3 on the Board of Adjustment for a term expiring June 30, 2015
- l. TABLING appointment to serve Position 3 on the Board of Adjustment for a term expiring June 30, 2015
- m. APPROVAL appointment of Tom Wilson to serve position 1 on the Cemetery Advisory Committee for a term ending June 30, 2016
- n. TABLING regarding the development of User Agreements for Tuttle Parks

**Motion was made by Littleton, seconded by Smith to approve Consent Docket Items a,b,c,d,e,f,g,i,j,k,l and n. Motion carried as follows:
 Aye: Buck, Littleton, Clapper, Smith and Chester
 Nay: None**

5. CONSIDERATION of Items Removed from Consent Docket

- h. APPROVAL Resolution 2014-__ (if necessary by resolution) closing an easement located on land owned by the City of Tuttle and Tuttle Public Works Authority located in Section 35, Township 10 North, Range 5 West, IM

**Motion was made by Smith, seconded by Clapper to vacate prior easement that was incorrect and approve granting a 20 ft easement per Resolution. Motion carried as follows:
 Aye: Buck, Littleton, Clapper, Smith and Chester
 Nay: None**

- m. APPROVAL appointment of Tom Wilson to serve position 1 on the Cemetery Advisory Committee for a term ending June 30, 2016

Chester presented 3 applications were received. The council would like the Cemetery Advisory board to review these and make a recommendation before the council makes their appointment.

**Motion was made by Smith, seconded by Clapper to TABLE item 4m. Motion carried as follows:
 Aye: Buck, Littleton, Clapper, Smith and Chester
 Nay: None**

6. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION granting a public utility easement located on land owned by the City of Tuttle and Tuttle Public Works Authority located in Section 35, Township 10 North, Range 5 West, IM

Council presented in favor of granting the easement for the business as requested. Griffin presented a 20 foot easement is necessary.

Motion was made by Smith, seconded by Clapper to grant the 20 foot easement on the South edge of the property. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

7. COMMUNITY DEVELOPMENT

- a. PUBLIC HEARING, 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 (CE 2014-02)

Mayor opened Public Hearing. Pittenridge presented he does not have the financial means to tear down the structure and is asking for more time before any action is taken. He has contacted the Chickasaw Tribe's elderly assistance program to board up the structure, which they said they can do it in the next 30 days. Council asked about mowing, removing trash and abandoned vehicles. Pittenridge replied only one of the five vehicles is unused and not running. Young presented City was prepared to issue citations but will hold until after the first of the year.

Motion was made by Littleton, seconded by Smith to take no action and continue this item until the January 12, 2015 meeting. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- b. DISCUSSION and related CONSIDERATION of Ordinance 2014-20 regarding PC 2014-28 request of Matt and Denise Bodine to rezone approximately 1.1 acres located at 5017 E. SH-37, from the Convenience Commercial C-2 District to the Automotive and Commercial Recreation C-5 District

Motion was made by Smith, seconded by Clapper to approve Item 7b, granting the rezoning and adopting Ordinance 2014-20. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- c. DISCUSSION and related CONSIDERATION regarding request to install additional street lights in Chickasaw Springs Addition (request originally approved at 9/8/2014 meeting) and regarding installation of solar-powered street lights

Young presented information regarding solar powered LCD lights. Council requested pursuing cost sharing with residents.

No Action Taken

8. PUBLIC SAFETY

- a. DISCUSSION and related CONSIDERATION regarding creation of rules and regulations to allow or disallow the driving of golf carts and/or all terrain vehicles on public streets
- b. DISCUSSION and related CONSIDERATION to amend regulations regarding wrecker services and the wrecker rotation list
- c. DISCUSSION and related CONSIDERATION adoption of Ordinance 2014-21 creating a municipal juvenile court

Motion was made by Smith, seconded by Chester to TABLE items 8a, b and c. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester
Nay: None

- d. DISCUSSION and related CONSIDERATION adoption of Ordinance 2014-22 amending the leadership hierarchy for the Tuttle Fire Department

Motion was made by Littleton, seconded by Chester to TABLE item 8d. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester
Nay: None

9. PARKS AND CEMETERY

Gwendolyn Bomgardner presented questions to Council on how committee and board members are chosen. Most committees are appointed by Mayor but Cemetery committee is appointed by council. Chester asked for Cemetery members to review the three applicants and provide their recommendation to the council.

10. STREETS AND ALLEYS

- a. DISCUSSION and related CONSIDERATION selection of street improvements to submit to the Association of Central Oklahoma Governments (ACOG) for possible inclusion in the Oklahoma City Area Regional Transportation Study (OCARTS) area's Transportation Improvement Plan (TIP) for Federal Fiscal Years 2016, FFY 2017, or FFY 2018

Young presented the council needs to decide on what roads to include in the request for federal funding. Council agreed they will need to meet to make this decision.

Motion was made by Smith, seconded by Clapper to TABLE item 10a for further discussion at a special meeting on November 20th at 4:00 pm. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester
Nay: None

Clapper presented request from resident to improve pavement on SE 2nd and SE 3rd streets and drainage issue from car wash. TPWA will contact resident for further discussion.

11. BUDGET PREPARATION

- a. DISCUSSION regarding preparation of FY2015 budgets

No Action

12. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Reports included in Council packet. No discussion.

- b. Councilmember Reports

Clapper requested the need for stop signs at intersection of Williams and SW 3rd Street also bushes on corner need to be trimmed. Public Works will contact resident about bushes.

Smith congratulated Sapp on the success of the Fall Craft Fair at Schrock Park.

Buck would like to see information in the newsletter informing citizens of ongoing projects and positive information.

Motion was made by Chester, seconded by Clapper to recess the City side at 7:37 P.M. and begin TPWA agenda after a short break.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Clapper, seconded by Smith to enter into executive session with the City Attorney and City Manager at 8:02 p.m. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith, and Chester

Nay: None

13. 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 to hold an EXECUTIVE SESSION regarding the receipt of notice from the Oklahoma Public Employees Relations Board (PERB Case 2014-RC-12446) of the request of Tuttle Fire Department's firefighters to be represented for collective bargaining (Proposed Executive Session pursuant to 25 O.S. Section 307 (B)(2) to discuss received notice and begin the process of collective bargaining with the International Association of Fire Fighters, Local 5017. 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 13a

- b. CONSIDERATION of Notice of Tort Claim of AT&T. (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 13b
- c. CONSIDERATION of Notice of Tort Claim of Lavon Stone. (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 13c
- d. CONSIDERATION of adopted Resolution 2014-xx authorizing legal action against Lyndel Ray Pittenridge and Billy Edward Pittenridge in District Court for the abatement of a nuisance at 217 N. Mustang Road in Tuttle, Oklahoma. Pursuant to 25 O.S. Section 307(B)(4).
 1. CONSIDERATION action related to Executive Session Item 13d

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.

Motion was made by Chester, seconded by Smith to reconvene the City Council meeting at 8:47 p.m. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Smith, seconded by Clapper to take no action on Item 13b and refer to the City's insurance company

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Smith, seconded by Clapper to take no action on Item 13c and refer to the City's insurance company

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

NEW BUSINESS

ANNOUNCEMENTS

ADJOURNMENT

Motion was made by Smith, seconded by Littleton to adjourn the City Council meeting at 8:49 p.m. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Attest:

Wendy Marble, City Clerk

Tommy Joe Chester, Mayor