

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JANUARY 12, 2015 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, JEFF COWAN, WENDY MARBLE, DON CLUCK, SEAN DOUGLAS, JULIUS CONLEY, AARON SLATTERY, NATASHA SAPP, DENNIS WALL, WJ MORGAN, AND TERRY BROWN

OTHERS PRESENT: SANDY WILLIAMS, LES MCDERMOTT, BRENDA JOHNSON, MARIE BURDICK, SCOTT YANDELL, AARON MCLEROY, JAYSON KNIGHT, NASH TABOR AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Mayor Chester called the meeting to order at 6:01 p.m.

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

PLEDGE OF ALLEGIANCE Nash Tabor 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.)

Lonnie Paxton presented the reconstruction of the old bank building will begin soon. The demolition of all the wood structure will be the first step. The plan is to rebuild a two story building saving the vault and the exterior. The lower level will be offices and retail and the upper level will be a reception/event center.

2. PRESENTATIONS & PROCLAMATIONS

a. Recognition of retirement of Terry Brown for 34 years of employment

Mayor Chester presented a plaque, council and staff thanked Terry for his years of service.

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 December 8, 2014

b. APPROVAL minutes for Special City Council meeting December 17, 2014

c. ACKNOWLEDGMENT receipt of payroll and claims for December 2014

d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for December 2014

e. TABLING regarding the development of User Agreements for Tuttle Parks

- f. APPROVAL of writing off outstanding items on the bank reconciliation in December 2014 as recommended by Crawford & Associates
- g. APPROVAL purchase of new 2013 Chevrolet Impala for Police Department
- h. ACCEPTANCE of easements from Leon Osborn in Section 29, Township 10 North, Range 5 West, Grady County, Oklahoma
- i. ACCEPTANCE of easements from Tim Osborn in Section 29, Township 10 North, Range 5 West, Grady County, Oklahoma

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

- 5. CONSIDERATION of Items Removed from Consent Docket

Strike

- 6. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION regarding **Resolution 2015-02** amending the Employee Handbook adding a section addressing when criminal charges are filed against an employee (tabled from December 8, 2014 meeting)

Perryman explained charges filed do not prove guilt, that due process is required. This resolution will address just cause for termination and rehire at the discretion of the Department Head or City Manager.

**Motion was made by Clapper, seconded by Smith to approve Item 6a. Motion carried as follows:
 Aye: Buck, Littleton, Clapper, Smith and Chester
 Nay: None**

- b. DISCUSSION and related CONSIDERATION regarding **Ordinance 2015-02** updating the process for establishing the salary for the City Treasurer

Young presented this resolution address the outdated language establishing the salary.

**Motion was made by Littleton, seconded by Smith to approve Item 6b. Motion carried as follows:
 Aye: Buck, Littleton, Clapper, Smith and Chester
 Nay: None**

- c. DISCUSSION and related CONSIDERATION request of Nash Tabor to construct flag poles at Schrock Park ball fields as an Eagle Scout project

Nash Tabor presented his plan for three flag poles with lighting to be installed at the Senior Citizen's Center. He asked that the City or Senior Center provide partial funds for the project. His estimated total cost is \$3806 of which he will request half be donated by the City. His request is for the council to approve the preliminary plan so he can provide a plan with detailed information and costs at a later date.

**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**

- d. DISCUSSION and related CONSIDERATION regarding short term and long term needs and community planning

Young presented long and short term goals should be discussed by the council. A 5 year capital improvement plan should be developed. Council agreed to set up a special meeting to discuss and begin planning for the future. The date will be January 26, 2015 at 6:00 pm.

7. COMMUNITY DEVELOPMENT

- a. 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) (tabled from November 10, 2014 meeting)

Mr. Pittenridge declared that he is still waiting on the Chickasaw Nation to help with the cleanup, but they have not been available.

Young reminded the Council that this discussion is dealing with the dilapidated building only and not the trash and debris on the property.

Motion was made by Clapper, seconded by Buck to approve Item 7a declaring the structure to be a nuisance and dilapidated. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- b. 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 (tabled from December 8, 2014 meeting)

Chester presented concerns about solar lights working very well when the weather has been cloudy.

Clapper presented a formal request from the Home Owners Association should be submitted before any action is taken to make changes in neighborhoods.

Slattery explained the costs are considerable to install and maintain a light provided by OEC.

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

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- c. DISCUSSION and related CONSIDERATION appointment to serve Position 3 on the Board of Adjustment for a term expiring June 30, 2015 (tabled from December 8, 2014 meeting)

Young presented an application was received but the candidate lives outside the city limits so he is not eligible.

Motion was made by Smith, seconded by Chester to TABLE Item 7c until the next meeting. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- d. DISCUSSION and related CONSIDERATION of **Ordinance 2015-01** establishing Code Enforcement fines

Young presented the possible use of citations to enforce code violations and asked for input from the council.

Clapper asked for more details as to the period of time given after a warning is given and when the citation is issued. Buck asked for number of days for tall grass violation may need to be no longer than seven.

Wall presented more detail and guidelines can be provided.

Motion was made by Smith, seconded by Buck to TABLE Item 7d until the next meeting and directing City Manger to revise the Ordinance. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- e. DISCUSSION and related CONSIDERATION regarding **Ordinance 2015-03** PC 2015-01 request of Scott Yandell to rezone approximately 2.5 acres located at 4816 E. Tyler Dr. from the General Agricultural A-1 District to the Automotive and Commercial Recreation C-5 District

Ms. Burdick expressed her opinion that the property is used for a salvage yard and it should not be rezoned. Mr. Yandell presented he is trying to be a good neighbor but also run a business. Buck presented she would like this to go back to the Planning Commission for further discussion. Littleton presented he would like to see a compromise worked out.

- f. DISCUSSION and related CONSIDERATION regarding **Resolution 2015-01** PC 2015-02 request of Scott Yandell for a Specific Use Permit to operate a General Industrial Service (Contractors Yard) at 4816 E. Tyler Dr.

Motion was made by Littleton, seconded by Clapper to TABLE Item 7e until the next meeting and to refer Item 7f back to the Planning Commission for further discussion and revisions. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- g. DISCUSSION and related CONSIDERATION regarding **Ordinance 2015-04** PC 2015-03 request of Gary Copeland to rezone approximately 4.3 acres located at 2813 E. SH-37 from the General Agricultural A-1 District to the Automotive and Commercial Recreation C-5 District

Young presented the Planning Commission approved this rezoning.

Motion was made by Chester, seconded by Clapper to approve Item 7g as recommended by the Planning Commission. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- h. DISCUSSION and related CONSIDERATION regarding request to install street lights at 900 N. Sara Road

Motion was made by Chester, seconded by Clapper to deny the request to install street light per Item 7h. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

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 (tabled at December 8, 2014 meeting)

Perryman presented ATV can be prohibited but allow golf carts and utility vehicles to be driven on streets if that is the desire of the council. Perryman asked the council what rules they are requesting. Clapper presented he wants the Police to be able to write citations when necessary. Perryman presented the state statute

does not allow these vehicles on city streets and the Police Department can issue citations to drivers that are not following the rules.

Motion was made by Smith, seconded by Clapper to STRIKE Item 8a, making no changes to the existing rules and regulations. Motion carried as follows:

Aye: Buck, Littleton, Clapper and Smith

Nay: Chester

- b. DISCUSSION and related CONSIDERATION to amend regulations regarding wrecker services and the wrecker rotation list (tabled from December 8, 2014 meeting)

Perryman explained the State of Oklahoma Wrecker Ordinance. Council discussed if there is a need to amend.

Motion was made by Littleton, seconded by Smith to STRIKE item 8b.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- c. DISCUSSION and related CONSIDERATION adoption of **Ordinance 2015-xx** amending the leadership hierarchy for the Tuttle Fire Department (tabled from December 8, 2014 meeting)

Young presented this item is not ready for discussion.

Motion was made by Littleton, seconded by Chester to STRIKE Item 8c.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

- d. DISCUSSION and related CONSIDERATION regarding issue of school pick-up and drop off in the Castle Heights Addition (tabled from December 8, 2014 meeting)

Motion was made by Buck, seconded by Littleton to STRIKE Item 8d.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

9. PARKS AND CEMETERY

- a. DISCUSSION and related CONSIDERATION of proposal for construction of sidewalk and steps at Silver City Cemetery and award of construction contract for proposed work

Motion was made by Smith, seconded by Clapper to approve Item 9a.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

10. STREETS AND ALLEYS – No Business

11. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Cluck presented patrols have been increased and the drug dog has been used at the high school with no hits were reported.

Young presented the Corporation Commission gas audit was completed with no violations.

- b. Councilmember Reports

Smith presented the salt water disposal site will be shutting down and there will no longer be trucks damaging the roads.

Chester asked about wells at Springwood and Slattery presented all residents are on City water they may rehab some to eventually loop the systems.

Chester asked for details of grants to be added to Douglas monthly report.

Clapper asked about cable and internet. Young presented meetings are progressing with a provider.

Motion was made by Littleton, seconded by Clapper to recess the City side at 7:48 P.M. and begin TPWA agenda.

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 8:15 p.m. Motion carried as follows:

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

Nay: None

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 to conduct an EXECUTIVE SESSION regarding collective bargaining with the International Association of Firefighters Local #5017 (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 12a
 2. CONSIDERATION authorization for City Manager to contract with David Weatherford, Esq. to provide legal services regarding collective bargaining
 3. CONSIDERATION authorization for City Manager to contract with Paul Buntz to provide negotiation services for collective bargaining
- b. CONSIDERATION to conduct an EXECUTIVE SESSION regarding the annual job performance review and salary of City Treasurer (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1)). 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 adjustment to the annual salary for the City Treasurer
- c. CONSIDERATION to conduct an EXECUTIVE SESSION regarding the annual job performance review and salary of the Municipal Court Judge. Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1). 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 adjustment to the annual salary for the Municipal Court Judge
- d. CONSIDERATION to conduct an EXECUTIVE SESSION regarding the annual job performance review and salary of the City Manager. Proposed Executive Session

pursuant to 25 O.S. Section 307(B)(1). 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 amending the employment contract of the City Manager for the purposes of adjusting the annual salary

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 Clapper to reconvene the City Council meeting at 9:36 p.m. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Smith, seconded by Clapper to approve Item 12a to authorize City Manager to contract with David Weatherford and Paul Buntz.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Smith, seconded by Clapper to approve Item 12b to raise the Treasurer salary to \$1075 to begin February 1, 2015.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Smith, seconded by Clapper to approve Item 12c to raise the Municipal Judge monthly salary to \$850 to begin February 1, 2015.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Smith, seconded by Clapper to approve Item 12d to raise the City Manager salary by 5% to begin February 1, 2015.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Motion was made by Littleton, seconded by Clapper to make the salary increases effective February 1, 2015.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

NEW BUSINESS
ANNOUNCEMENTS
ADJOURNMENT

Motion was made by Smith, seconded by Clapper to adjourn the City Council Meeting at 9:43 P.M.

Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Chester

Nay: None

Attest:

Wendy Marble, City Clerk

Tommy Joe Chester, Mayor