

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **AUGUST 8, 2016 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: NONE

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, BRUCE ANTHONY, AARON SLATTERY, DENNIS WALL, SEAN DOUGLAS AND GENE PFLUGHOFT

OTHERS PRESENT: DUANE ALLEN, RON SEIKEL, JAYSON KNIGHT AND OTHERS THAT DID NOT SIGN IN

**CALL TO ORDER Mayor Chester called the meeting to order at 7:09 p.m.**

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

**PLEDGE OF ALLEGIANCE Mayor Chester led the pledge**

**INVOCATION 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 AND RECOGNITION

a. Ron Seikel presentation of First Responders Day September 30, 2016

**Mr. Seikel presented information for an annual First Responders Day in September. This will honor Police, Fire and Emergency medical personnel. This year will be September 30<sup>th</sup> at Fire Station 1. He will ask for donations and wants to form a committee to work on this. Young presented no formal action is required and the Council agreed with the project.**

3. Discussion and questions regarding items on the consent docket

**None**

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 July 11, 2016

b. APPROVAL minutes for City Council Workshop meeting July 11, 2016

c. ACKNOWLEDGMENT receipt of payroll and claims for July 2016

- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for July 2016
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for July 2016
- f. ACKNOWLEDGMENT Receipt of Notice from Pioneer Telephone Cooperative, LLC, of DTV Rate Changes – Effective July 1, 2016
- g. ACCEPTANCE of utility easements from the Bond Family at E Tyler Dr and N Mustang Rd
- h. APPROVAL Public Works Project contract between Oklahoma Department of Corrections and the City of Tuttle for Fiscal Year 2017
- i. APPROVAL Budget Amendment **BA 2016-034** making Emergency Management Performance Grant 3rd quarter disbursement available for use by the Emergency Management Department
- j. TABLE declaring structures located at 3201 Stone Dr. as dilapidated and ordering the abatement/removal of the dilapidated structures (**CE 2016-07**) **Tabled June 13, July 11, 2016**
- k. APPROVAL **Resolution 2016-25** submission of application to 2017 Emergency Management Performance Grant program

**Motion was made by Littleton, seconded by Smith to approve Consent Docket Items a,b,c,d,e,f,g,h,i,j and k. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

5. CONSIDERATION of Items Removed from Consent Docket

**Strike**

6. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION award of contract for repairs to a damaged roof at the Police Department

**Slattery presented the three companies that bid previously have no interest in bidding this again so he is asking for bids from other contractors but has not received any.**

**No Action Taken**

7. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION regarding **Ordinance 2016-21** (PC 2016-25) request of Trina Baumgartner to rezone approximately 4.2 acres located at 1 N. Cemetery Rd. from the General Agricultural A-1 District to the Automotive and Commercial Recreation C-5 District

**Motion was made by Smith, seconded by McLeroy to approve Ordinance 2016-21 to rezone property from A-1 General Agriculture to C-5 Commercial and Recreation District. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

- b. DISCUSSION, and related CONSIDERATION regarding **Ordinance 2016-23** (PC 2016-32) request of Dewayne Thompson to rezone approximately 5.7 acres located in the 1300 block of E Silver City Ridge from the General Agricultural A-1 District to the Residential Estates R-1B District

**Motion was made by McLeroy, seconded by Smith to approve Ordinance 2016-23 rezoning property fro A-1 General Agricultural to R-1B Residential Estates district.**

**Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

- c. DISCUSSION, and related CONSIDERATION regarding **Ordinance 2016-11** (PC 2016-18) request of Duane and Staci Allen to rezone approximately 2.0 acres located in the 1800 Block of N. Frisco Rd. from the General Agricultural A-1 District to the Residential Estates R-1B District

**Young presented lot has been adjusted and resolved. McLeroy asked if they are rezoning only 2 acres and Young replied yes they are.**

**Motion was made by Smith, seconded by Littleton to approve Ordinance 2016-11 rezoning property from A-1 General Agricultural to R-1B Residential Estates District. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

- d. DISCUSSION and related CONSIDERATION regarding **Ordinance 2016-22** (PC 2016-34) amending the Zoning Code to allow the Board of Adjustment to grant special exceptions from the minimum off-street parking space requirements and allow the Planning Commission to determine the minimum off-street parking requirements when they are not specified

**Young presented this is the new Dollar General site and these stores require less parking. Amending the code will give flexibility for parking requirements to be determined by the Planning Commission. Smith noted a grammar error in the Ordinance.**

**Motion was made by Smith, seconded by Chester to approve Ordinance 2016-22 amending the Zoning Code and making correction to grammatical error. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

- e. DISCUSSION and related CONSIDERATION update regarding the creation of the Tuttle 2040 Comprehensive Plan, including selection of two members of the City Council to serve on the Tuttle 2040 Steering Committee (**Tabled June 13, July 11, 2016**)

**Young presented the first meeting will be in two weeks and two members of the Council need to be selected. McLeroy and Smith volunteered.**

**Motion was made by Littleton, seconded by Chester to appoint Aaron McLeroy and Mary Smith as Council representatives. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

- f. DISCUSSION and related CONSIDERATION regarding **Ordinance 2016-24** addressing oil and gas permits, fees, and regulations, including road usage and underground facilities

**Young presented this item is not ready for consideration. No Action Taken**

- g. DISCUSSION and related CONSIDERATION regarding **Resolution 2016-26** addressing oil and gas permits, fees, and regulations, including road usage and underground facilities

**Young presented fee structure will include road use fee rather than annual permit fee, but this is not ready for consideration. No Action Taken**

8. PUBLIC SAFETY

- a. DISCUSSION and related CONSIDERATION approval of **Resolution 2016-24** authorizing submission of a Rural Economic Action Plan (REAP) grant for additional storm sirens

**Douglas presented this is the third year to submit for this grant. The City was awarded this grant last year and will need to submit again next year.**

**Motion was made by Smith, seconded by Littleton to approve Resolution 2016-24 for grant submission. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

- b. DISCUSSION and related CONSIDERATION approval of Rural Economic Action Plan (REAP) authorization form

**Motion was made by Littleton, seconded by Smith to approve Item 8b. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

- c. DISCUSSION and related CONSIDERATION approval a Rural Economic Action Plan (REAP) capital needs summary/5-year plan

**Motion was made by Smith, seconded by Littleton to approve Item 8c. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

- d. DISCUSSION and related CONSIDERATION approval of a Rural Economic Action Plan (REAP) contributing partner in-kind agreement

**Motion was made by Littleton, seconded by Smith to approve Item 8d. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

9. INFORMATION AND REPORTS

a. City Manager and Department Reports

**Douglas presented sidewalk grant was awarded in the amount of \$423,000 from Oklahoma Department of Transportation. Storm siren at Worley Creek was damaged by lightning strike and will need repair.**

**Young presented information about the Oil and Gas article published in the Journal Record.**

b. Councilmember Reports

**Smith reported the Rodeo was a great success and thanked Public Works Department for their work preparing for the event.**

**McLeroy asked when street repairs will begin. Slattery presented in late September or early October Markwell Paving will begin the repairs and should complete 12-15 sites by the end of the year.**

**Motion was made by Smith, seconded by Littleton to recess the City Council Meeting at 7:54 p.m. and begin the Tuttle Public Works Authority meeting.**

**Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

**Motion was made by McLeroy, seconded by Smith to reconvene the City Council Meeting at 8:50 p.m. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

**Motion was made by McLeroy, seconded by Smith to enter Executive Session at 8:50 p.m.**

**Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

10. 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** regarding matters pertaining to economic development, including the study of existing and contemplation of business incentive within the City of Tuttle and enticements for businesses to remain in or to locate to the City of Tuttle. (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(10) to protect the confidentiality of businesses that may be affected by said discussion and consideration. The Governing Body 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 10b

b. **CONSIDERATION** and take appropriate action regarding a potential legal claim the City of Tuttle may have against a former employee (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(4) for confidential communications between the City Council and its attorney concerning a pending claim, if the City Council, with the advice of its attorney, determines that disclosure will seriously impair the ability of the City Council to process the claim in the public interest. The Governing Body 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 10c
- c. CONSIDERATION job performance review and the potential termination and hiring of the City Treasurer. (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1))

1. CONSIDERATION action related to Executive Session Item 10c

**Motion was made by Littleton, seconded by Smith to reconvene the City Council meeting at 10:25 p.m.**

**Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

**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.**

11. MISCELLANEOUS

- a. DISCUSSION and related CONSIDERATION regarding **Budget Amendment 2016-036**

**Motion was made by McLeroy, seconded by Smith to approve Budget Amendment 2016-036. Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

**NEW BUSINESS**

**ANNOUNCEMENT**

**ADJOURNMENT**

**Motion was made by Littleton, seconded by Smith to adjourn the City Council Meeting at 10:42 p.m.**

**Motion carried as follows:**

**Aye: Buck, Littleton, McLeroy, Smith and Chester**

**Nay: None**

Attest:

\_\_\_\_\_  
Wendy Marble, City Clerk

\_\_\_\_\_  
Tommy Joe Chester, Mayor