

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **SEPTEMBER 12, 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, WJ MORGAN, SEAN DOUGLAS, GENE PFLUGHOFT AND SEAN FAIRBAIRN

OTHERS PRESENT: TOMMY FIELDER, RON SEIKEL, GRANT SCHWABE, LES MCDERMOTT, PAT COX, JAYSON KNIGHT AND OTHERS THAT DID NOT SIGN IN

**CALL TO ORDER Mayor Chester called the meeting to order at 7:08 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.**

b. Proclamation from Mayor recognizing the observance of Constitution Week

**Mayor Chester read the proclamation for Constitution Week.**

3. Discussion and questions regarding items on the consent docket

**McLeroy pulled Item m from consent docket.**

**Chester pulled Item n from 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 Councilmembers, that item will be removed from the consent docket and considered in regular order)

- a. APPROVAL minutes for City Council meeting August 8, 2016, 2016
- b. APPROVAL minutes for City Council Workshop meeting August 8, 2016
- c. APPROVAL minutes for City Council Special meeting August 29, 2016
- d. ACKNOWLEDGMENT receipt of payroll and claims for August 2016
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for August 2016
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for August 2016
- g. APPROVAL request of the Tuttle Area Chamber of Commerce for the waiving of fees for garage sales the weekend of October 14<sup>th</sup> through 16<sup>th</sup> for a Chamber-sponsored City-Wide Garage Sale
- h. APPROVAL Emergency Management Performance Grant 4th quarter 2016 report
- i. APPROVAL Budget Amendment **BA 2016-38** making Emergency Management Performance Grant 4th quarter disbursement available for use by the Emergency Management Department
- j. TABLE declaring structures located at 5810 East State Highway 37 as dilapidated and ordering the abatement/removal of the dilapidated structures (CE 2016-11) Tabled July 11, 2016 until September 12, 2016
- k. APPROVAL of agreement with Canadian Valley Technology Center to provide them planned clinical experiences with the Tuttle Emergency Medical Services Department
- l. DECLARING Engine #4 as surplus and no longer needed for municipal purposes
- m. APPROVAL to award contract to Turf Source to hydro-seed the turf areas at the Tuttle Soccer Complex for \$24,390
- n. APPROVAL to award contract to Rush Services to complete grading at the Tuttle Soccer Complex for \$12,100
- o. APPROVAL **Resolution 2016-26** authorizing municipal elections to elect Council members to Wards 3 & 4 for terms ending May 2021

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

5. CONSIDERATION of Items Removed from Consent Docket

**No Action Taken on Items 4m and 4n.**

6. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION regarding the status of the franchise agreement with Vidia Communications or Atlink Communications to provide cablevision service within the City of Tuttle

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

- b. DISCUSSION and related CONSIDERATION regarding a franchise agreement with Atlink Communications to operate within the City of Tuttle

**Perryman presented the agreement document includes franchise and tower lease and they need to be separated. No Action Taken**

7. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION 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, and August 8, 2016**

**Douglas presented the home is in the flood way and has sustained flood damage. City inspector observed black mold, floor drains inside the home and other water damage. He recommended declaring dilapidated. Schwabe presented request for one month to give his client time to review the inspector's recommendation.**

**Motion was made by Smith, seconded by Littleton to TABLE Item 7a until the October 10, 2016 meeting. Motion carried as follows:**

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION regarding **Ordinance 2016-24** (PC 2016-35) amending the Zoning Code to reduce the front yard setback in certain residential areas under certain circumstances

**Young presented older areas have closer setback regulations. Smith presented in Section 3, Paragraph 2 the word "exasperate" should be amended to "increase".**

**Motion was made by Smith, seconded by McLeroy to approve Item 7b as amended. Motion carried as follows:**

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

**Nay: None**

- c. DISCUSSION and related CONSIDERATION regarding **Ordinance 2016-25** (PC 2016-36) amending the Zoning Code to rename certain commercial zoning districts

**Young presented this change cleans up the wording of the districts and makes it more understandable.**

**Motion was made by Littleton, seconded by Smith to approve Item 7c. Motion carried as follows:**

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

**Nay: None**

- d. DISCUSSION and related CONSIDERATION update regarding the creation of the Tuttle 2040 Comprehensive Plan

**Young presented the first meeting was August 29<sup>th</sup> with Gene Pflughoft working with the group.**

8. PUBLIC SAFETY

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

**Motion was made by McLeroy, seconded by Littleton to award the contract for repairs to Guardian Construction as recommended by Public Works Director.**

**Motion carried as follows:**

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

**Nay: None**

9. STREETS & DRAINAGE

- a. DISCUSSION and related CONSIDERATION of PC 2016-38 request of Wes Sheppard to waive the stormwater engineering requirements at 4207 Stardust Lane in the Silver Ridge Addition

**Young presented developers sold these lots without disclosing the moratorium that is in place to prohibit building on the four remaining lots. Fairbairn presented the engineers perspective of the drainage problems. Buck presented she does not want to prohibit building on these remaining lots. Young presented Tommy and Teresa Fielder also bought one of the lots and will ask to waive the engineering requirements.**

**Motion was made by Smith, seconded by Littleton to waive the engineering requirement for Wes Sheppard. Motion carried as follows:**

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION authorization to purchase an asphalt roller for the Streets Department

**No Action**

- c. DISCUSSION and related CONSIDERATION authorization to purchase a dump truck for the Streets Department

**No Action**

**Motion was made by McLeroy, seconded by Littleton to recess the City Council Meeting at 8:15 p.m. and begin the Tuttle Public Works Authority meeting.**

**Motion carried as follows:**

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

**Nay: None**

**Mayor Chester reconvened the City Council Meeting at 9:49 p.m.**

10. INFORMATION AND REPORTS

- a. City Manager and Department Reports

**No Reports presented**

- b. Councilmember Reports

**No Reports presented**

**Motion was made by Smith, seconded by McLeroy to enter Executive Session at 9:50 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. 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 11a

**No Action Taken**

- 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 11b

**Motion was made by McLeroy, seconded by Buck to approve Item 11b.**

**Motion carried as follows:**

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

**Nay: None**

- c. CONSIDERATION and take appropriate action regarding a potential legal claim the City of Tuttle may have regarding drainage issues in the Silver Ridge Addition (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 11c

**No Action Taken**

d. CONSIDERATION resignation of Julius Conley as the City Treasurer 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 11d

**Motion was made by Littleton, seconded by McLeroy to accept resignation of Julius Conley. Motion carried as follows:**

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

**Nay: None**

**Motion was made by Littleton, seconded by Smith to approve hiring of Gene Pflughoft as City Treasurer. Motion carried as follows:**

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

**Nay: None**

**NEW BUSINESS**

**ANNOUNCEMENT**

**ADJOURNMENT**

**Motion was made by Buck, seconded by Littleton to adjourn the City Council Meeting at 10:29 p.m.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

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Wendy Marble, City Clerk

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Tommy Joe Chester, Mayor