

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **NOVEMBER 14, 2016** at **7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: TERESA BUCK, MARY SMITH, AARON MCLEROY AND TODD LITTLETON

MEMBERS ABSENT: TOMMY JOE CHESTER

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, AARON SLATTERY, SEAN DOUGLAS AND SEAN FAIRBAIRN

OTHERS PRESENT: RICK SMITH, GRANT SCHWABE, JASON KNIGHT AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Vice-Mayor Buck called the meeting to order at 7:05 p.m.

ROLL CALL Marble called the roll and declared a quorum present

PLEDGE OF ALLEGIANCE Vice-Mayor Buck 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. Presentation of Storm Ready certification to the City of Tuttle by the National Weather Service

Douglas introduced Rick Smith of the National Weather Service. Smith recognized the partnership with the community and noted the hard work of the EM Director. He presented a certificate and signage for Storm Ready certification.

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 Council members, that item will be removed from the consent docket and considered in regular order)

- a. APPROVAL minutes for City Council meeting October 10, 2016
- b. APPROVAL minutes for City Council Workshop meeting October 10, 2016
- c. APPROVAL minutes for City Council Special meeting October 14, 2016
- d. APPROVAL minutes for City Council meeting November 1, 2016

- e. ACKNOWLEDGMENT receipt of payroll and claims for October 2016
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for October 2016
- g. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for October 2016
- h. APPROVAL City Council meeting schedule for Calendar Year 2017
- i. APPROVAL **Resolution 2016-29** approving and adopting the amended and restated City of Tuttle 457 (b) plan and 401(a) retirement plan
- j. APPROVAL **Resolution 2015-28** adding a new section regarding employees working from home
- k. APPROVAL private drive street name "Pennington Drive"
- l. APPROVAL private drive street name "North Czech Hall Road"
- m. APPROVAL Emergency Management Performance Grant contract for Federal Fiscal Year 2017
- n. APPROVAL **Budget Amendment 2016-043** addressing lease-purchases for the Streets Department
- o. APPROVAL **Budget Amendment 2016-045** addressing the REAP grant awarded to the Emergency Management Department
- p. APPROVAL of street repairs and patches on Brisco Dr not to exceed \$17,500
- q. APPROVAL acceptance of mobile command post from Grady County Emergency Management

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

5. CONSIDERATION of Items Removed from Consent Docket

Strike

6. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION adoption of a Code of Ethics for the Tuttle City Council

Smith presented she and Buck revised the document and it has been reviewed by all Council Members.

**Motion was made by Smith, seconded by Buck to approve Item 6a. Motion carried as follows:
 Aye: Littleton, McLeroy, Smith and Buck
 Nay: None**
- b. DISCUSSION and related CONSIDERATION taking appropriate action to declare the infrastructure of the former cable service to be abandoned and ordered removed from all city right-of-ways

Young presented a resident complained about cable hanging low in backyard and resident made calls trying to find the owner to remove it. He was told by Public Service Oklahoma that it belonged to Atlink, but when he called Atlink he was told they do not own cable coax and to call the City of Tuttle. The resident requested that the owner remove the cable but does not know who owns it. Samuel Curtis presented that Atlink owns the cable and he will be happy to remedy the problem. He requested that he be contacted when questions like this arise rather than calling customer service. Young asked Slattery to forward the address to Curtis.

Smith requested striking this item.

- c. DISCUSSION and related CONSIDERATION regarding possible donation of the youth building at Tuttle Christian Church to the City of Tuttle

Young presented Pflughoft has been in contact with the church and the cost is approximately \$20,000 to move. Young presented the Tuttle Area Chamber of Commerce has minimal interest in the building. Littleton presented the Chamber is not financially able to afford the moving cost. City Council and Staff discussed options for the building.

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, 2016, July 11, 2016, August 8, 2016, September 12, 2016 and October 10, 2016**

Douglas presented request to declare dilapidated. Schwabe on behalf of the bank that owns the property requested the item be tabled again until the appraisal has been completed.

Smith asked the purpose of the appraisal. Schwabe presented that Douglas required a certified appraisal. Douglas presented that if there is 50% or greater damage to structure per the appraisal it should be declared dilapidated. He also noted renovations are unlikely to bring the structure into compliance with the flood plain code and to grant a flood plain permit would be irresponsible. Schwabe presented the goal of the owner is to be compliant. Littleton suggested waiting on the appraisal in order to have all information before making a decision. Perryman concluded that the legal requirement must be reached and asked if the property owner has any other solution. Schwabe said the owner may request that the property be removed from the flood plain by applying to FEMA. Littleton requested to recuse himself from the vote due to his brother working for the company that owns the property.

Motion was made by McLeroy, seconded by Smith to TABLE Item 7a until the January 9, 2017 meeting. Motion carried as follows:

Aye: McLeroy, Smith and Buck

Nay: Littleton

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

Young presented the meeting on November 16, 2016 will include interviewing two consulting firms.

No Action Taken

8. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Young presented Bruce Anthony is attending a 522 board meeting to hire a new medical director for the county.

Young asked Council when they would like to schedule a budget meeting, reminded them of Home for the Holidays on December 1st and the Chamber Banquet on November 15th.

- b. Councilmember Reports

Littleton asked if storm siren at Highway 4 and Tyler is working. Douglas said yes. Littleton received a question from resident about if new water meters have a cutoff and Slattery replied yes.

McLeroy asked if the new high school gym does not have a concession stand as he was told by a resident there will not be a dedicated concession stand for the booster clubs. Young presented he thought the cafeteria was designed for dual purpose.

Motion was made by McLeroy, seconded by Littleton to enter Executive Session at 8:18 p.m.

Motion carried as follows:

Aye: Littleton, McLeroy, Smith and Buck

Nay: None

9. 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 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 9a

- 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 9b

Vice-Mayor Buck reconvened the City Council Meeting at 8:38 p.m.

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.

NEW BUSINESS
ANNOUNCEMENT
ADJOURNMENT

Motion was made by Littleton, seconded by Smith to adjourn the City Council Meeting at 8:39 p.m.

Motion carried as follows:

Aye: Littleton, McLeroy, Smith and Buck

Nay: None

Attest:

Wendy Marble, City Clerk

Tommy Joe Chester, Mayor