

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **MAY 8, 2017 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: SCOTT DICKSON, TODD LITTLETON, AARON MCLEROY, MARY SMITH AND TOMMY JOE CHESTER

MEMBERS ABSENT: NONE

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, SEAN DOUGLAS, BRUCE ANTHONY, AARON SLATTERY, GENE PFLUGHOFT, JACQUELYN PORTER, STEVE HENDRICKSON AND SEAN FAIRBAIRN

OTHERS PRESENT: ROBERT POUND, KRISTI HUGHES, ELIZABETH CRIBBS, MISTY MCLEROY, JIM HILL, LORI HILL, CHRIS HILL, JAYNE DICKSON, JUDITH PAUL, JOHN PAUL, ALICE KILGORE, CARL STONEBARGER, DAVID SITTON, DEBRA JONES, JAMES ANDREWS, DAVID BRISTOL, ELBERTA JONES, BRAD TRAXLER, JUDY HOGAN, NELL HOWRY, JEANETTE HELTCEL, BILL BRAY, KEVIN KESTLER, LES MCDERMOTT, JESSICA MALONE, LESLIE WALKER, JASON KNIGHT AND OTHERS THAT DID NOT SIGN IN

### **SWEARING IN OF COUNCILMEMBERS TODD LITTLETON AND SCOTT DICKSON**

\*\*\*\*\*SHORT RECEPTION TO FOLLOW\*\*\*\*\*

Honorable Judge Steve Hendrickson read the oath of office as Scott Dickson raised his right hand and repeated the oath for the official swearing in process for Ward 4 Council position.

Honorable Judge Steve Hendrickson read the oath of office as Todd Littleton raised his right hand and repeated the oath for the official swearing in process for the Ward 3 Council position.

**CALL TO ORDER** Mayor Chester called the meeting to order at 7:05 p.m.

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

**PLEDGE OF ALLEGIANCE** Boy Scout Troop 4338 presented the flags and led the pledge of allegiance

**INVOCATION** Littleton gave the invocation

### **ORDER OF BUSINESS**

1. ELECTION of VICE MAYOR

Nomination was made by Littleton, seconded by McLeroy to appointment Mary Smith as Vice Mayor. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy, Smith and Chester

Nay: None

**Mayor Chester skipped Item 2 and 3 to begin Item 4**

2. 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.)

**Robert Pound thanked Councilmember Smith and discussed the junk cars and parking issues along Wolf Lane. He requested a privacy fence so the vehicles cannot be seen. No parking signs are in place on both sides of Wolf Lane at Highway 37.**

3. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

**Strike**

4. DISCUSSION and related CONSIDERATION regarding possible amendments to the Wireless Internet Service Franchise Agreement for @link Services, LLC

**Chester asked for Sam Curtis to approach and address the council. Curtis presented he has submitted an amendment to enable @Link to provide fiber to home unrestricted. McLeroy presented this is an amendment to the Memo of Understanding which gave permission to serve 9 existing businesses. Curtis presented this amends existing agreement to allow fiber. Smith presented the City requested a separate agreement for fiber. Curtis presented the simple way would be to amend the current wireless agreement. Smith noted the City is willing to work out a franchise agreement but it has to be a separate agreement. Curtis presented he is applying for a USDA loan and has a to submit by September 1, 2017. Littleton presented this would require separate agreement and could he produce this timely. Curtis said he could produce the agreement this week. Dickson asked if the amendment should be withdrawn. Littleton said the MOU granted right to serve businesses until an agreement is in place.**

**No Action Taken**

**Return to Item 2 and 3**

5. Discussion and questions regarding items on the consent docket

**None**

6. 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 April 10, 2017
- b. APPROVAL minutes for City Council Workshop meeting April 10, 2017
- c. APPROVAL minutes for Special City Council meeting April 20, 2017
- d. APPROVAL minutes for City Council Workshop meeting April 24, 2017
- e. ACKNOWLEDGMENT receipt of payroll and claims for April 2017
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for April 2017
- g. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for April 2017

- h. APPROVAL **Resolution 2017-10** memorandum of understanding with Oklahoma Floodplain Manager's Association Disaster Response Team.
- i. APPROVAL purchase of two police vehicles for the Tuttle Police Department
- j. ACCEPTANCE of easements from Renae and Adama Allmond
- k. APPROVAL to join the Buy Board Cooperative Purchasing for city purchases
- l. APPROVAL of annual audit performed by the Grady County Emergency Medical Services Board regarding Tuttle EMS transports for 2015-2016
- m. APPROVAL of Capital Outlay Allocation Agreement with Grady Emergency Medical Services District
- n. APPROVAL **Resolution 2017-08** adopting the Grady County Hazard Mitigation Plan
- o. APPROVAL Emergency Management Performance Grant Federal Fiscal Year 2017 2nd Quarter Report and Request for Payment.
- p. APPROVAL **Budget Amendment 2017-008** making Emergency Management Performance Grant Federal Fiscal Year 2017 2nd Quarter payment available for use by the Emergency Management Department upon receipt.
- q. APPROVAL of Parks User Agreement with the Silver City Antique Tractor Club for 2017

**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,n,o,p and q removing Item m. Motion carried as follows:  
Aye: Dickson, Littleton, McLeroy, Smith and Chester  
Nay: None**

7. CONSIDERATION of Items Removed from Consent Docket

**Young presented Item 6m has an amendment for a 3 year term for equipment to be returned.**

**Motion was made by Smith, seconded by Dickson to approve Item 6m. Motion carried as follows:  
Aye: Dickson, Littleton, McLeroy, Smith and Chester  
Nay: None**

8. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION regarding **Ordinance 2017-09** (PC Petition 2017-18) request of Richardson Homes, LLC to rezone property at 2618 E SH-37 & 16 Mockingbird Ln from A-1/R-1 to C-5

**Porter presented this would establish C-5 district for both properties.**

**Motion was made by McLeroy, seconded by Smith to adopt Ordinance 2017-09 rezoning request of Richardson Homes. Motion carried as follows:  
Aye: Dickson, Littleton, McLeroy, Smith and Chester  
Nay: None**

- b. DISCUSSION regarding potentially allowing chickens in certain residential areas in Tuttle  
**Young presented the City of Edmond has adopted an Ordinance regarding chickens in residential areas. He noted our ordinance requires A-1 agriculture on 5 acres of land and is more restrictive than the Edmond ordinance and the City should look at**

**updating. Council asked that a comprehensive review of all farm animals be included.**

9. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION request of Sean Knox to construct an Eagle Scout project at the former lumber store property

**Sean Knox presented his project to construct a flag pole with donated material and a cost of \$1,100 for the pole and the flags. He asked the City council if they could pay for the pole and flags.**

**Motion was made by Smith, seconded by Littleton to approve the project purchasing the pole and flags at a cost not to exceed \$1,100. Motion carried as follows:**

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION request of Brody Heltcel to construct an Eagle Scout project at the former lumber store property

**Brody Heltcel presented his project to construct a sign with the name and address of the building at a cost of \$673. He asked the City Council if they could pay for the materials to construct the sign.**

**Motion was made by Smith, seconded by Dickson to approve the project purchasing the sign materials at a cost not to exceed \$673. Motion carried as follows:**

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

**Nay: None**

- c. APPOINTMENT of a member of the City Council to serve on various boards representing the City of Tuttle on various boards with the Association of Central Oklahoma Governments

**Smith presented she is willing to serve again as long as there is an alternate.**

**Motion was made by McLeroy, seconded by Littleton to appoint Smith to serve on the board. Motion carried as follows:**

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

**Nay: None**

**Motion was made by Smith, seconded by Chester to appoint all other members of the council as alternates to serve on the board. Motion carried as follows:**

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

**Nay: None**

- d. APPOINTMENT of a member of the City Council to serve on the Board of Directors for the Tuttle Area Chamber of Commerce

**Littleton is currently serving in this position and agreed to continue.**

**Motion was made by Chester, seconded by McLeroy to appoint Littleton to serve on the board. Motion carried as follows:**

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

**Nay: None**

- e. DISCUSSION and related CONSIDERATION of Election of three Trustees for Oklahoma Municipal Assurance Group Board of Trustees

**Motion was made by Smith, seconded by Littleton to elect Lucas, Dowers and Skiles for OMAG trustees. Motion carried as follows:**

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

**Nay: None**

- f. APPOINTMENT to the Planning Commission, Position 3, for the remainder of the term expiring June 30, 2017 and for the term expiring June 30, 2020.

**McLeroy presented four people applied for the position. Smith presented Buck would do well because of her council experience. McLeroy recommended Rolison. Young presented the motion will require which position to appoint each applicant.**

**Motion was made by Littleton, seconded by McLeroy to appoint Richard Rolison to position 3 of the Planning Commission and to appoint Teresa Buck to position 5 of the Planning Commission. Motion carried as follows:**

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

**Nay: None**

- g. APPOINTMENT to the Planning Commission, Position 5, for the remainder of the term expiring June 30, 2018

**Motion was made by Littleton, seconded by McLeroy to appoint Richard Rolison to position 3 of the Planning Commission and to appoint Teresa Buck to position 5 of the Planning Commission. Motion carried as follows:**

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

**Nay: None**

- h. APPOINTMENT to the Board of Adjustment, Position 3, for the remainder of the term expiring June 30, 2017 and for the term expiring June 30, 2020

**Motion was made by Smith, seconded by McLeroy to appoint Vickie Southard to position 3 of the Board of Adjustment. Motion carried as follows:**

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

**Nay: None**

- i. DISCUSSION and related CONSIDERATION rescheduling the City Council Meeting originally scheduled for June 12, 2017

**Strike**

10. PARKS, RECREATION, AND CEMETERIES

- a. DISCUSSION and related CONSIDERATION of **Ordinance 2017-08** updating the ordinance regarding the Parks, Recreation, and Beautification Board

**Young presented the Ordinance is not ready for consideration. He asked for input from the Council. He suggested a 7- person board with 4 citizens, 2 park users and 1 council member might be an option. Smith commented that a council member on board could**

improve communication. McLeroy presented he would like to see a board member from TASA, Soccer, Little League Football, Round-Up Club, Senior Center and Tractor Club as members so they have input.

**No Action Taken**

11. INFORMATION AND REPORTS

- a. City Manager and Department Reports

**Young presented City Hall has roof failure that caused damage to the second floor drywall. Insurance company has been notified of the damage.**

- b. Councilmember Reports

**Smith presented information about Mr. Pound's concerns of businesses at Wolf Lane and SH 37 and they number of vehicles parked on the street.**

**Dickson presented that his mail on Tyler Dr had been tampered with and it has happened on Sara Road, so be aware that this is happening.**

12. STREETS

- a. DISCUSSION and related CONSIDERATION regarding the condition of Tyler Rd between Cemetery Rd and Frisco Rd

**Slattery presented the heavy truck traffic has damaged Tyler Road. A lot of roads are suffering from heavy truck traffic and trying to identify which are the worst. The ones that are damaged the most and will cost the most to repair are Tyler between Frisco and Cemetery, North Cimarron and Cemetery from SH 37 north to Silver City Ridge Rd. Working with Engineer to get some estimates and costs for patching. Slattery presented Tyler between Frisco and Cemetery will cost approximately \$15,000 to convert to gravel with help from the county and \$200,000 per mile for asphalt. The truck traffic will drive on the edge and break the asphalt off. The road needs to be widened and that with asphalt will cost approximately \$400,000.**

**Dickson presented converting to gravel is taking a step backwards. He asked about amount of traffic from oil & gas. Young presented oil & gas companies do not believe the roads are their problem. These roads were not intended for heavy truck traffic. Slattery said chip and seal will not hold up to the heavy truck traffic. Young presented Cemetery Rd was in good shape chip & seal until drilling activity started. Oil & Gas does not pay any taxes to the City, there is no taxable benefit from oil & gas, yet they have free reign to do what they want in municipal limits and expect taxpayers to pay for repairs. Dickson commented that oil and gas should not be vilified because they are a big revenue generator for the state. Smith noted that Texas is going back to gravel on several of their roads. Gravel may be the short term solution until oil and gas production slows down. Slattery presented the gravel base can be used when the time comes to return the road to asphalt. Chester stated the roads are bad and they need to be safe to travel. Slattery presented safety should be the main concern and these roads are not safe as they are.**

**Motion was made by Smith, seconded by Chester to authorize exploring spending no more than \$15,000 in conjunction with Grady County to repair Tyler Dr. between Frisco and Cemetery by returning it to gravel. Motion carried as follows:**

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

**Nay: None**

**McLeroy commented that during meeting at the capitol he learned that legislators are under the impression that 1% Gross Production Tax should be used for repairing roads. Young presented the tax goes to County and counties have no obligation to assist cities with roads. Littleton said this is a municipal funding issue in Oklahoma that can only be turned over by legislation.**

**NEW BUSINESS**

**ANNOUNCEMENTS**

1. City Council Workshop – No Meeting for May 2017

**ADJOURNMENT**

**Motion was made by Littleton, seconded by Dickson to adjourn the City Council Meeting at 8:13 p.m.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

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Wendy Marble, City Clerk

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Tommy Joe Chester, Mayor