

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **AUGUST 14, 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, JACQUELYN PORTER AND SEAN FAIRBAIRN

OTHERS PRESENT: LESLIE WALKER, DONNA MCKINNEY, SANDY WILLIAMS, RICHARD SCHWALBACH, JASON 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 Boy Scout Troop 4338 presented the flags led the pledge of allegiance

INVOCATION Littleton gave the invocation

ORDER OF BUSINESS

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

Mayor Chester and Council Members presented plaque to Sean Knox in recognition of completing his Eagle Scout project, which was installing flag pole.

3. Discussion and questions regarding items on the consent docket

Smith noted that Item n is not available for consideration.

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 10, 2017

b. APPROVAL minutes for City Council Workshop meeting July 10, 2017

c. ACKNOWLEDGMENT receipt of payroll and claims for July 2017

d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for July 2017

- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for July 2017
- f. ACCEPTANCE of easement from Micheal Ray McKee Jr at 10 Englebretson Ln
- g. APPROVAL of Environmental Review for the Tuttle Housing Authority
- h. APPROVAL re-appointment of Pat Henderson as Commissioner Position 1 on the Tuttle Housing Authority Board of Commissioners for a term expiring June 30, 2020
- i. APPROVAL re-appointment of Charles Guthery as Commissioner Position 2 on the Tuttle Housing Authority Board of Commissioners for a term expiring June 30, 2020
- j. APPROVAL of participation in the US Census Bureau's 2020 Census Local Update of Census Addresses Operation (LUCA)
- k. APPROVAL **Resolution 2017-15** requesting the Oklahoma Department of Transportation (ODOT) to re-examine the speed limit on E Main St/SH-37 between the 400 block and 600 block
- l. APPROVAL **Resolution 2017-16** requesting the Oklahoma Department of Transportation (ODOT) to re-examine the speed limit on W Main St/SH-37 between the NW 7th St and Gregory Rd
- m. APPROVAL purchase of a new SUV for the Tuttle Fire Department at a cost of \$40,000
- n. ACCEPTANCE of annual audit for FY 2016
- o. APPROVAL of clinical agreement with Canadian Valley Technology Center and Tuttle Fire/EMS Department
- p. ACCEPTANCE of easement from Linn Midstream, LLC at the southwest corner of N Cemetery Rd and E Tyler Dr
- q. ACCEPTANCE of easement from Linn Midstream, LLC at 1475 N Cemetery Rd

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

5. CONSIDERATION of Items Removed from Consent Docket

Strike

6. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION of **Ordinance 2017-12** (PC Petition 2017-24) amending the Tuttle Subdivision Regulations to add an additional typical section for rural streets

Fairbairn presented copies of the proposed rural street drawing and discussed. He recommended amending the regulations. Smith asked if this was going backward on requirements or is it just because it will not have heavy traffic and use. McLeroy requested tabling until more information can be reviewed. Littleton noted this could be a determining factor for future development in the city limits due to the cost.

**Motion was made by McLeroy, seconded by Smith to TABLE Item 6a until the August 28th meeting. Motion carried as follows:
Aye: Dickson, Littleton, McLeroy, Smith and Chester
Nay: None**

- b. DISCUSSION and related CONSIDERATION of **Ordinance 2017-13** (PC Petition 2017-17) request of Kim Pierce to rezone property at 2410 E SH-37 from C-2 to C-5 (public hearing conducted 7/3/2017 and tabled 7/3/2017)

Young presented a scrivener's error listing the hearing and tabling dates. Porter presented the zoning is ready for consideration but the SUP is not ready. Dickson asked if they are already in business and Young said yes.

Motion was made by Smith, seconded by McLeroy to approve Ordinance 2017-13 request for rezoning. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy, Smith and Chester

Nay: None

- c. DISCUSSION and related CONSIDERATION of **Ordinance 2017-14** (PC Petition 2017-25) to rezone 405 SW Boardwalk to Two Family Residential District R-2 to Mobile Home Park District and Convenience Commercial District C-2

Young presented owner thought his office property was out of city limits. Young presented this will correct both properties since neither have correct zoning.

McLeroy asked if this will affect other mobile home properties and Young presented other properties are not platted mobile home parks; they are located on single family home lots. Perryman presented the city cannot disallow replacement of mobile homes in areas designated as mobile home parks but can disallow on residential lots.

Motion was made by Dickson, seconded by Littleton to approve Ordinance 2017-14 request for rezoning. Motion carried as follows:

Aye: Dickson, Littleton, Smith and Chester

Nay: McLeroy

- d. DISCUSSION and related CONSIDERATION regarding **Resolution 2017-17** (PC 2017-26 & 27) request of Linn Energy for a Specific Use Permit to drill oil and gas wells in the 900 block of E Silver City Ridge

Phillip York presented there will be two horizontal wells with one drilling north and one drilling south. Dickson asked if York knew that there were eight wells in this section and York replied he was not aware of the number. Dickson asked if there were any complaints about drilling in this area and York noted that Brett Francis aired his complaints at the Planning Commission meeting one-week prior. He also noted Francis is not the owner of the property of which he complained about his property value dropping due to the well drilling. York presented that Linn Energy has been a good neighbor to Tuttle and the citizens. Dickson presented the wells will be very close to the road, there will be 12 tanks in this section and the truck traffic for two wells will be heavy. Smith noted she has a conflict and abstained from the vote.

Motion was made by McLeroy, seconded by Chester to approve Ordinance 2017-17 request for Specific Use Permit. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: Smith

7. PUBLIC SAFETY

- a. DISCUSSION and related CONSIDERATION regarding **Ordinance 2017-15** updates to the City of Tuttle fireworks ordinance

Young presented the ordinance needs to be updated in regard to regulations for firework stands, consumer discharge and public discharge.

Motion was made by McLeroy, seconded by Littleton to approve Ordinance 2017-17 updating the fireworks ordinance. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy, Smith and Chester

Nay: None

- b. DISCUSSION and related CONSIDERATION regarding **Ordinance 2017-16** regarding Controlled Dangerous Substances and Drug Paraphernalia

Cluck presented this ordinance is required due to the passing of State Question 780 which reclassifies certain offenses.

Motion was made by McLeroy, seconded by Smith to approve Ordinance 2017-16.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy, Smith and Chester

Nay: None

Motion was made by Smith, seconded by McLeroy to adopt the emergency clause for Ordinance 2017-16. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy, Smith and Chester

Nay: None

- c. DISCUSSION regarding potential updates to the Animal Welfare ordinances

Young presented this is not ready for discussion. He will begin working on update of all animal welfare ordinances.

8. PARKS, RECREATION, AND CEMETERIES

Sandy Williams stated she was under the impression that she and Donna McKinney were reaffirmed to the parks board. Donna McKinney stated she was shocked and disappointed when she found out they were dismissed.

Dickson presented the City staff could have reached out when you did not reapply. It was a miscommunication and he apologizes stating that was not the intent for you to be left out, but the council has voted and appointed the members. Williams presented she is upset with the restructuring and she thought that Littleton made a motion at the June meeting to consider herself and McKinney for a position. Littleton said we will listen to the minutes to verify what was said but recalls his statement at the June meeting was the current members were welcome to reapply. Williams states she wanted serve one year to finish her term. McKinney states she was not ready to finish in one year.

Motion was made by Littleton, seconded by Dickson to recess the City Council Meeting at 8:17 p.m. and begin the Tuttle Public Works Meeting. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy, Smith and Chester

Nay: None

Mayor Chester reconvened the City Council Meeting at 9:36 p.m.

Motion was made by Littleton, seconded by McLeroy to recess the City Council Meeting at 9:37 p.m. and enter Executive Session.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy, Smith and Chester

Nay: None

9. INFORMATION AND REPORTS

- a. City Manager and Department Reports
- b. Councilmember Reports

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 and take appropriate action regarding collective bargaining with the Fraternal Order of Police Lodge #197 (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 10a

Mayor Chester reconvened the City Council Meeting at 9:53 p.m.

Smith 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

McLeroy requested bike trails and walking trails for the City.

ANNOUNCEMENTS

- 1. City Council Workshop Meeting Monday August 28, 2017 at 6:00 pm
- 2. City Council Meeting on Monday, September 11, 2017 at 7:00 pm (workshop at 6:00 pm)

ADJOURNMENT

Motion was made by Smith, seconded by McLeroy to adjourn the City Council meeting at 10:06 p.m. Motion carried as follows:

Aye: Dickson, McLeroy, Smith and Chester

Nay: None

Attest:

Wendy Marble, City Clerk

Tommy Joe Chester, Mayor