

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **NOVEMBER 13, 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 AND MARY SMITH

MEMBERS ABSENT: TOMMY JOE CHESTER

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, SEAN DOUGLAS, BRUCE ANTHONY, AARON SLATTERY, GENE PFLUGHOFT, TIM EDWARDS, ANDREW GRAHAM AND SEAN FAIRBAIRN

OTHERS PRESENT: MARY ANN AND JAMES OSBORN, CAROL WILKERSON, RONNIE AND KIM PIERCE, WINSTON AND LAVONDA ROSE, JAMES HENDERSON, JOHN JACKSON, FORREST O'HARA, RODY VAN HUSS, RAY WALDON, JAMES AND JEANIE KING, GLADYS AND VERN WILKERSON, MARGARET AND KP LEHMAN, PATRICK MCKONE, SHARON HENSON, LESLIE WALKER, JASON KNIGHT AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Vice-Mayor Smith called the meeting to order at 7:03 p.m.

ROLL CALL Marble called the roll and declared a quorum present

PLEDGE OF ALLEGIANCE Vice-Mayor Smith 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

3. Discussion and questions regarding items on the consent docket

McLeroy requested City Engineer provide list of recommendations tomorrow for Item m.

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 October 9, 2017
- b. APPROVAL minutes for City Council Workshop meeting October 9, 2017
- c. APPROVAL minutes for City Council Workshop meeting October 23, 2017

- d. ACKNOWLEDGMENT receipt of payroll and claims for October 2017
- e. ACKNOWLEDGMENT receipt of claims for September 2017 (Claims not available or approved at October meeting)
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for October 2017
- g. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for October 2017
- h. APPROVAL City Council meeting schedule for Calendar Year 2018
- i. APPROVAL of Second Amendment to Antenna Colocation Agreement with Sprint Spectrum, L.P., original agreement dated April 27, 2006
- j. APPROVAL of amended Grady Emergency Medical Services District Provider agreement for fiscal year 2017-2018
- k. DIRECTION of notice to be published regarding a public hearing for the potential annexation of Westside Addition for 7:00 pm on Monday, December 11, 2017
- l. APPROVAL Budget Amendment BA 2017-014 for REAP Grant
- m. APPROVAL for City Engineer to conduct a drainage investigation and recommendation report for Deer Ridge Run
- n. APPROVAL for the installation of street lights on N Cemetery Rd in front of the Tuttle Soccer Complex
- o. APPROVAL contract between Oklahoma Department of Commerce and the City of Tuttle for 2017 Community Development Block Grant - Community Revitalization project to resurface streets in the SE Original Tuttle area
- p. APPROVAL contract between Oklahoma Emergency Management and the City of Tuttle for Emergency Management Performance Grant program for Federal Fiscal Year 2018
- q. APPROVAL Emergency Management Performance Grant 4th Quarter 2017 Report
- r. APPROVAL Budget Amendment BA 2017-015 making Emergency Management Performance Grant 4th quarter disbursement available for use by the Emergency Management Department
- s. APPROVAL of request of the Tuttle Public Schools for dedication of infrastructure and acceptance of a Final Plat for the new Tuttle High School (PC Petition 2017-23)
- t. APPROVAL naming a private drive in the 6100 Block of E Tyler Dr "Paul Drive" (PC Petition 2017-41)

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

- 5. CONSIDERATION of Items Removed from Consent Docket
Strike Item m from the consent docket.

6. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION regarding **Resolution 2017-18** (PC Petition 2017-17) request of Kim Pierce for a Specific Use Permit to operate a Kennel with an Outdoor Run at 2410 E SH-37

Young presented this was considered last month and remanded back to the Planning Commission for further consideration. Planning commission recommended landscaping the west side and repairing the parking lot within a year. K. Pierce stated she agreed with these adjustments. Wilkerson asked to speak and presented the noise from the dogs is an ongoing problem. She presented she would prefer a wood fence since she can't use her backyard due to the noise. She stated this business has devalued her property and quality of life.

Smith asked if the Planning Commission approved the revisions and Young stated it was approved by all members. Young stated that Community Development can require a privacy fence later if they determine a problem exists.

Motion was made by Littleton, seconded by Dickson to approve Resolution 2017-18 request of Kim Pierce for approval of Specific Use Permit to operate a Kennel with an Outdoor Run at 2410 E SH-37. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Smith

Nay: None

- b. DISCUSSION and related CONSIDERATION of **Ordinance 2017-17** (PC Petition 2017-35) request of Willard Barnett to rezone approximately 51 acres in the 4400 block of E SH-37 from the General Agriculture District A-1 to the Single-Family Residential District R-1 with a Planned Unit Development for the proposed Warm Springs Subdivision

Smith called those who requested to speak on this item.

Lavonda Rose of 115 Pinewood Dr. presented flooding is a problem from the field that the proposed development is planned. She stated 251 homes are too many for the area and the traffic will be a problem. She stated she has looked at these homes and they are starter homes that will not keep their value, will cause noise problems, area is not a good location, people will not buy these, the lots are too small, water and sewer concerns, there will be an influx of children and she does not want this near Springwood for these reasons. She stated Springwood residents do not want this approved.

Winston Rose agreed with the comments from his wife and added he is concerned about flooding. He stated his property floods and his cellar has filled up with water.

KP Lehman of 104 Pinewood presented 251 homes are too many for the property, the traffic will be a problem, a large detention pond will be necessary, how will the schools handle all these kids, and how will the City supply water and sewer.

James Henderson of 99 Pinewood presented flooding is a problem already in the neighborhood, kids may drown in the lake in Springwood, will lose privacy and he stated he is against this development.

Rody Van Huss of 107 Oakwood stated the City was talking about apartments a year ago and now they want “patio homes”. He stated these should be homes on one acre lots rather than what is proposed. He is not opposed to the city growing but he moved out here to have room and asked that the City keep the neighborhood of Springwood in mind when making this decision.

McLeroy asked if the City has the legal authority to say no. Perryman presented as long as is consistent with the long-term use plan in the area you don't have the ability to foreclose without working with the developer, but you do have some latitude with density. McLeroy stated he agrees with the residents that the drainage cannot increase. Perryman presented this is a 100-year flood plan per the engineer. Littleton stated the city needs homes for young families and need more homes for businesses to come to Tuttle. He stated this is not to sabotage quality of life. The development will take time to build and will not be an immediate flood of people. Perryman stated this a modern streamlined development and the PUD requires the developer to go further in design and be held to a higher standard. He stated most adjacent properties have better drainage due to the run-off requirements. Young stated both the developer's engineer and the City engineer will design and review the plans. He stated this is a long way from the plans getting approved. Sean Fairbairn, the city engineer, discussed the proposed drainage and detention ponds.

Peggy Lehman of 104 Pinewood Dr. stated her concern about the traffic and the fact that her view will only be of rooftops. Sharon Henson of 102 Oakwood asked if the Springwood entrance will be the entrance for the addition. Dickson stated it will have its own entrance and possible other entrances and exits in the future. Young presented a PUD is special zoning law unique to this neighborhood, he explained it requires compatibility for adjacent neighborhoods and goes above and beyond regular zoning requirements. McLeroy stated this is affordable housing and is better than an apartment complex. He stated nobody wants apartments in their backyard and this may decrease the demand for apartments.

Motion was made by Littleton, seconded by Dickson to approve Ordinance 2017-17 request of Willard Barnett to rezone approximately 51 acres in the 4400 block of E SH-37 from the General Agriculture District A-1 to the Single-Family Residential District R-1 with a Planned Unit Development for the proposed Warm Springs Subdivision. Motion carried as follows:

Aye: Dickson, Littleton and Smith

Nay: McLeroy

- c. DISCUSSION and related CONSIDERATION of request of Willard Barnett for approval of a preliminary plat for the proposed Warm Springs Subdivision to be located in the 4400 block of E SH-37 (PC Petition 2017-36)

Motion was made by Littleton, seconded by Dickson to approve request of Willard Barnett for approval of a preliminary plat for the proposed Warm Springs Subdivision to be located in the 4400 block of E SH-37 (PC Petition 2017-36). Motion carried as follows:

Aye: Dickson, Littleton and Smith

Nay: McLeroy

- d. DISCUSSION and related CONSIDERATION request of Tuttle Christian Church for the City to pay for improvements to Bond Street and SW 3rd Street (tabled October 9, 2017)

Young presented he has not heard from the church members. Fairbairn said he met with Bomgardner and they are not ready to present to the City.

No Action Taken

7. PARKS & CEMETERIES

- a. DISCUSSION and related CONSIDERATION possible overlaying of streets in the Fairview Cemetery

Slattery presented the scope of work for overlay project. He said an immediate approval is not required but asked that it be on the January 2018 agenda. He presented this to the Cemetery Advisory Board and they agree this is a good project.

No Action Taken

8. INFORMATION AND REPORTS

- a. City Manager and Department Reports

No reports

- b. Councilmember Reports

Smith reminded all that the school election is tomorrow.

Littleton stated residents have made positive comments about the Sara Road traffic light.

Dickson asked how the City can ask for traffic lights at certain locations. Young stated the state has full control of where the traffic lights are placed.

Motion was made by McLeroy, seconded by Littleton to recess the City Council Meeting at 8:26 p.m. and begin the Tuttle Public Works Meeting.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Smith

Nay: None

Motion was made by Smith, seconded by McLeroy to reconvene the City Council meeting at 8:54 and begin Executive Session.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Smith

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 to conduct an EXECUTIVE SESSION 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 9a
 2. CONSIDERATION approval of a Collective Bargaining Agreement between the City of Tuttle and the Fraternal Order of Police Lodge #197
- b. CONSIDERATION to conduct an EXECUTIVE SESSION regarding a lawsuit filed by Chadrick Harmon, Beth Harmon, Tanner Harmon, and Laikyn Harmon. (Proposed Executive Session pursuant to 25 O.S. Section 307 (B)(4) for confidential communications between the City Manager, the City Council and the City Attorney concerning this pending claim upon the advice of the City Attorney and if the City Council determines that public disclosure would seriously impair the ability of the City of Tuttle to process the claim or conduct an investigation. The City Council shall make such determination 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

Motion was made by Dickson, seconded by McLeroy to reconvene the City Council Meeting at 10:07 p.m. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Smith

Nay: None

Perryman announced for the record that only items on the agenda were discussed in Executive Session and no action was taken in Executive Session.

Motion was made by Littleton, seconded by Dickson to approve Executive Session Item 9a, the Collective Bargaining Agreement between the City of Tuttle and the Fraternal Order of Police Lodge #197. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Smith

Nay: None

NEW BUSINESS

ANNOUNCEMENTS

1. City Council Workshop Meeting Monday October 23, 2017 at 6:00 pm
2. City Council Meeting on Monday, November 13, 2017 at 7:00 pm (workshop at 6:00 pm)

ADJOURNMENT

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

Aye: Dickson, Littleton, McLeroy and Smith

Nay: None

Attest:

Wendy Marble, City Clerk

Tommy Joe Chester, Mayor