

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **DECEMBER 11, 2017 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: AARON MCLEROY

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, SEAN DOUGLAS, CHRISTOPHER KONDOS AARON SLATTERY, TIM EDWARDS, JAQUELYN PORTER, LAURIE KOELSCH AND SEAN FAIRBAIRN

OTHERS PRESENT: HASKELL BOYD, JAMES BALLARD, RICK AND CONNIE BANTA, LESLIE WALKER, JASON KNIGHT AND OTHERS THAT DID NOT SIGN IN

**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** Mayor Chester 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

**Smith asked about Item r, if workshop meetings on schedule could be cancelled if not needed.**

#### 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 November 13, 2017

b. APPROVAL minutes for City Council Workshop meeting November 13, 2017

c. APPROVAL minutes for City Council Workshop meeting November 27, 2017

d. ACKNOWLEDGMENT receipt of payroll and claims for November 2017

e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for November 2017

- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for November 2017
- g. APPROVAL Christmas Incentives for Employees for 2017
- h. APPROVAL of engaging Crawford & Associates for certain financial services for FY 2018
- i. APPROVAL of amendment to the City of Tuttle Money Purchase Plan beginning FY 2018
- j. ACCEPTANCE of grant of easement by Preston Paul and Deana Paul in the 6100 block of E Tyler Dr
- k. ACCEPTANCE of grant of easement by Donald Jack Traxler, Mike E Paul, etc in the 1800 block of N Mustang Rd
- l. APPROVAL contract between Oklahoma Tourism & Recreation Department and the City of Tuttle for 2017 Recreational Trails Program grant for Cemetery Road park trails extension
- m. APPROVAL contract between District Attorney's Council and the City of Tuttle for 2017 Justice Assistance Grant-Local Law Enforcement project to purchase dashcams and related equipment for the Police Department
- n. APPROVAL updated agreement with the Tuttle Area Chamber of Commerce
- o. APPROVAL 2018 user agreement with the Tuttle Athletic Sports Association (TASA)
- p. APPROVAL Budget Amendment 2017-018
- q. APPROVAL of **Resolution 2012-22** selection of engineering firm for ODOT city bridge inspections
- r. APPROVAL City Council meeting schedule for Calendar Year 2018
- s. APPROVAL of a Quit Claim Mineral Deed to correct a title defect that occurred when the City of Tuttle acquired the Cimarron Road Water Tower Site. Quit Claim Deed will re-convey the minerals only under **Lot One (1) in Block Eighteen (18) in the Town of Tuttle, Oklahoma to Alfred Melvin Moody, Fredrick Donald Moody, and Mary Luella Moody.**
- t. APPROVAL **Resolution 2017-23** assignment of 911 fees to 911 ACOG Association of Central Oklahoma Governments

**Motion was made by Littleton, seconded by Dickson to approve Consent Docket Items a,b,c,d,e,f,g,h,i,j,k,l,m,n,o,p,q,s,and t. Motion carried as follows:**

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

**Nay: None**

5. CONSIDERATION of Items Removed from Consent Docket

**Motion was made by Smith, seconded by Littleton to approve Consent Docket Item r. Motion carried as follows:**

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

**Nay: None**

6. GENERAL GOVERNMENT

- a. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION (**Resolution 2017-21**) OF THE CITY OF TUTTLE, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE TUTTLE PUBLIC WORKS AUTHORITY (THE "AUTHORITY") ISSUING ITS SALES TAX REVENUE NOTE, TAXABLE SERIES 2017B (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE

INDENTURE; AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; APPROVING AND AUTHORIZING THE EXECUTION OF A SALES TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

**Ben Oglesby of Municipal Finance Services and Nate Ellis of The Public Finance Law Group presented the loan financing for the broadband project.**

**Motion was made by Littleton, seconded by Smith to approve Resolution 2017-21 approving the incurrence of indebtedness by the Tuttle Public Works Authority.**

**Motion carried as follows:**

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

**Nay: None**

- b. PUBLIC HEARING, DISCUSSION, and related CONSIDERATION regarding **Resolution 2017-20** adopting the FY 2018 Budget

**Chester opened the Public Hearing at 7:13 p.m.**

**Chester closed the Public Hearing at 7:14 p.m.**

**Dickson thanked Young for his work on the budget.**

**Motion was made by Smith, seconded by Littleton to approve Resolution 2017-18 adopting the FY 2018 budget. Motion carried as follows:**

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

**Nay: None**

## 7. COMMUNITY DEVELOPMENT

- a. PUBLIC HEARING, DISCUSSION, and related CONSIDERATION regarding **Ordinance 2017-20** annexing Westside Addition (located in the NE  $\frac{1}{4}$  and NW  $\frac{1}{4}$  of Section 3, Township 9 North, Range 6 West of the Indian Meridian, Grady County, Oklahoma) into the City of Tuttle

**Chester opened the Public Hearing at 7:15 p.m.**

**James Ballard presented questions about what he will be allowed to do on his property if he is in the City limits. He asked if he would be “grandfathered in” and if he could burn limbs on his property. Perryman stated he can do a controlled burn but must notify the fire department prior to burning. He asked about the addition covenant and Perryman stated the City does not enforce. Perryman presented if any additional business started the property would require rezoning. Ballard stated his property is not platted with Westside addition and that he does not want to be included in the annexation. Young stated that last conversation with the council was that all property would be included in the annexation. Perryman stated this was presented as Westside Addition to be annexed and asked if Ballard is part of Westside Addition. Ballard stated technically no, his property is not in the original plat. Young stated this was drawn up to include his property. Ballard stated his concern is that the City Council or inspectors will change what is accepted on his property if he is in the city limits. Council reviewed annexation map and discussed. Perryman stated it reads not included in plat. Mayor Chester stated he would like Ballard to be part of the City. Young presented recommendation to table this for a**

month. He stated the annexation was brought forward due to city water being installed in the area. He said the agreement with Ballard and Jeff Williams is water line was to be installed only if the area would be annexed into the city limits.

Chester closed the Public Hearing at 7:29 p.m.

Motion was made by Littleton, seconded by Smith to TABLE Ordinance 2017-20 until the next meeting. Motion carried as follows:

Aye: Dickson, Littleton, Smith and Chester

Nay: None

- b. DISCUSSION and related CONSIDERATION of **Ordinance 2017-21** (PC Petition 2017-37) request of Boyd Haskell to rezone approximately 1 acre in the 4600 block of E SH-37 from the Light Office O-1 District to the General Employment C-5 District

Dickson asked what the difference is between the two classifications and Young replied O-1 is offices like insurance offices where C-5 is McDonalds or similar large business.

Motion was made by Smith, seconded by Littleton to approve Ordinance 2017-21 (PC Petition 2017-37) request of Boyd Haskell to rezone approximately 1 acre in the 4600 block of E SH-37 from the Light Office O-1 District to the General Employment C-5 District. Motion carried as follows:

Aye: Dickson, Littleton, Smith and Chester

Nay: None

- c. DISCUSSION and related CONSIDERATION of **Ordinance 2017-19** (PC Petition 2017-39) regarding possible amendment to the Tuttle Zoning Code addressing child care centers and home-based occupation

Young presented this Ordinance was considered 18 months ago and was tabled. A homeowner in Silver Ridge has requested a permit for a daycare.

Motion was made by Littleton, seconded by Chester to approve Ordinance 2017-19 (PC Petition 2017-39) regarding possible amendment to the Tuttle Zoning Code addressing child care centers and home-based occupation. Motion carried as follows:

Aye: Dickson, Littleton, Smith and Chester

Nay: None

- d. DISCUSSION and related CONSIDERATION of **Ordinance 2017-18** (PC Petition 2017-40) regarding possible amendments to the Tuttle Code of Ordinances regarding 911 Addressing

Douglas presented this rewrite of the current ordinance will improve emergency response time.

Motion was made by Smith, seconded by Dickson to approve Ordinance 2017-18 (PC Petition 2017-40) regarding possible amendments to the Tuttle Code of Ordinances regarding 911 Addressing. Motion carried as follows:

Aye: Dickson, Littleton, Smith and Chester

Nay: None

- e. DISCUSSION and related CONSIDERATION of **Ordinance 2017-22** updating regulations regarding oil & gas fees
- Young presented this adds paragraph g stating no new permits will be approved for applicant who has outstanding obligations.**
- Motion was made by Littleton, seconded by Smith to approve Ordinance 2017-22 updating regulations regarding oil & gas fees. Motion carried as follows:**  
**Aye: Dickson, Littleton, Smith and Chester**  
**Nay: None**
- Motion was made by Littleton, seconded by Smith to adopt the emergency clause for this item. Motion carried as follows:**  
**Aye: Dickson, Littleton, Smith and Chester**  
**Nay: None**
- f. DISCUSSION and related CONSIDERATION of **Ordinance 2017-23** adopting regulations regarding oil & gas setbacks
- Young discussed setbacks and preserving areas for development. Council requested amendments to this ordinance.**
- Motion was made by Smith, seconded by Littleton to TABLE Ordinance 2017-23 updating regulations regarding oil & gas setbacks. Motion carried as follows:**  
**Aye: Dickson, Littleton, Smith and Chester**  
**Nay: None**
- g. DISCUSSION and related CONSIDERATION of **Ordinance 2017-24** adopting regulations regarding oil & gas noise
- Dickson stated sound walls are needed to control the noise level.**
- Motion was made by Smith, seconded by Chester to approve Ordinance 2017-24 updating regulations regarding oil & gas noise. Motion carried as follows:**  
**Aye: Dickson, Littleton, Smith and Chester**  
**Nay: None**
- Motion was made by Smith, seconded by Littleton to adopt the emergency clause for this item. Motion carried as follows:**  
**Aye: Dickson, Littleton, Smith and Chester**  
**Nay: None**
- h. DISCUSSION and related CONSIDERATION of **Ordinance 2017-25** adopting regulations regarding oil & gas pipelines
- Young presented pipeline rules for the City to deter altering drainage.**
- Motion was made by Littleton, seconded by Smith to approve Ordinance 2017-25 updating regulations regarding oil & gas pipelines. Motion carried as follows:**  
**Aye: Dickson, Littleton, Smith and Chester**  
**Nay: None**

**Motion was made by Smith, seconded by Littleton to adopt the emergency clause for this item. Motion carried as follows:**

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

**Nay: None**

8. INFORMATION AND REPORTS

- a. City Manager and Department Reports

**None**

- b. Councilmember Reports

**Littleton presented a complaint he received about the poor condition of Silver City Ridge Road. Slattery stated he will ask the county to grade the road.**

**NEW BUSINESS**

**ANNOUNCEMENTS**

1. No City Council Workshop Meeting for December
2. City Council Meeting on Monday, January 8, 2018 at 7:00 pm (workshop at 6:00 pm)
3. City Offices closed Monday, December 25<sup>th</sup>, Tuesday, December 26<sup>th</sup>, and Monday, January 1<sup>st</sup>

**ADJOURNMENT**

**Motion was made by Littleton, seconded by Dickson to adjourn the City Council Meeting at 8:19 p.m. and begin the Tuttle Public Works Meeting.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

\_\_\_\_\_  
Wendy Marble, City Clerk

\_\_\_\_\_  
Tommy Joe Chester, Mayor