

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JANUARY 8, 2018 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 TOMMY JOE CHESTER

MEMBERS ABSENT: MARY SMITH

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, SEAN DOUGLAS, BRUCE ANTHONY, AARON SLATTERY, TIM EDWARDS, HEATH COLLINS AND SEAN FAIRBAIRN

OTHERS PRESENT: SANDY SEBRING, TRAVICE WARD, KEITH STREET, JAMES BALLARD, LESLIE WALKER, JASON KNIGHT AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Mayor Chester called the meeting to order at 7:07 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.)

None

2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

None

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

a. APPROVAL minutes for City Council meeting December 11, 2017

b. APPROVAL minutes for City Council Workshop meeting December 11, 2017

c. ACKNOWLEDGMENT receipt of payroll and claims for December 2017

- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for December 2017
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for December 2017
- f. APPROVAL Budget Amendment 2018-01 regarding Parks Department
- g. APPROVAL Budget Amendment 2018-02 regarding Fire Department
- h. APPOINTMENT of Jessica Joyner to Position 1 on the Board of Adjustment, Position Expiring June 30, 2019
- i. APPROVAL Emergency Management Performance Grant 1st Quarter 2018 Report.
- j. APPROVAL Budget Amendment 2018-03 making Emergency Management Performance Grant 1st Quarter 2018 disbursement available for use by the Emergency Management Department upon receipt.
- k. APPROVAL contract between Association of South Central Oklahoma Governments and the City of Tuttle for 2018 Rural Economic Action Plan project to purchase and install outdoor warning sirens.

**Motion was made by Littleton, seconded by McLeroy to approve Consent Docket Items a,b,c,d,e,f,g,h,i,j and k. Motion carried as follows:
 Aye: Dickson, Littleton, McLeroy and Chester
 Nay: None**

5. CONSIDERATION of Items Removed from Consent Docket

Strike

6. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION regarding **Ordinance 2017-20** annexing Westside Addition (located in the NE ¼ and NW ¼ of Section 3, Township 9 North, Range 6 West of the Indian Meridian, Grady County, Oklahoma) into the City of Tuttle (Public Hearing conducted by the City Council on December 11, 2017)

Chester stated Ballard would like to be assured that he will have grandfathering for current use of property. Perryman presented it will be to the extent of what he is already doing on the property. Ballard stated he is a plumber, has tree farm and owns and maintains several rental properties. Perryman stated he cannot change use if it is not a permitted use for the zoning. Young stated the zoning is R-2. Perryman stated Ballard will need to submit in writing the current uses of the property. Young stated Tim Edwards will help Ballard with his list.

**Motion was made by Littleton, seconded by Dickson to approve Ordinance 2017-20 annexing Westside Addition into the City of Tuttle. Motion carried as follows:
 Aye: Dickson, Littleton, McLeroy and Chester
 Nay: None**

- b. DISCUSSION and related CONSIDERATION regarding **Ordinance 2018-01** (PC Petition 2018-01) request of Sandra and Russell Sebring, to rezone approximately 4.24 acres located at 4705, 4707, and 4709 E SH-37 from Light Office O-1 District and General Agriculture A-1 District to General Employment C-5 District

Young asked if there are any questions. He stated behind the fence is classified as a yard. Sebring stated the agenda has incorrect addresses. Marble noted this and

will correct. McLeroy asked if this has enough space for a car lot. Ward stated there will be approximately 20 cars in the lot. Young stated behind the fence is classified as a yard and would not be required to update the parking. Young stated the Planning Commission added that all approaches be hard surface to prevent gravel runoff onto SH 37 and Cherrywood stating that more of the approach may require asphalt.

Motion was made by McLeroy, seconded by Littleton to approve Ordinance 2018-01 request of Sandra and Russell Sebring, to rezone approximately 4.24 acres located at 4705, 4707, and 4709 E SH-37 from Light Office O-1 District and General Agriculture A-1 District to General Employment C-5 District. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester
Nay: None

- c. DISCUSSION and related CONSIDERATION regarding **Resolution 2018-01** (PC Petition 2018-05) request of Charles Travice Ward for a Specific Use Permit to operate a used automobile sales lot/business at 4709 E SH-37

Motion was made by Littleton, seconded by Dickson to approve Resolution 2018-01 request of Charles Travice Ward for a Specific Use Permit to operate a used automobile sales lot/business at 4709 E SH-37. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester
Nay: None

- d. DISCUSSION and related CONSIDERATION regarding **Ordinance 2018-02** (PC Petition 2018-02) request of Keith Streeter to rezone approximately 0.71 acres located at 4808 E SH-37 from Light Office O-1 District to General Employment C-5 District

Young stated discussing item d and e together. He stated the owner would like to park a dump truck in the lot which triggers the zoning change to contractor's yard. This will allow him to expand the business in the future.

Motion was made by McLeroy, seconded by Littleton to approve Ordinance 2018-02 request of Keith Streeter to rezone approximately 0.71 acres located at 4808 E SH-37 from Light Office O-1 District to General Employment C-5 District. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester
Nay: None

- e. DISCUSSION and related CONSIDERATION regarding **Resolution 2018-02** (PC Petition 2018-06) request of Keith Streeter for a Specific Use Permit to operate a contractor's yard/business at 4808 E SH-37

Motion was made by Littleton, seconded by Dickson to approve Resolution 2018-02 request of Keith Streeter for a Specific Use Permit to operate a contractor's yard/business at 4808 E SH-37. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester
Nay: None

- f. DISCUSSION and related CONSIDERATION regarding **Ordinance 2018-03** (PC Petition 2018-03) request of Chad and Angela Stapleton to rezone approximately 5.02 acres located at 400 Clifton Drive from Residential Estates R1-B District to General Agriculture A-1 District

Young presented the property owner split the lot but never filed it with the county. He now wants to rezone back to A-1 to allow livestock.

Motion was made by Littleton, seconded by Dickson to approve Ordinance 2018-03 request of Chad and Angela Stapleton to rezone approximately 5.02 acres located at 400 Clifton Drive from Residential Estates R1-B District to General Agriculture A-1 District. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

- g. DISCUSSION and related CONSIDERATION of **Ordinance 2017-23** adopting regulations regarding oil & gas setbacks

Young stated this is a starting point to work from. Dickson asked if this would apply to all permits after today. Young stated that is correct. Young stated in Section 1 need to ad the word contain. Dickson asked about defining where the setback starts referring to pad site location. Young stated the greater of the two setbacks shall apply. Perryman discussed the setbacks.

Motion was made by Littleton, seconded by Chester to approve Ordinance 2017-23 adopting regulations regarding oil & gas setbacks as amended. Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

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

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

- h. DISCUSSION and related CONSIDERATION of **Ordinance 2018-04** adopting regulations regarding the use of rights of way for temporary pipelines

Young presented this is not complete. He stated the temporary water lines are blocking drainage. Slattery stated access to utility lines is being blocked. Perryman stated they do not have the right to put anything in the City right-of-ways. He stated this is dangerous.

No Action Taken

- i. DISCUSSION and related CONSIDERATION of **Ordinance 2018-05** adopting regulations requiring oil & gas development to comply with the city's building regulations

Young presented he will have this ready for consideration next month. Fairbairn stated the drainage flow is covered under the building code. Young stated he wants to make this clear that the building code applies to these sites.

No Action Taken

Motion was made by Littleton, seconded by McLeroy to recess the City Council Meeting at 8:14 p.m. and begin the Tuttle Public Works Meeting.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

Motion was made by Dickson, seconded by Littleton to reconvene the City Council Meeting at 8:23 p.m.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

Skip Item 6 and begin item 7

6. 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 regarding the removal of Gene Pflughoft as the Treasurer and selecting a new or acting Treasurer. Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1). 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 6a**

7. INFORMATION AND REPORTS

a. **City Manager and Department Reports**

Anthony reported on regional mutual aid funding will be on the next agenda. Dickson asked Anthony when the City acquire the 6,000 gallon tanker and why housing it was not considered prior to accepting the donation. Anthony stated it was received last summer and it can be housed at station one but it is a tight fit and he would like to look at housing it somewhere else. McLeroy asked if there was another building to store vehicles. Slattery stated Public Works is full.

Dickson stated concerning space issues a new police station is the next building for consideration.

Young presented Republic Services is proposing to change the trash pickup to 5 days a week with 5 pick up zones. He stated more information will be available next month presented by Republic.

Young introduced the new communications intern Heath Collins. Chester stated communication with the public has been a problem and citizens do not know what is going on in Tuttle.

Young presented Jackie Porter has graduated and has been promoted to full time City Planner. Young also congratulated mayor-elect Aaron McLeroy.

Young presented currently no pending business for the workshop meeting. The 2040 meeting will not begin this month.

Slattery presented ODOT is replacing the storm gutters along highway 37.

b. **Councilmember Reports**

McLeroy presented report from Dennis Thomas complimenting the Fire and Police department for securing the scenes at wreck sights, where other entities do not do this for him.

Dickson presented citizen voiced concerns and complaints about condition of Silver City Ridge and Cemetery Road. Who should he call for complaints. Slattery said he will talk to citizen about his complaints.

Motion was made by McLeroy, seconded by Littleton to recess the City Council Meeting at 8:42 p.m. and begin Executive Session.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

6. 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 regarding the removal of Gene Pflughoft as the Treasurer and selecting a new or acting Treasurer. Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1). 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 6a**

Motion was made by Littleton, seconded by Dickson to reconvene the City Council Meeting at 8:48 p.m.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

Perryman announced for the record that only Item a was discussed in Executive Session and no action was taken in Executive Session.

Motion was made by Littleton, seconded by McLeroy to appoint Marcie Behrens as acting Treasurer and remove Gene Pflughoft as Treasurer.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

NEW BUSINESS

ANNOUNCEMENTS

1. City Council Workshop Meeting Monday, January 22, 2018 at 6:00 pm
2. City Council Meeting on Monday, February 12, 2018 at 7:00 pm (workshop at 6:00 pm)

ADJOURNMENT

Motion was made by Littleton, seconded by McLeroy to adjourn the City Council Meeting at 8:14 p.m. and begin the Tuttle Public Works Meeting.

Motion carried as follows:

Aye: Dickson, Littleton, McLeroy and Chester

Nay: None

Attest:

Wendy Marble, City Clerk

Tommy Joe Chester, Mayor