

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **MAY 14, 2018 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: TODD LITTLETON, AUSTIN HUGHES, MARY SMITH AND AARON MCLEROY

MEMBERS ABSENT: SCOTT DICKSON

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

OTHERS PRESENT: JENNIFER GILCHREST, JAY BROWN, CHARLES BINGHAM, KEVIN MCCULLOUGH, RAY HATCHER, JOSHUA BILLS, LESLIE WALKER, JASON KNIGHT AND OTHERS THAT DID NOT SIGN IN

### **SWEARING IN OF NEW MAYOR AND WARD 1 CITY COUNCIL MEMBER**

Honorable Judge Steven Hendrickson read the oath of office as Mr. McLeroy raised his right hand and repeated the oath for the official swearing in process for the position of Mayor.

Honorable Judge Steven Hendrickson read the oath of office as Mr. Hughes raised his right hand and repeated the oath for the official swearing in process for the position of Ward 1 City council Member.

Honorable Judge Steven Hendrickson read the oath of office as Officer Lemon raised his right hand and repeated the oath for the official swearing in process for the position of Police Officer.

### **SHORT RECEPTION**

**CALL TO ORDER** Mayor McLeroy called the meeting to order at 7:07 p.m.

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

**PLEDGE OF ALLEGIANCE** Boy Scout led the pledge of allegiance

**INVOCATION** Littleton gave the invocation

#### 1. SELECTION OF VICE-MAYOR

**Motion was made by Littleton, seconded by McLeroy to nominate Mary Smith as Vice-Mayor. Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

#### 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.)

### **Strike**

3. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

- a. Swearing in of new police officer – Clayton Lemon

**Officer sworn in at beginning of meeting.**

- b. Presentation by Kevin McCullough OMAG \$5,000 Check for Body Cameras

**McCullough presented Chief Cluck with a \$5,000 check for the purchase of body cameras from OMAG grant. McCullough praised the Police Department for transparency and professionalism.**

4. Discussion and questions regarding items on the consent docket

**Strike**

5. 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 9, 2018
- b. APPROVAL minutes for City Council Workshop meeting April 9, 2018
- c. APPROVAL minutes for City Council Workshop meeting April 23, 2018
- d. ACKNOWLEDGMENT receipt of payroll and claims for April 2018
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for April 2018
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for April 2018
- g. APPROVAL of Audit Engagement Letter for annual audit by Angel, Johnston & Blasingame, P.C. for year ending December 31, 2017
- h. APPROVAL **Resolution 2018-05** declaring April as Fair Housing Month
- i. ACCEPTANCE of donation of utility easement from Dennis G. Meyer and Laura J. Meyer along Dennis Rd
- j. APPROVAL surplus of Fire Department Command Vehicle 2
- k. APPROVAL User Agreement between the City of Tuttle and Tuttle Athletic Sports Association for use of Schrock Park Ball Field facilities for 2018
- l. APPROVAL User Agreement between the City of Tuttle and Tuttle Round-Up Club for use of Schrock Park facilities for 2018
- m. APPROVAL User Agreement between the City of Tuttle and Silver City Antique Tractor Club for use of Schrock Park facilities for 2018
- n. APPROVAL (PC Petition 2018-16) request of Montford, LLC for approval of a final plat for The Montford Phase 1, located at N Mustang Rd and E Tyler Dr, and acceptance of dedications
- o. APPROVAL acceptance of award and signing of Project Agreement for 2017 Oklahoma Tourism and Recreation Department Recreational Trails Program project
- p. ACCEPTANCE of resignation of Gwendolyn Bomgardner from Position 4 on the Cemetery Advisory Board, term expiring June 30, 2018

- q. APPROVAL renewal of agreement with Keystone Flex Administrators for administrating the city's Section 125 Cafeteria Plan, Section 105 HRA Plan, and COBRA
- r. APPROVAL of **Resolution 2018-06** establishing the 911 Emergency Telephone Fee Rate for Calendar Year 2019

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

6. CONSIDERATION of Items Removed from Consent Docket

7. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION of Election of two Trustees for Oklahoma Municipal Assurance Group Board of Trustees

**Motion was made by Smith, seconded by Littleton to nominate Justin Battles and Mike Bailey for OMAG Board of Trustees.**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy  
Nay: None**

- b. DISCUSSION and related CONSIDERATION selection of a member of the City Council to serve on various boards representing the City of Tuttle with the Association of Central Oklahoma Governments

**Motion was made by Littleton, seconded by McLeroy to nominate Mary Smith to serve on various boards representing the City of Tuttle with the Association of Central Oklahoma Governments**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy  
Nay: None**

**Motion was made by Smith, seconded by Littleton to nominate Austin Hughes as alternate to serve on various boards representing the City of Tuttle with the Association of Central Oklahoma Governments**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy  
Nay: None**

- c. DISCUSSION and related CONSIDERATION selection of a member of the City Council to serve on the board for the Tuttle Area Chamber of Commerce

**Motion was made by Smith, seconded by Hughes to nominate Todd Littleton to serve on the board for the Tuttle Area Chamber of Commerce**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy  
Nay: None**

- d. DISCUSSION and related CONSIDERATION selection of a member of the City Council to serve on the Parks & Recreation Advisory Board

**Motion was made by Littleton, seconded by Smith to nominate Aaron McLeroy to serve on the Parks & Recreation Advisory Board**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

- e. PUBLIC HEARING, DISCUSSION and related CONSIDERATION of **Ordinance 2018-12**, annexation for the west section of Rock Creek Addition and other nearby parcels in Section 1, Township 9 North, Range 6 West, area to be annexed legally described as follows:

A TRACT OF LAND LYING IN THE SOUTH HALF (S1/2) OF SECTION 1, TOWNSHIP 9 NORTH, RANGE 6 WEST OF THE INDIAN MERIDIAN, GRADY COUNTY, OKLAHOMA AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER (E1/2-SW1/4);

THENCE S89°37'24"W ALONG THE SOUTH LINE OF SAID S1/2 FOR A DISTANCE OF 329.83 FEET TO THE EAST LINE OF A QUIT CLAIM DEED RECORDED IN BOOK 3038, PAGE 33 WITH THE GRADY COUNTY CLERK'S OFFICE ON JUNE 22, 1998;

THENCE N00°11'55"W ALONG SAID EAST LINE FOR A DISTANCE OF 661.57 FEET TO THE NORTH LINE OF SAID BOOK 3038, PAGE 33, SAID POINT ALSO BEING ON THE SOUTH LINE OF A WARRANTY DEED RECORDED IN BOOK 3208, PAGE 292 WITH THE GRADY COUNTY CLERK'S OFFICE ON JULY 05, 2000;

THENCE S89°38'25"W ALONG SAID NORTH LINE OF BOOK 3038, PAGE 33 AND SOUTH LINE OF BOOK 3208, PAGE 292 FOR A DISTANCE OF 329.87 FEET TO THE WEST LINE OF SAID BOOK 3208, PAGE 292;

THENCE N00°12'07"W ALONG SAID WEST LINE FOR A DISTANCE OF 316.35 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF ROCK CREEK ADDITION RECORDED IN RED BOOK 5, PAGE 4 WITH THE GRADY COUNTY CLERK'S OFFICE ON SEPTEMBER 07, 2000;

(THE FOLLOWING 4 COURSES ARE ALONG SAID EXTERIOR BOUNDARY OF ROCK CREEK ADDITION)

THENCE CONTINUING N00°12'07"W FOR A DISTANCE OF 1652.11 FEET;

THENCE N89°48'28"E FOR A DISTANCE OF 759.56 FEET;

THENCE S00°23'55"E FOR A DISTANCE OF 1382.00 FEET;

THENCE N89°27'29"E FOR A DISTANCE OF 905.31 FEET TO THE COMMON LINE BETWEEN LOTS 30, 31, 39 AND 40, BLOCK 1, ROCK CREEK ADDITION;

THENCE S00°15'35"W ALONG SAID COMMON LINE FOR A DISTANCE OF 617.85 FEET TO THE COMMON LINE BETWEEN LOTS 27, 28, 29 AND 30, BLOCK 1, ROCK CREEK ADDITION;

THENCE S77°36'17"E ALONG SAID COMMON LINE FOR A DISTANCE OF 540.05 FEET TO THE COMMON LINE BETWEEN LOTS 13, 14, AND 28, BLOCK 1, ROCK CREEK ADDITION;

THENCE S00°22'26"E ALONG SAID COMMON LINE FOR A DISTANCE OF 236.16 FEET TO THE COMMON LINE BETWEEN LOTS 1 AND 13, BLOCK 1, ROCK CREEK ADDITION;

THENCE N89°37'34"E ALONG SAID COMMON LINE FOR A DISTANCE OF 106.93 FEET TO THE COMMON LINE BETWEEN LOTS 1 AND 2, BLOCK 1, ROCK CREEK ADDITION;

THENCE S00°22'26"E ALONG SAID COMMON LINE FOR A DISTANCE OF 245.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ROCK CREEK ROAD;

THENCE CONTINUING S00°22'26"E FOR A DISTANCE OF 30.00 FEET TO THE SOUTH LINE OF SAID S1/2;

THENCE S89°37'34"W ALONG SAID SOUTH LINE FOR A DISTANCE OF 1640.48 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINING 74.44 ACRES MORE OR LESS.

**Mayor asked to come back to this item later in the meeting. Returned to item 7 after completing item 8c.**

**Mayor McLeroy opened the Public Hearing at 7:39 p.m.**

**Holly Abston spoke on behalf of the neighborhood in favor of the annexation. Perryman presented the area of 74.44 acres with 72.2% of residents in favor of annexation. He also presented requirements of publication.**

**Mayor McLeroy closed the Public Hearing at 7:43 p.m.**

**Motion was made by Smith, seconded by Littleton to adopt Ordinance 2018-12, annexation for the west section of Rock Creek Addition and other nearby parcels in Section 1, Township 9 North, Range 6 West; annexing sections 1-13, establishing zoning and municipal services.**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

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

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

- f. **DISCUSSION and related CONSIDERATION of request of the Friends of the Tuttle Public Library to fund access to the Lynda.com learning system**

**Lori Dennis presented a Tuttle library card would be necessary to access this site. She stated the fee of \$2500 is annual. Smith asked if the City has the funding and if the City attorney would review the contract. Perryman stated the contract could only be for the current year and a written resolution would be required stating that this benefits the City, that it has a public purpose. McLeroy asked if they can provide documentation of a demand for this. Young stated he would provide financials for funding at the next meeting.**

**Motion was made by Littleton, seconded by Smith to TABLE this item until the next meeting.**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

8. STREETS

- a. DISCUSSION and related CONSIDERATION of **Resolution 2018-07** directing the City Engineer to prepare preliminary plans and cost estimate for a requested Rock Creek Addition Improvement District (IMP-002) for the improvement of streets

**Perryman presented Resolution 2018-07 which is the initial step in creating the road improvement district. The estimate from the engineer is \$157,510.00.**

**Motion was made by Littleton, seconded by Smith to approve Resolution 2018-07 directing the City Engineer to prepare preliminary plans and cost estimate for a requested Rock Creek Addition Improvement District (IMP-002) for the improvement of streets.**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

- b. DISCUSSION and related CONSIDERATION of **Resolution 2018-08** proposing the creation of the Rock Creek Addition Improvement District (IMP-002) for the improvement of streets and directing the City Clerk to provide notice of a public hearing

**Perryman presented the Resolution will require publication for two consecutive weeks in the newspaper.**

**Motion was made by Smith, seconded by Littleton to approve Resolution 2018-08, with the time of hearing amended to 7:00 p.m.; proposing the creation of the Rock Creek Addition Improvement District (IMP-002) for the improvement of streets and directing the City Clerk to provide notice of a public hearing**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

- c. DISCUSSION and related CONSIDERATION award of contract for street resurfacing project under 2017 Oklahoma Department of Commerce Community Development Block Grant - Community Revitalization program (TUTTLE PROJECT NO. TUT-TR18-001; BID 2018-02)

**Fairbairn presented the grant is a 50/50 match with City providing \$150,000. It is a 2" asphalt overlay. Fairbairn recommends the City award the base bid and Alternate one to Markwell Paving in the amount of \$290,320.89.**

**Motion was made by Smith, seconded by Littleton to award base bid and alternate one to Markwell paving as presented and recommended.**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

- d. DISCUSSION and related CONSIDERATION award of contract for street resurfacing in the Rock Creek Addition Improvement District (IMP-002)

**Perryman presented award of contract at the recommendation of the City Manager in the amount of \$131,528.00.**

**Motion was made by Smith, seconded by Littleton to accept bid and award contract to Markwell Paving in the amount of \$131,528 for street resurfacing in the Rock Creek Addition Improvement District (IMP-002) contingent on Street Improvement District being approved at meeting next month.**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

**Mike from Markwell thanked the Council and expressed that Markwell Paving is happy to provide services and give back to the community.**

**Slattery presented the Cemetery resurfacing has been postponed until after Memorial Weekend due to contractor time constraints. He is disappointed it will not be complete for the holiday.**

**9. PUBLIC SAFETY**

- a. DISCUSSION and related CONSIDERATION approving purchase or lease of new Police Department vehicles**

**Cluck presented more options on vehicles purchases as requested by the Council. Young asked what direction the Council is considering. Smith stated the cars should have some value when it is time to trade.**

**Littleton stated the council direction was to make purchases have value when it is time to replace the vehicle. He asked that there be consistency with choices at whatever level the purchase request can be accommodated. To start talking about future plans all of the sudden is poor leadership at some level. Need to commit to future plans and be consistent with the plan, stay with the precedent that was set to all department heads that this is what we want to work for. The plan is for reliable equipment and vehicles for all departments.**

**McLeroy stated they have failed the Police Department keeping good vehicles, but not all cars need to be replaced at the same time. Young stated he budgeted for 2 cars this year and could budget for four cars next year. McLeroy stated the City could purchase two cars this year, 4-6 next year or possible four this year. McLeroy stated he does not want to finance a large amount until the Fiber system financing is complete. Cluck presented information about year and mileage of cars. McLeroy asked Young what his suggestion is for purchasing police vehicles. Young stated he is not prepared to make a suggestion about which plan to approve until numbers are crunched. He stated two are budgeted for this year. McLeroy stated we should do a better job of budgeting vehicles. Littleton stated he would prefer commitment of four this year with six next year and he does not agree with only purchasing two. Smith agreed with Littleton that Public Safety needs dependable vehicles. McLeroy agreed to commit to Littleton's request and stated if there is no plan to get the six next year he would consider financing. Young presented tax comparisons stating Tuttle is much lower than Oklahoma City, yet we do a lot with the money we have. Littleton stated he appreciates the comparison but realizes people don't look at those comparisons when deciding where to live.**

**Motion was made by Smith, seconded by Littleton to authorize City Manager and Police Chief to purchase two vehicles for Police Department now and come back with two more vehicles this year if money is available, approving \$1000 per vehicle for radios and equipment, total cost not to exceed \$73,000.**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

10. INFORMATION AND REPORTS

a. City Manager and Department Reports

**No reports presented**

b. Councilmember Reports

**Littleton asked if Cottonwood lot split was delayed. Young presented yes.**

**NEW BUSINESS**

**ANNOUNCEMENTS**

1. No City Council Workshop Meeting for May 2018
2. City Council Meeting on Monday, June 11, 2018 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 9:09 p.m.**

**Motion carried as follows:**

**Aye: Littleton, Hughes, Smith and McLeroy**

**Nay: None**

Attest:

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

\_\_\_\_\_  
Aaron McLeroy, Mayor