

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JUNE 11, 2018 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: SCOTT DICKSON, AUSTIN HUGHES, MARY SMITH AND AARON MCLEROY

MEMBERS ABSENT: TODD LITTLETON

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

OTHERS PRESENT: JENNIFER GILCHREST, MARY KATE HENSON, LORI DENNIS, LESLIE WALKER, JASON KNIGHT AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Mayor McLeroy called the meeting to order at 7:06 p.m.

ROLL CALL Marble called the roll and declared a quorum present

PLEDGE OF ALLEGIANCE McLeroy led the pledge of allegiance

INVOCATION Dickson gave the invocation

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

- a. Recognition of Deputy Court Clerk Marcie Behrens for completing the Municipal Court Clerk Certification

Mayor and Council Members congratulated Behrens on completing the certification.

3. Discussion and questions regarding items on the consent docket

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 May 14, 2018
- b. APPROVAL minutes for City Council Workshop meeting May 14, 2018
- c. ACKNOWLEDGMENT receipt of payroll and claims for May 2018
- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for May 2018

- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for May 2018
- f. APPROVAL of Budget Amendment 2018-13 proceeds for OMAG Safety Grant
- g. APPROVAL of Budget Amendment 2018-14 Auction/Trade-in proceeds and vehicle purchases
- h. APPROVAL of Budget Amendment 2018-15 proceeds from insurance claim for Public Works
- i. APPROVAL of Budget Amendment 2018-16 Body Camera grant proceeds
- j. APPROVAL of a City Council Handbook
- k. APPROVAL of **Resolution 2018-09** authorizing the City Council's participation in the Oklahoma Municipal Assurance Group's recognition program
- l. APPROVAL Grady County Criminal Justice Authority Jail Service Agreement for July 1, 2018 through June 30, 2019
- m. APPROVAL renewal of employee health, dental, vision, and other benefits beginning July 1, 2018
- n. APPROVAL Emergency Management Performance Grant 3rd Quarter 2018 Report.
- o. APPROVAL Budget Amendment 2018-17 making Emergency Management Performance Grant 3rd Quarter 2018 disbursement available for use by the Emergency Management Department upon receipt.
- p. APPROVAL Rural Economic Action Plan Fiscal Year 2018 Contract #18-2204 Request for Payment #1.
- q. APPROVAL Rural Economic Action Plan Fiscal Year 2018 Contract #18-2204 Non-Collusion Affidavit.
- r. APPROVAL Rural Economic Action Plan Fiscal Year 2018 Contract #18-2204 De-Obligation Request.
- s. APPROVAL Rural Economic Action Plan Fiscal Year 2018 Contract #18-2204 Closeout Request
- t. APPROVAL **Resolution 2018-10** requesting the Oklahoma Department of Transportation to study and consider adjusting the speed limit on East Main Street/SH-37 from Richland Rd Cimarron Rd, and study and consider adjusting the speed limit, adding shoulders, and other physical improvements on West Main Street/SH-37 from NW 6th Street to Gregory Rd
- u. APPROVAL of 522 Annual Provider Agreement and Capital Outlay Allocation Agreement with Grady Emergency Medical Services District for July 1, 2018 to June 30, 2019
- v. APPROVAL applying \$60,000 Bond from Citizen Energy toward unpaid street usage fees
- w.* APPROVAL of Resolution 2018-12 assigning 911 fees to 911 Association of Central Oklahoma Governments

**Motion was made by Smith, 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,r,s,t,u,v and w. Motion carried as follows:
 Aye: Dickson, Hughes, Smith and McLeroy
 Nay: None**

5. CONSIDERATION of Items Removed from Consent Docket

Strike

6. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION of **Ordinance 2018-14** (PC Petition 2018-18) amending the Tuttle Zoning Code regarding standards, regulations, and administration of Specific Use Permits

Young presented no rules in place regarding specific use permits. Dickson asked if any pending SUP and Young stated there are four filings. Perryman stated this will go into effect 30 days after passing

Motion was made by Smith, seconded by Hughes to approve Ordinance 2018-14 (PC Petition 2018-18) amending the Tuttle Zoning Code regarding standards, regulations, and administration of Specific Use Permits

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- b.* DISCUSSION and related CONSIDERATION regarding adoption of ordinances, resolutions, and/or other action regarding the creation of a Metropolitan Area Planning Commission for the Tuttle area

Mayor requested delaying this item until after executive session.

Returned to this item at 10:27 pm

Motion was made by McLeroy, seconded by Smith to authorize the City Manager and the City Attorney to begin steps for the creation of a Metropolitan Area Planning Commission for the Tuttle area

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

7. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION of **Ordinance 2018-13** amending the tobacco free regulations

Mary Kate Henson presented the amendments to the Tobacco policy which amends tobacco/ use in City vehicles and the use of vapor products in vehicles or on any city property. Perryman stated there is also a change to the signage requirements. Henson stated yes and TSET provides the signs to the City at no cost.

Motion was made by Dickson seconded by Smith to approve Ordinance 2018-13 amending the tobacco free regulations

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

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

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- b. DISCUSSION and related CONSIDERATION appointment of Position 4 on the Cemetery Advisory Committee for a term ending June 30, 2021

Motion was made by Smith seconded by Dickson to approve appointment of Connie Delno to Position 4 on the Cemetery Advisory Committee for a term ending June 30, 2021

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- c. DISCUSSION and related CONSIDERATION reappointment of Position 5 on the Cemetery Advisory Committee for a term ending June 30, 2021

Motion was made by Smith seconded by Dickson to approve reappointment of Joy Kettler to Position 5 on the Cemetery Advisory Committee for a term ending June 30, 2021

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- d. DISCUSSION and related CONSIDERATION reappointment of Position 5 on the Planning Commission for a term ending June 30, 2021

Motion was made by Smith seconded by Dickson to approve reappointment of Teresa Buck to Position 5 on the Planning Commission for a term ending June 30, 2021

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- e. DISCUSSION and related CONSIDERATION appointment of Position 4 on the Planning Commission for a term ending June 30, 2021

Motion was made by Dickson seconded by Smith to approve appointment of David Parker to Position 4 on the Planning Commission for a term ending June 30, 2021

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- f. DISCUSSION and related CONSIDERATION reappointment of Position 1 on the Parks and Recreation Advisory board for a term ending June 30, 2019

Motion was made by Dickson seconded by McLeroy to approve reappointment of Cole Prestidge to Position 1 on the Parks and Recreation Advisory Board for a term ending June 30, 2019

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- g. DISCUSSION and related CONSIDERATION reappointment of Position 2 on the Parks and Recreation Advisory board for a term ending June 30, 2019

Motion was made by Dickson seconded by Smith to approve reappointment of Sarah Hites to Position 2 on the Parks and Recreation Advisory Board for a term ending June 30, 2019

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- h. DISCUSSION and related CONSIDERATION appointment of Position 1 on the Board of Adjustment for a term ending June 30, 2019

Strike

- i. DISCUSSION and related CONSIDERATION reappointment of Position 4 on the Board of Adjustment for a term ending June 30, 2021

Motion was made by Smith seconded by Hughes to approve reappointment of Richard Schwalbach to Position 2 on the Board of Adjustment for a term ending June 30, 2019

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- j. DISCUSSION and related CONSIDERATION reappointment of Position 5 on the Board of Adjustment for a term ending June 30, 2021

Motion was made by Dickson seconded by Smith to approve reappointment of Elberta Jones to Position 5 on the Board of Adjustment for a term ending June 30, 2019

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- k. 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 description of Lynda.com and the type of courses available. Dickson asked for reports to include how many citizens are using it and what they completed. Smith asked for data regarding citizen interest. Dennis stated she did not have that information. Dickson asked what other libraries use it and Dennis stated Okla. City, Tulsa and Southern Library system. Gilcrest presented classes include web design, photography, business, leadership and time management are some examples. She stated it will better the community and the schools. Hughes asked how many can sign up. Dickson stated he is concerned about the license and if it is unlimited.

Motion was made by Smith, seconded by Dickson to approve purchase of one year of Lynda.com for the Tuttle Library contingent on contract showing unlimited use for all users concurrent. Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- l. DISCUSSION and related CONSIDERATION of Budget Amendment 2018-18 allocating money to the Library Department for Lynda.com

Young presented funds are available and explained the budget amendment.

Motion was made by Smith, seconded by Dickson to approve Budget Amendment 2018-18 allocating money to the Library Department for Lynda.com. Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

8. STREETS

- a. DISCUSSION and related CONSIDERATION regarding repairs to roads used by and damaged by oil & gas activities

Young presented Roan oil and gas company agreed to pay outstanding fees of Linn Energy and Citizen Energy. Young stated it could be approximately \$300,000.

Staff and Council discussed partnering with the County and discussed which roads to consider. Slattery presented he will provide options at the July meeting.

No Action Taken

- b.* PUBLIC HEARING and related CONSIDERATION regarding the creation and assessments for the Roadway Improvement District for a part of the Rock Creek Addition

Mayor McLeroy opened the Public Hearing at 7:52 p.m

Perryman presented the purpose is to determine roadway improvement district. This consists of 24 lots with property owners paying \$5,480.34 per lot plus interest, which the City will bill monthly. There are options to pay all at once or annually for ten years. A protest or objection has to be filed tonight and then 30 days to file the action in district court. Property owners may address the council with questions about the assessment district. Young stated letters will be sent to all property owners with options for payments.

Mayor McLeroy closed the Public Hearing at 8:13 p.m.

- c.* DISCUSSION and related CONSIDERATION of Resolution 2018-11 regarding the creation of and assessments for the Roadway Improvement District for a part of the Rock Creek Addition

Smith asked about interest of 2.5%. Perryman state Ordinance will include interest rate.

Motion was made by Smith, seconded by Dickson to approve Resolution 2018-11 regarding the creation of and assessments for the Roadway Improvement District for a part of the Rock Creek Addition. Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

Motion was made by Smith, seconded by Dickson to recess the City Council Meeting at 8:14 p.m.

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

Motion was made by Smith, seconded by Hughes to reconvene the City Council Meeting at 9:48 p.m. and enter Executive Session

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

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 regarding collective bargaining with the International Association of Firefighters Local #5017 (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

- b.* CONSIDERATION to conduct an EXECUTIVE SESSION and take appropriate action regarding a potential legal claim the City of Tuttle may have against Overflow Energy, LLC. (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(4) for confidential communications between the City Council and its attorney concerning a pending claim, if the City Council, with the advice of its attorney, determines that disclosure will seriously impair the ability of the City Council to process the claim in the public interest. The Governing Body 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 9b

Motion was made by Smith, seconded by Dickson to reconvene the City Council Meeting at 10:27 p.m.

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

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.

Item 6b was discussed

Motion was made by McLeroy, seconded by Smith to authorize the City Manager and the City Attorney to begin steps for the creation of a Metropolitan Area Planning Commission for the Tuttle area

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

10. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Young presented a meeting is scheduled with Republic Services about recycling and what may happen since China no longer accepts plastic.

- b. Councilmember Reports

Smith thanked City for putting up the “slow down for children playing “ sign in her ward.

NEW BUSINESS

ANNOUNCEMENTS

1. City Council Workshop Meeting Monday, June 25, 2018 at 6:00 pm
2. City Council Meeting on Monday, July 9, 2018 at 7:00 pm (workshop at 6:00 pm)
- 3.* Ice Cream Festival Saturday, June 16, 2018, 10:00 am to 4:00 pm

ADJOURNMENT

Motion was made by Smith, seconded by Hughes to adjourn the City Council Meeting at 10:53 p.m.

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor