

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JULY 9, 2018 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: NONE

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

OTHERS PRESENT: GLORIA JESSUP, GLEN ADAMS, OSTIN STREETER, EMERY DYE, DANNY WATTERS, LORI DENNIS, VIVIAN SLOAN, LES MCDERMOTT, LESLIE WALKER, JASON KNIGHT AND OTHERS THAT DID NOT SIGN IN

**CALL TO ORDER** Mayor McLeroy called the meeting to order at 7:01 p.m.

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

**PLEDGE OF ALLEGIANCE** McLeroy led the pledge of allegiance

**INVOCATION** Littleton 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 Gwendolyn Bomgardner for 20 years of service on the Cemetery Board

**Mayor and Council presented plaque to Bomgardner and thanked her for her service.**

b. Recognition of Les McDermott for 5 years of service on the Planning Commission

**Mayor and Council presented plaque to McDermott and thanked him for his service.**

c. Recognition of Tuttle Round-Up Club's 75th Anniversary – established 1943

**Mayor and Council congratulated the Tuttle Round-Up Club on their 75<sup>th</sup> anniversary**

3. Discussion and questions regarding items on the consent docket

**Strike**

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 June 11, 2018
- b. APPROVAL minutes for City Council Workshop meeting June 11, 2018
- c. ACKNOWLEDGMENT receipt of payroll and claims for June 2018
- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for June 2018
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for June 2018
- f. APPROVAL of **Resolution 2018-13** directing staff to apply for Hazard Mitigation Grant Program funding for the City of Tuttle 2018 Individual Safe Room Rebate Program and, if awarded, authorizing staff to solicit bids from vendors for the purpose of installing safe rooms for those awardees who choose standardized installation
- g. ACCEPTANCE of donation of utility easements located in Section 32 from Velocity Central Oklahoma Pipeline, LLC
- h. APPROVAL surplus of inoperable ice machine used by Fire Department
- i. ACCEPTANCE of \$300 grant donation from Firefighters Charitable Foundation Inc.
- j. ITEM REMOVED
- k. APPROVAL of **Resolution 2018-17** causing an Assessment Roll for the Rock Creek Improvement District to be filed in the office of the Tuttle City Clerk
- l. APPROVAL of **Resolution 2018-18** setting a time and place for a hearing on the Assessment Roll and directing the City Clerk to give notice by mail not more than 30 days prior to the date of the hearing to all owners of tracts or parcels of land being assessed the cost of the improvements in the Rock Creek Improvement District and directing the City Clerk to file an Affidavit of Mailing in the office of the City Clerk and directing the City Clerk to publish notice two times in the Tuttle Times with the last publication being at least seven (7) days prior to the date of the hearing and to secure and file in the office of the City Clerk an Affidavit of Publication
- m. APPROVAL minutes for City Council Workshop meeting June 25, 2018

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

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

**Nay: None**

**Perryman presented Items k and l shall be signed by the Mayor at this time. Item k allows for the assessment roll to be filed with the City Clerk. Item l establishes a date for the public hearing of 8/13/18 and publication of hearing notice. Objections must be filed by August 10, 2018.**

**Slattery stated the road improvement project for Rock Creek will start mid-August.**

- 5. CONSIDERATION of Items Removed from Consent Docket

**Strike**

- 6. COMMUNITY DEVELOPMENT

- a. PUBLIC HEARING and related CONSIDERATION declaration of the primary structure and accessory structures located at 502 SW 1<sup>st</sup> Street as dilapidated and ordering the cleanup of said property

**Young presented item is not ready for consideration, but the public hearing can be conducted then table the item until the next meeting.**

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

**Mayor McLeroy closed the Public Hearing at 7:13 p.m.**

**Motion was made by Smith, seconded by Dickson to TABLE this item.**

**Motion carried as follows:**

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION of **Resolution 2018-14** (PC Petition 2018-23) request of Mid-Continental Restoration Co. for a Specific Use Permit to operate a contractor's yard/business at 2504 E SH-37

**Smith asked if the Planning Commission approved this item. Porter presented they did approve. McLeroy asked if they reviewed the changes. Porter stated they drafted the Resolution during the meeting.**

**Motion was made by Smith, seconded by Littleton to approve Resolution 2018-14 (PC Petition 2018-23) request of Mid-Continental Restoration Co. for a Specific Use Permit to operate a contractor's yard/business at 2504 E SH-37**

**Motion carried as follows:**

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

**Nay: None**

- c. DISCUSSION and related CONSIDERATION of **Resolution 2018-15** (PC Petition 2018-24) request of Keith and Ostin Streeter to amend the approved Specific Use Permit (Originally Resolution 2018-02/PC Petition 2018-06) to operate a contractor's yard/business at 4808 E SH-37

**Littleton asked why the City is granting industrial in C-5 zoned location. Young stated the Planning Commission voted unanimously to approve. Porter presented Ostin Streeter reviewed the Resolution and agrees with it. McLeroy asked if the City wants the intersection of SH-37 and SH-4 to be industrial and if so the infrastructure build out for the commercial zones should stop. The industrial uses will deter from the City attracting retail businesses. Dickson stated he does not think this business is setting a precedent for industrial. He stated the Specific Use Permit is up to the Council to manage the site use. Perryman stated the decisions cannot be capricious or arbitrary and this sets a risk of other businesses using this where the City will not be able to say no. Perryman stated this business sounds like a trucking company rather than a commercial contractor. McLeroy stated the Planning commission did not have all required information in order to consider this for approval. Perryman asked what type of business is operating. Porter stated it is a gravel hauling contracting business. Ostin Streeter presented he will have ten trucks maximum at**

the site. He has expanded the width of gates and will install a stockade fence. McLeroy asked where are the roll off dumpsters that were located on site and Streeter stated they have been moved to another location. Perryman asked Streeter what type of business he has and how does he promote it. Streeter stated it is a road construction company and they work mostly state projects. Smith stated it sounds like an industrial business. Littleton stated a privacy fence should be required and only light vehicles parked in front. Streeter stated he did not plan on getting the state contract and expanding his business when he attended the January meeting. Dickson asked what happens if this is not approved. Perryman presented they can file an appeal with the board of adjustment or appeal to district court. Young stated creating the new SUP began with new property was acquired. Perryman stated the Council does not have the jurisdiction to approve a trucking company and stated his opinion is that the business has taken the form of a trucking company. Smith suggested reading the use that was permitted in January 2018 and adding some cosmetics to the Special Use Permit. McLeroy stated the engineer concerns have not been addressed. Smith suggested sending back to Planning Commission. Perryman stated they could look at drainage, safety and any other issues of concern.

Motion was made by Smith, seconded by McLeroy to remand this item back to the Planning Commission to review and address the site drainage, public safety, upgrade the paving in front of the building and address the building façade.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

- d. DISCUSSION and related CONSIDERATION of **Resolution 2018-16** (PC Petition 2018-21) request of Strano Enterprise for a Specific Use Permit to operate a contractor's yard/business at 115 N Mustang Rd

Porter presented this is a trucking company that parks a maximum of twenty trucks overnight and conducts some light maintenance. Jessup presented that she has gone through this process every time a new tenant moves in and does not think this is necessary. She stated the City never provided access to water for this site and utility lines are visible in the ditch. She stated the state approved the driveways that were widened for truck access and semi-trucks are able to turn around in the lot. She stated these trucks are parked overnight and some light maintenance is performed. Littleton asked if this was a request to address the Specific Use Permit or a gripe session. Smith asked Ms. Jessup what she is asking for because the Council is ready to consider the request. Young stated the uses have always been industrial in nature, the council has tried their best to allow the use, but until it is rezoned industrial the SUP process has to be followed each time business changes. Jessup stated that they are asking for SUP to be approved to continue operating business. Smith stated the 2020 plan calls for commercial in this location but the City Council has accommodated property owner in the past and Jessup should not start this request by griping at the Council. Slattery presented the City has a gas line in the easement, but other utility companies have lines as well. Young stated

the utilities could be moved and a phone call to the city would start the process of moving city's utility lines. Hughes asked if there were any other site changes. Jessup stated asphalt and concrete improvements.

**Motion was made by Littleton, seconded by Dickson to approve Resolution 2018-16 (PC Petition 2018-21) request of Strano Enterprise for a Specific Use Permit to operate a contractor's yard/business at 115 N Mustang Rd**

**Motion carried as follows:**

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

**Nay: None**

## 7. GENERAL GOVERNMENT

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

**Young stated this is back before the Council for consideration to be approved with certain conditions.**

Sloan presented she supports adding this service since the library supports life long learning. This would expand services, increase value of library to the public and give more opportunity for learning. Koelsch presented five concurrent users are allowed, which the company states is normal use for a city our size. Dickson stated he supports this but would like to know expansion options.

**Motion was made by Smith, seconded by Dickson to remove restriction and approve request of the Friends of the Tuttle Public Library to fund access to the Lynda.com learning system by approving a trial contract of one year up to the contract amount.**

**Motion carried as follows:**

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

**Nay: None**

## 8. 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 8a

**No Executive Session and No Action Taken**

## 9. INFORMATION AND REPORTS

- a. City Manager and Department Reports

**Young presented the Tri-City Chamber lunch is Wednesday at 11:30 a.m.**

- b. Councilmember Reports

**NEW BUSINESS**

**ANNOUNCEMENTS**

1. City Council Workshop Meeting Monday, July 23, 2018 at 6:00 pm
2. City Council Meeting on Monday, August 13, 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 9:12 p.m.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

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

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