

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON MAY 13, 2013 at 6:00 P.M. IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: BOBBY WILLIAMS, MARY SMITH, BILLY CLAPPER, TODD LITTLETON AND TERESA BUCK

MEMBERS ABSENT: NONE

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, BRUCE ANTHONY, RAY COLLIER, DON CLUCK, SEAN DOUGLAS, BECKY WRIGHT

OTHERS PRESENT: LONNIE PAXTON, NATASHA SAPP, OLLIE BUCK, MICHELLE ROBERTS, TELINA EVERETT, JEFF ALTHOFF, DENNIS LEHMAN, TOMMY KOELTZOW, LINDA CODY, ANDREW GRAHAM, BARBARA IHNAT, EVAN IHNAT, JEFF HARRISON AND OTHERS THAT DID NOT SIGN IN

PLEDGE OF ALLEGIANCE Boy Scout Troop 4338 presented the flags and led the pledge of allegiance

SWEARING IN OF COUNCIL MEMBER FOR WARD 4 Steve Hendrickson read the oath of office as Ms. Teresa Buck raised her right hand and repeated the oath for the official swearing in process.

CALL TO ORDER Mayor Bobby Williams called the meeting to order at 6:09

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

INVOCATION Bobby Williams gave the invocation

ORDER OF BUSINESS

1. DISCUSSION and related CONSIDERATION regarding City Council Ward 3 vacant seat and appointment

Nomination was made by Smith, seconded by Clapper to appointment Todd Littleton as Council Member for Ward 3. Motion carried as follows:

Aye: Buck, Smith, Clapper and Williams

Nay: None

2. SWEARING IN OF COUNCIL MEMBER FOR WARD 3

Steve Hendrickson read the oath of office as Mr. Littleton raised his right hand and repeated the oath for the official swearing in process.

3. ELECTION OF NEW CITY COUNCIL VICE MAYOR

Nomination was made by Williams, seconded by Clapper to appointment Todd Littleton as Vice Mayor. Motion carried as follows:

Aye: Buck, Littleton, Clapper and Williams

Nay: None

4. 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.)

Lonnie Paxton, owner of Bank of Tuttle building discussed the fire and expressed his thanks to the City of Tuttle, Tuttle Fire Department and all Fire Departments from surrounding communities that responded.

5. RECOGNITIONS

- a. Recognition of Natasha Sapp, Executive Director of Tuttle Area Chamber of Commerce

Mayor Williams introduced Natasha Sapp as new Executive Director of TACC

- b. Recognition of Gage Nett, Ethan Danker, Brandon Sanford, Anthony Roberts, and Garrett Gilmore for receiving rank of Eagle Scout during the academic year 2012-2013

Mayor Williams called Boy Scouts to front to receive their proclamations. He read the proclamation from the City and the Council Members congratulated each Scout.

- c. Recognition of Fire Responders for their response to the fire in Bank of Tuttle Building

Bruce Anthony presented the details of the response to the fire in downtown historic building on Tuesday May 7, 2013. The mutual aid system of fire departments was discussed. Eight departments responded (Mustang, Newcastle, Bridge Creek, Amber, Blanchard, Oklahoma City, Grady County, Union City), with a total of 44 fire fighters and 6 engines. Tuttle fire Department had 16 fire fighters respond. Tim Young presented approximately one million gallons of water was used. The fact that the water was available shows the city is making progress with infrastructure and services for the community.

6. 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 no 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 8, 2013
- b. ACKNOWLEDGMENT receipt of payroll and claims for April 2013
- c. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for April 2013
- d. APPROVAL of Angel, Johnston & Blasingame, P.C. to conduct a financial audit for FY 2013.
- e. APPROVAL of Election of Trustees for Oklahoma Municipal Assurance Group Board of Trustees
- f. APPROVAL of Property and Evidence Control Form for Police Department
- g. APPROVAL of Amendment in Scope of land and water conservation grant at Schrock Park to purchase and install new lighting at the Rodeo Arena
- h. APPROVAL of Notice of Intent to Request Release of Funds for CDBG 4th Street Sewer Project
- i. APPROVAL of Covenants, Conditions, Restrictions for Deer Ridge Run addition by Tommy Koeltzow
- j. APPROVAL of Tuttle Housing Authority Environmental Review paperwork for CFP 2013

Motion was made by Williams, seconded by Smith to adopt the consent agenda items 6a, b, c, d, g, i, j. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

7. **CONSIDERATION of Items Removed from Consent Docket**

- e. **APPROVAL of Election of Trustees for Oklahoma Municipal Assurance Group Board of Trustees**

Council Members discussed the candidates.

Motion was made by Smith, seconded by Littleton to elect Michael Bailey and John Sheppard for OMAG Trustee per the consent agenda item 6e. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

- f. **APPROVAL of Property and Evidence Control Form for Police Department**

Clapper asked if this form is different than our current form. Cluck presented this is a form that OMAG advises municipalities to use.

Motion was made by Clapper, seconded by Littleton to adopt the consent agenda items 6f. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

- h. **APPROVAL of Notice of Intent to Request Release of Funds for CDBG 4th Street Sewer Project**

Clapper asked why we need to provide Notice of Intent. Douglas presented information of Notice of Intent required procedures.

Motion was made by Clapper, seconded by Smith to adopt the consent agenda items 6h. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

8. **GENERAL GOVERNMENT**

- a. **DISCUSSION and related CONSIDERATION of Friends of the Tuttle Public Library Update**

No discussion

- b. **DISCUSSION and related CONSIDERATION of Peddlers and Itinerant Occupations License**

Young explained Clapper requested procedures to be reviewed. Young presented City's current licensing procedures and Council discussed and will consider changes. Enforcement is by Police Department. Clapper would like to prohibit vendors. Perryman commented that constitutionally the City has to allow vendors.

- c. **DISCUSSION and related CONSIDERATION for Council Member representation for Tuttle Area Chamber of Commerce**

Littleton explained Chamber's desire for good communication between the Chamber and City. Littleton offered he would serve as representative for the City.

Motion was made by Williams, seconded by Smith to approve item 8c nominating Todd Littleton as City representative for Tuttle Area Chamber of Commerce .

Motion carried as follows:

Aye: Buck, Clapper, Smith and Williams

Nay: None

- d. **DISCUSSION of ACOG selection for 911 Inter-modal Transportation Policy, and Executive Boards**

Smith presented she has been on the board and will continue but would like an alternate to be nominated.

Motion was made by Clapper, seconded by Littleton to approve item 8d nominating Mary Smith as City representative for ACOG Executive Board. Motion carried as follows:

Aye: Buck, Littleton, Clapper, and Williams

Nay: None

Motion was made by Smith, seconded by Littleton to approve item 8d nominating Teresa Buck as Alternate City representative for ACOG Executive Board. Motion carried as follows:

Aye: Smith, Littleton, Clapper, and Williams

Nay: None

- e. **DISCUSSION of City Council representative for ASCOG Association of South Central Oklahoma Governments**

Motion was made by Littleton seconded by Buck to approve item 8e nominating Bobby Williams as City representative for ASCOG. Motion carried as follows:

Aye: Buck, Littleton, Clapper, and Smith

Nay: None

- f. **DISCUSSION and related CONSIDERATION to purchase iPads for Council Members**

Clapper presented City staff time and cost will be offset by purchase. Young presented cost approximately \$350 per iPad. Council discussed a use policy will need to be created.

Motion was made by Clapper, seconded by Littleton to approve item 8e for purchase of iPads. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

9. COMMUNITY DEVELOPMENT

Williams asked if Planning Commission had approved all items in their meeting. Young replied that they had. Clapper asked if anyone in the audience had any objections and no one replied.

- a. **DISCUSSION and related CONSIDERATION Ordinance 2013-09 (PC Petition 2013-07) rezoning property located at 815 N. Richland Road from A-1 to R-1A**

Motion was made by Littleton, seconded by Smith to approve items 9a. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

- b. **DISCUSSION and related CONSIDERATION Ordinance 2013-10 (PC Petition 2013-08) regarding the request of Hijet Blue, LLC to have property at 423 N Richland Rd rezoned from A-1 to R-1A**

Smith noted scrivener's error in address on memo which Marble acknowledged and will correct.

Motion was made by Williams, seconded by Clapper to approve items 9b. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

- c. **DISCUSSION and related CONSIDERATION Ordinance 2013-11 (PC Petition 2013-10) regarding the request of Carl & Donna Harryman to have property located at 4200 E SH-37 rezoned from C-2 to C-5**

Motion was made by Williams, seconded by Littleton to approve items 9c. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

- d. **DISCUSSION and CONSIDERATION for PC-2013-11 regarding the request of Steve Johnson for a Use on Review to operate an Oil Field Services business at 4200 E SH-37**

Motion was made by Williams, seconded by Smith to approve items 9d. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

- e. **REQUEST and CONSIDERATION for PC 2013-12 regarding the request of JB & Linda Conner for a Review of Appropriateness to construct a carport at 206 E Locust**

Motion was made by Williams, seconded by Smith to approve items 9e. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

- f. **DISCUSSION and CONSIDERATION regarding possible Ordinance 2013-12 updating the City's building code and licensing ordinances**

Motion was made by Williams, seconded by Littleton to approve items 9f. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

10. PUBLIC SAFETY

- a. DISCUSSION and related CONSIDERATION of Drug Dog Purchase by Police Department

Cluck presented money is available in the budget and Officer Lanier is certified. The cost of dog is approximately \$4500.00 with \$1650.00 per year to maintain.

Motion was made by Littleton, seconded by Smith to approve items 10a. Motion carried as follows:

Aye: Buck, Littleton, Clapper, Smith and Williams

Nay: None

11. STREETS

- a. DISCUSSION and related CONSIDERATION of Worley Creek petition

Young presented a petition from property owner's has been submitted to the City. All street maintenance money for the current year has been dedicated to Cimarron Road project. Poor condition of streets is an ongoing issue due to lack of funds. Young discussed possibility of bond issue in the future for street maintenance. Williams will speak with author of petition and Young will reply to their petition in writing. Collier presented the list of worst streets are Worley, Scissortail and Mockingbird.

12. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Douglas explained his April monthly report of activities; Severe weather events, storm siren trouble, storm siren installation, radio system expansion, city network expansion, OEM workshop, AHIMT Certification and EOP and EM Volunteer program. Office has been moved to City Hall. Scope change for Ball park lighting was on this agenda.

Chief Anthony presented EMS 3 received, stocking and will soon be in service. Fire Department is fully staffed and interviewing for Interns, need four or five. Need to purchase SCBA before August 1, 2013 price increase. The cost estimate is \$3500-\$5000 each and need approximately 15. April EMS runs were 83 and Fire runs were 33. Thank you to Mutual Aid and the City departments for all their help fighting the fire.

Chief Cluck reported Police Department is not fully staffed and they are accepting applications but not receiving many quality applicants. Clapper wants the salaries increased for Fire and Police before his council term ends. City is working with DEA on drug arrests in Tuttle. Cluck presented monthly report for April 2013.

Collier presented James Calhoun has been re-hired by TPWA doing pothole patch. Summer help has been hired for cemetery upkeep. Starting salary for TPWA is \$10 an hour and hard to compete with oil field salaries. Morgan Road water project is ongoing. No notable issues with sewer. Gas system are installing lines. Streets installed 40-50 tons of asphalt and starting dirt work at Silver City Ridge bridge. TASA about to complete Concession stand project.

Young reminded all of Ice Cream Festival this Saturday. Cemetery Board increase of fees will be on next month's agenda. Building permits are up for the year. EMS

billing is being worked on to get current. City Council and Department heads are asked to work the ice cream tent.

b. Councilmember Reports

Littleton discussed the meeting with Waldon Drive residents. Young will be meeting with Silver Ridge residents regarding removal of median.

13. 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)

Motion was made by Williams, seconded by Clapper to enter into Executive Session with the city Attorney for discussion of Item 13 a, b, and c at 7:18 p.m.
Motion carried as follows:

Aye: Buck, Littleton, Smith, Clapper and Williams

Nay: None

a. Confidential communications between the governing body and its attorney regarding pending claim and investigation and possible litigation concerning issues relating to cablevision service within the City of Tuttle, Oklahoma. Possible Executive Session for confidential communications between the governing board and its attorney upon advice of counsel. Proposed executive session pursuant to 25 O.S. Section 307(B)(4).

1. CONSIDERATION action related to Executive Session Item 13a

b. CONSIDERATION of adopted Resolution 2012-17 authorizing legal action against Jimmy Thunderbird (a.k.a. John Edwards Timmons) in District Court for the abatement of a nuisance at 5318 E. SH-37 in Tuttle, Oklahoma. Pursuant to 25 O.S. Section 307(B)(4).

1. CONSIDERATION action related to Executive Session Item 13b

c. CONSIDERATION Purchase of real property. (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(3))

1. CONSIDERATION action related to Executive Session Item 13c

David Perryman announced for the record that no other items were discussed in the meeting except for what was stated on the agenda.

Mayor Williams reconvened the meeting at 8:26 p.m.

NEW BUSINESS

ANNOUNCEMENTS

ADJOURNMENT

Motion was made by Smith, seconded by Williams to adjourn the meeting at 8:26 p.m. Motion carries as follows:

Aye: Buck, Littleton, Smith, Clapper and Williams

Nay: None

Attest:

Mayor, Bobby Williams

City Clerk