

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **APRIL 8, 2019 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, DON CLUCK, CHRIS KONDOS, AARON SLATTERY, TIM EDWARDS, LAURIE KOELSCH, KARA BLEVINS, BIANCA VALENCIA AND SEAN FAIRBAIRN

OTHERS PRESENT: RANDY BURRIS, TRAVIS BROUSSARD, ANDREA ANDERSON, MIKE BRUM, JOE MITCHELL, BRENT ZERBY, LAWRENCE CHILDRESS, LESLIE WALKER AND OTHERS THAT DID NOT SIGN IN

CALL TO ORDER Mayor McLeroy called the meeting to order at 7:02 p.m.

ROLL CALL Young 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.)

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 March 11, 2019
- b. APPROVAL minutes for City Council Workshop meeting March 11, 2019
- c. APPROVAL minutes for City Council Workshop meeting March 25, 2019
- d. ACKNOWLEDGMENT receipt of payroll and claims for March 2019

- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for March 2019
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for March 2019
- g. APPROVAL **Resolution 2019-04** declaring April 2019 as Fair Housing Month
- h. APPROVAL **Resolution 2019-05** declaring the week of April 14-20, 2019 to be National Telecommunicator Week
- i. APPROVAL authorizing Public Service of Oklahoma to install 3 additional lights at the Jason White water tower facility
- j. APPROVAL surplus of EMS ambulance transport cots

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

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

- 5. CONSIDERATION of Items Removed from Consent Docket

Strike

- 6. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION regarding Phase 2 Drainage Improvements for Silver Ridge Addition

Young presented Item 6a stating the comments during last month's public hearing were about the drainage problems in Silver Ridge addition. The next step is to dig the channel behind the properties that have been filled in and fenced in over time. The City requires easements from all the property owners along the channel. The City is prepared to complete approximately \$75,000 worth of work to improve drainage. Young presented one refusal will stop the entire project, fences will need to be moved, property owners adjacent to the channel will be required to mow their portion of the channel.

Mayor McLeroy stated he is familiar with this and has no issues with this project. He presented all who wish to speak need to state their name and address.

Brent Zerby of 1600 Excaliber presented he has to pump his septic tank after heavy rains at a cost of around \$600 each time the yard floods at two to three times a year. He is sure that he will eventually have water in his house. He stated he has spoken to Tim Young several times. Glad the City is willing to do this project. Is the entire easement in Silver Ridge and no one in River Ridge will be affected? Young stated that is correct. Zerby asked about if fence could be put up over the easement if the water could flow under. Fairbairn stated City ordinance requires all fences pulled back to 20-foot easement mark. Zerby asked why River Ridge is not required to provide some of the easement. Young stated River Ridge has utility in their easement and the channel is on the Silver Ridge side. He stated the channel was there before the addition developed and this is re-establishing the

channel. Staff discussed the channel that the City completed in River Ridge and the channel that developer of Deer Ridge Run completed. The mayor stated the City was not involved in the Deer Ridge Run channel construction. Young presented photo from 1996 showing the natural flow of water. Zerby has spoken to neighbors and the concerns about retention pond in the new addition. All water out of Deer Ridge Run is now coming through the channel.

McLeroy stated the City is voting to put on the record that the City will pay to re-establish the channel one time if the property owners are willing to donate the 20-foot easement. Zerby asked what the scope of work is. Fairbairn presented plan to stake the grade for positive water flow. Slattery stated dozer will likely do the work.

Yvonne Sitton of 1716 Excaliber asked if the City Engineer is a civil or electrical engineer. Fairbairn stated he is a Civil Engineer with a degree from OSU and he is a licensed professional engineer. Sitton asked about the ditch the City completed previously and how the water can flow in the ditch between the additions if it has a high spot that goes up. She asked about water flowing into canyons rather than through Silver Ridge. Fairbairn stated the historic drainage cannot be changed. Young stated the City will examine the channel she is inquiring about.

McLeroy stated the developer of the new addition is building a larger detention pond than required. Young presented Deer Ridge Run was approved in 2009 or 2010 under the old ordinances and it would not meet the current city ordinance requirements. Phase three will be held to the new standard. He stated flooding problems have shifted due to a berm being built by resident. Rather than sheeting across the neighborhood the direction has been changed. Residents discussed the natural flow of water and expressed their opinion.

Littleton presented it is not helpful to say “you all did this” when we are discussing the natural flow of the water. The problems are from development and from each homeowner making changes on their property like filling in ditches and fencing. The City is willing to spend the money to try to solve some of the problems. This problem goes all the way back to the developer who put the addition in. This is not the City’s responsibility to solve but we are trying to help resolve. The City did not do this, and we cannot undo what was approved. This group of people, the Council and the City Manager, did not cause the problem. Littleton thanked the residents for expressing their concerns.

Young stated this project will go out for competitive bid. McLeroy stated all residents on the east side of Excaliber will need to donate the 20-foot easement. The residents and staff continued drainage discussions.

Motion was made by Smith, seconded by Hughes to authorize drainage improvements in Silver Ridge addition as set up by the engineers, at a cost of no more than \$75,000 conditioned and contingent on obtaining 100% of easements from owners of record along Excaliber for the purpose of drainage improvements.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

- *b. DISCUSSION and related CONSIDERATION of **Ordinance 2019-09** (PC Petition 2019-12) regarding amending the Tuttle Zoning Code adopting regulations for carports

Young presented the Planning Commission made a recommendation for carports but based on testing the ordinance he recommends remanding back to Planning Commission for further examination.

Motion was made by Littleton, seconded by Smith to remand the Ordinance 2019-09 back to the Planning Commission for further review.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

7. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION regarding the potential relocation of the former Odd Fellows Building owned by Tuttle Christian Church

Young stated the church would like to save the building. The church will raise money to pay for relocation and City will pay for foundation. McLeroy asked where the building would be placed and what would be the use. Young stated the use would be for a future historical society. The location could be on south side of old gas station. Council discussed other options for location including purchasing main street property from Braums. Council members expressed interest if there is a plan for the use of the building and for funding. Young stated possible historical society should be formed before saying yes. Edwards stated what about using at rodeo grounds or park. Council discussed what it could be used for.

Motion was made by Littleton, seconded by Smith to recess the City Council Meeting at 8:09 p.m. and begin Tuttle Public Works Authority meeting.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Hughes, seconded by Smith to reconvene the City Council meeting at 8:11 p.m.

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Littleton, seconded by Smith to enter executive session at 8:12 p.m. to discussion Items 8a and 8b.

Motion carried as follows:

Aye: 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 annual job performance review of the City Manager. Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1).

- 1. CONSIDERATION action related to Executive Session Item 8a

- b. CONSIDERATION to conduct an EXECUTIVE SESSION regarding a lawsuit filed by Chadrick Harmon, Beth Harmon, Tanner Harmon, and Laikyn Harmon. (Proposed Executive Session pursuant to 25 O.S. Section 307 (B)(4) for confidential communications between the City Manager, the City Council and the City Attorney concerning this pending claim upon the advice of the City Attorney and if the City Council determines that public disclosure would seriously impair the ability of the City of Tuttle to process the claim or conduct an investigation. The City Council shall make such determination 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 8b

Perryman announced for the record that only items on the agenda were discussed in Executive Session and no action was taken in Executive Session.

Motion was made by Littleton, seconded by Hughes to reconvene the City Council meeting at 9:25 p.m.

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Smith seconded by Littleton to raise City Manager’s salary to flat rate of \$100,000 plus additional \$500 vehicle allowance and \$200 technology allowance effective May 1, 2019. These other benefits are as they currently exist in all other terms of previous agreements. This is only changing the base salary.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

9. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Slattery presented he met with ODOT about ADA sidewalks at SH-4 and SH-37. Slattery presented there is new funding from federal government for sidewalks. ODOT decided this was not an area to place sidewalks. They decided on SH-92 and south to Williams Street.

Slattery stated Markwell Paving closed and asphalt is now being picked up in Oklahoma City. This is taking about three times as long to fill potholes. He stated someone may buy the Markwell plant and reopen.

Fairbairn stated he and Aaron are meeting with Farm Credit this week. Warm Springs is in the process of re-submitting plans. Landy Development is working on PUD. Upcoming meeting with Landy, Jaden Court and Warm Springs about sewer. Deer Ridge Run Phase 3 will be re-submitting plans.

Fairbairn presented working on capital improvement plan for water and sewer. Young stated staff is getting major components for capital improvement plan.

Kondos presented call volume is up 10%. Ambulance to be delivered end of the month. Two interns terminated.

Young presented Edwards sent out code enforcement violation letters and we are receiving numerous calls.

Ice Cream Day at Capitol is April 18, 2019.

Young presented update on bond issue items stating that the park land purchase is not seen as a priority by the committee since there is no park plan. Concerns about how to get what is needed without a large tax increase. Young stated need to work on how to get the county to help with some of the road projects.

b. Councilmember Reports

Littleton presented he attended another town hall meeting about annexation and he stated he does not see this happening due to lack of interest.

Smith presented information about library report and upcoming fund drive.

McLeroy stated he has noticed truck route signs and Slattery stated this was not exactly what they ordered. McLeroy asked if officers are writing tickets to all. Young stated local deliveries are permitted.

McLeroy was at Planning Commission meeting and impressed they asked for revisions to the Landy development proposal.

NEW BUSINESS

ANNOUNCEMENTS

1. City Council Workshop Meeting on Monday, April 22, 2019 at 6:00 p.m.
2. City Council Meeting on Monday, May 13, 2019 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 10:00 p.m.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor