

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JUNE 10, 2019 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, WENDY MARBLE, DON CLUCK, BRUCE ANTHONY, AARON SLATTERY, TIM EDWARDS, LAURIE KOELSCH, KARA BLEVINS, BIANCA VALENCIA, KAYLEY GORDON AND SEAN FAIRBAIRN

OTHERS PRESENT: BRENT ZERBY, BILLIE WALLIS, DENNIS LEHMAN, DAVID SCHLOSSER, BILL INGRAM, ROBERT HARMON, RONNIE WARD, KAREN WARD, RALPH KILGORE, MIKE BRUHL, ANGEL POTTS, BRYAN POTTS, ANITA RAMIREZ, JULIAN RAMIREZ, MELVIN CARPENTER, AREITTA WALKER, BEVERLY MITCHELL, JOE MITCHELL, JEFF WOODYARD, MARK HODGES, JIMMY JOHNSON, DEAN STONEBARGER, DAVID SITTON, BILL LLOYD, ALICE KILGORE, MEGAN TROSCLAIR, KEVIN TROSCLAIR, JAMIE KHOSRAVI, DARIAN KHOSRAVI, MIKE REESE, SIDNEY HUDSON, MATTHEW HINSHAW, BRYAN BALL, TERESA FIELDER, TOMMY FIELDER, JACOB VANTUNGELN, LESLIE WALKER, JAYSON KNIGHT AND OTHERS THAT DID NOT SIGN IN

**CALL TO ORDER** Mayor McLeroy called the meeting to order at 7:02 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

### **ORDER OF BUSINESS**

#### 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 Jeff Woodyard for 9 years of service on the Planning Commission

**City Council presented plaque to Woodyard and thanked him for his service to the City.**

- b. Presentation from Gunner Natcher of plans for Eagle Scout project

**Gunner Natcher presented his completed flag disposal box project to the Council. Council viewed box located in lobby of City Hall. Photograph was taken with Natcher and City Council.**

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 May 13, 2019
- b. APPROVAL minutes for City Council Workshop meeting May 13, 2019
- c. ACKNOWLEDGMENT receipt of payroll and claims for May 2019
- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for May 2019
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for May 2019
- f. APPROVAL to surplus 2013 Impala to FX Technologies for the Police Department
- g.\* APPROVAL of **Resolution 2019-07** establishing the 9-1-1 Emergency Telephone Fee Rate for Calendar Year 2020
- h.\* APPROVAL of **Resolution 2019-08** specifying Aaron Slattery and Kayley Gordon as the authorized Tuttle representatives to attend the 2020 REAP Grant Workshop
- i.\* ACCEPTANCE of three easements from Lefes and Janet Burris in the areas of 3800 block of E Tyler Drive and 800 N Czech Hall Rd

**Motion was made by Hughes, seconded by Littleton to approve Consent Docket Items a,b,c,d,e,f,g,h and i. Motion carried as follows:  
Aye: Dickson, Littleton, Hughes, Smith and McLeroy  
Nay: None**

5. CONSIDERATION of Items Removed from Consent Docket

**None**

6. STREETS

- a. DISCUSSION and related CONSIDERATION regarding drainage improvements in the Silver Ridge Addition

**Young presented the city is requesting easements for the drainage channel but have failed to get all easements. Residents in Silver Ridge claim Young is protecting River Ridge since he resides there. River Ridge residents claim they are not being taken care of, so Young recused himself from the decision making.**

**Dickson asked how many easements are required and Young stated 11. He had received 7 but some have withdrawn and now missing 6 out of the eleven required.**

**B. Zerby of 1600 Excalibur Dr. thanked the Council, City Manager and Mayor for allowing the residents to present their case. He stated the residents have met and decided enough is enough. The residents are continuing to pump water out of**

yards . The residents believe the City should protect their property. He stated the City offer of easement is not acceptable. The residents are here to present a united front that something must be done. Zerby recited storm drainage ordinance pertaining to providing records. He stated he has been asked to be the spokesperson for the residents and stated something has to be done about the drainage.

R. Harmon 1705 Bayside Dr presented one of his neighbors has vacated their home because the A/C vents in the floor are filled with water.

Littleton asked how many homes are in Silver Ridge Addition. Young stated 144. Zerby stated that 35-40 homes are affected by the lack of drainage. Littleton asked how many homes have been flooded. Zerby stated many neighbors are ready to move. He stated septic tanks are requiring pumping numerous times. McLeroy stated septic systems are not working in many neighborhoods across the City due to the amount of rainfall. Littleton presented he has been in his house for 25 years and he has been without the ability to use water for 45 days so he certainly has empathy for what is happening. He stated a solution will take cooperative participation. City proposal did not require any payment from residents, and he stated he would like to know what the residents are willing to do to find a solution. He stated the City is not trying to avoid a solution, but the first step of that solution is to acquire the easements.

Zerby stated the City is only doing this to get the new neighborhood started. Dickson stated that is not the intent. He stated it will be easier to get to the channel now rather than when the new addition is built.

Littleton asked if easements are granted is the channel responsibility of the City and Slattery stated the property owner has the day to day maintenance and the City would be responsible for cleaning when needed. Littleton stated again the City is not asking the residents to pay any cost. Zerby stated some residents do not feel they can take care of the maintenance of the channel.

Smith presented the City is trying to improve this drainage with this first step and she does not know why the residents are rejecting this. Zerby stated this has been going on for 5-10 years, brought up to the City numerous times and never addressed. McLeroy stated regardless of who pays for this project, the City needs the easements. Zerby stated the Mayor told him the easements are needed so the new development could be started. McLeroy stated that is not what he said. He said easement were needed prior to development to gain easier access to the channel.

Dickson presented if the residents would be agreeable to the current proposal, is there a workable solution. Zerby stated probably but concerned this is not a long-term solution but a one time deal and then the City walks away. Dickson asked if the City will maintain the grading would they be agreeable. Zerby stated that could be a solution.

Perryman stated if the residents take action against the City the judgement will be on the tax rolls which will affect all residents. Perryman asked Fairbairn to provide run-off engineering report to the residents.

D. Sitton 1716 Excalibur stated the Traxler field is draining into the addition. He stated he will not give his easement for \$1 and would ask \$4 per foot for the easement.

No Action Taken

- b. DISCUSSION and related CONSIDERATION regarding roads and bridges damaged in May 2019 storms

**Slattery presented N Gregory Road south of Silver City Ridge Rd bridge is washed out. County was maintaining and now they refuse stating it is not their responsibility. He stated this bridge will be closed and will take a significant amount of money to repair. He also stated on Silver City Ridge Rd east of SH-4 a bridge is closed because of the erosion. This is a bridge that is basically a dam for a pond on the south side and has a steep erosion on the North. He stated he will share the estimates for both repairs when he receives them.**

**No Action Taken**

7. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION appointments of Positions 3 & 4 on the Parks & Recreation Advisory Board for a term ending June 30, 2021

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

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION appointment of Position 1 on the Planning Commission for a term ending June 30, 2022

**Motion was made by McLeroy, seconded by Hughes to nominate Aimee Dauphin for Position 1 on the Planning Commission for a term ending June 30, 2022**

**Motion carried as follows:**

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

**Nay: None**

- c. DISCUSSION and related CONSIDERATION appointment of Position 1 on the Cemetery Advisory Board for a term ending June 30, 2022

**Motion was made by Dickson, seconded by Littleton to nominate Sonda Handke for Position 1 on the Cemetery Advisory Board for a term ending June 30, 2022**

**Motion carried as follows:**

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

**Nay: None**

- c. DISCUSSION and related CONSIDERATION appointment of Position 1 on the Board of Adjustment for a term ending June 30, 2022

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

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

**Nay: None**

- d. DISCUSSION and related CONSIDERATION approval of amended employment contract with City Manager Tim Young

**Perryman stated approval is of the terms of the contract that were previously approved at the May 13, 2019 meeting and effective May 1, 2019.**

**Motion was made by Littleton, seconded by Dickson to approve amended employment contract with City Manager Tim Young.**

**Motion carried as follows:**

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

**Nay: None**

**Motion was made by Littleton, seconded by Hughes to recess the City Council Meeting at 8:06 p.m. and begin Tuttle Public Works Authority meeting.**

**Motion carried as follows:**

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

**Nay: None**

**Motion was made by Littleton, seconded by Hughes to reconvene the City Council meeting at 8:52 p.m. with a five-minute break before entering Executive Session.**

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

**Nay: None**

**Motion was made by Littleton, seconded by Smith to enter executive session at 8:57 p.m.**

**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 regarding the purchase of real estate.** (Proposed Executive Session pursuant to 25 O.S. Section 307(B)(3) to discuss and negotiate the possible purchase of real estate. 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 8a

**Motion was made by Littleton, seconded by Dickson to reconvene the City Council meeting at 9:21 p.m.**

**Aye: Dickson, Littleton, 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.**

## 9. INFORMATION AND REPORTS

- a. City Manager and Department Reports

**Young presented PUD for Jaden Court should be ready for next month and notifications will be mailed out to residents.**

b. Council Member Reports

**McLeroy presented he met with County Commissioner about bridges and the county agreed to perform 100% of the dirt work. Fairbairn is reviewing the bridge repair options.**

**Dickson asked about oil and gas revenue. Young presented Roan indicated they are willing to pay.**

**NEW BUSINESS**

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Motion was made by Smith, seconded by Dicksons to adjourn the City Council Meeting at 9:33 p.m.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

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Wendy Marble, City Clerk

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