

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JULY 8, 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: LESLIE WALKER, JAYSON KNIGHT AND OTHERS THAT DID NOT SIGN IN

**CALL TO ORDER** Mayor McLeroy called the meeting to order at 7:03 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.)

**None**

#### 2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

**None**

#### 3. Discussion and questions regarding items on the consent docket

**McLeroy stated to strike Item 4i**

#### 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 10, 2019
- b. APPROVAL minutes for City Council Workshop meeting June 10, 2019

- c. APPROVAL minutes for Special City Council Workshop meeting June 24, 2019
- d. ACKNOWLEDGMENT receipt of payroll and claims for June 2019
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for June 2019
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for June 2019
- g. APPROVAL to surplus a 2015 Ford F450 cab and chassis for the Streets Department
- h. APPROVAL to purchase a new F450 cab and chassis for the Streets Department
- i. APPROVAL to surplus Police Department radios
- j. APPROVAL to surplus a Fire Department ambulance (EMS 4)
- k. APPROVAL renewal of employee health, dental, vision, and other benefits beginning July 1, 2019
- l. APPROVAL of 522 Annual Provider Agreement and Capital Outlay Allocation Agreement with Grady Emergency Medical Services District for July 1, 2019 to June 30, 2020
- m. APPROVAL **PC Petition 2019-26** request to approve naming a private drive "Breese Farm Road" connecting to 1600 block of N Morgan Rd
- n. APPROVAL **PC Petition 2019-24** request of Shadow Valley Development, LLC, for approval of a preliminary plat and construction plans for Hollow Brook Phase 1
- o. APPROVAL converting the west-most on-street parking spot on the north side of the 300 block of W Main St/SH-37 to a motorcycle-only parking spot
- p.\* ACCEPTANCE of utility easement from James Dwight in Section 33, Township 10 North, Range 5 West

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

- 5. CONSIDERATION of Items Removed from Consent Docket

**No Action**

- 6. COMMUNITY DEVELOPMENT

- a. DISCUSSION ONLY of request by Otis Coon regarding property located in the 5300 block of SH-37 for City to close and/or vacate portion of easement on Cedar Springs Drive

**Young presented First National Bank representatives are present. He stated the building extends on the right-of-way and the request is for the City to vacate a portion of the easement.**

**Perryman stated City can close easement by adopting an ordinance with the City still owning the property. The property owner will bring action in district court, a waiver will be signed for court to enter decree and the title changes will be made. Smith asked if this affects the right-of-way. Perryman stated no, not the rest of the**

roadway or utility easements. The council agreed on the request to close/vacate the easement.

Young presented this building was constructed around 2002 and there is no evidence of building permits. John Gorton of First National bank stated the new owner needs to own this piece of property. Perryman stated the bank can initiate the legal action with no objection from the City.

**No Action Taken**

- b. DISCUSSION ONLY development of a new façade requirements for single-family and two-family residential structures

Young presented he met with several local builders and discussed the façade. He stated the new language will be presented to the Planning Commission for approval. McLeroy stated vinyl is not a good option and there is no savings by using it. Dickson presented 50% rock or stone on the front may be a problem for Craftsman style homes. McLeroy presented this was the builders suggestion. Dickson presented in regard to property rights, can the City can dictate the type of house that can be built. Littleton stated it sounds like this would be agreeable to the developers. Perryman discussed other communities have concerns and have reviewed and adjusted ordinances. Young state a PUD will override any ordinance. McLeroy stated communities are finding certain builder's homes are not selling a second time because they are not appraising well.

**No Action**

7. PUBLIC SAFETY

- a. DISCUSSION and related CONSIDERATION **Ordinance 2019-12** Amending the Supplemental Ambulance Subscription Program

Young presented this is in response to request to transport from Tuttle Care Center to residence in our district. The current ordinance does not allow this. This would expand the program to cover non-emergency transport in our district.

**Motion was made by Smith, seconded by Littleton to adopt Ordinance 2019-12 Amending the Supplemental Ambulance Subscription Program.**

**Motion carried as follows:**

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

**Nay: None**

**Motion was made by Smith, seconded by Dickson to adopt emergency clause for Ordinance 2019-12.**

**Motion carried as follows:**

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

**Nay: None**

8. 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

**Council asked for applicants to provide applications.**

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

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION request of Tuttle Housing Authority to waive payment in lieu of taxes for 2019 in the amount of \$2,211.19

**Perryman presented he will research the current agreement with the City to verify what the contract states.**

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

**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

**Marble stated no applications were received. No Action Taken**

**Motion was made by Littleton, seconded by Smith to recess the City Council Meeting at 7:54 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 Smith to reconvene the City Council meeting and the Tuttle Public Works Authority meeting at 8:12 p.m. with a five-minute break before entering Executive Session.**

**Motion carried as follows:**

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

**Nay: None**

**Motion was made by Littleton, seconded by Smith to enter executive session at 8:17 p.m.**

**Motion carried as follows:**

**Aye: Dickson, Littleton, 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 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 9a

- b. CONSIDERATION to conduct an EXECUTIVE SESSION to discuss a potential claim against the City of Tuttle regarding drainage issues. (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 9b

**Motion was made by Littleton, seconded by Hughes to reconvene the City Council meeting at 10:48 p.m.**

**Motion carried as follows:**

**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.**

10. INFORMATION AND REPORTS

a. City Manager and Department Reports

**Slattery stated he will provide information about road grading and crack seal repairs at the next meeting. He stated Grady County is not willing to help with grading of roads.**

**McLeroy asked about section line roads and Slattery discussed what the City maintains.**

b. Council Member Reports

**Smith stated she received thank you from resident for filling the potholes on N Cimarron Rd.**

**McLeroy stated the fireworks were great.**

**July 22, 2019 Workshop meeting cancelled due to no new business. The next meeting will be August 12, 2019.**

**NEW BUSINESS**

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Motion was made by Littleton, seconded by Dickson to adjourn the City Council Meeting at 11:02 p.m.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

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Wendy Marble, City Clerk

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Aaron McLeroy, Mayor