

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JANUARY 10, 2022, at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: AARON MCLEROY

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, AARON SLATTERY, RYAN ALLEN, DON CLUCK, LAURIE KOELSCH, AMBER RILEY, JULIE MOWDY, WJ MORGAN, ANDREW GRAHAM, AND SEAN FAIRBAIRN

OTHERS PRESENT: JUDY PRESTON, RODNEY WILLIAMS, CHARLES GUTHERY, TYLER GUTHERY, DEWEY BUCK, JAYSON KNIGHT AND OTHERS WHO DID NOT SIGN IN

**CALL TO ORDER** Smith called the meeting to order at 7:00 p.m.

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

**PLEDGE OF ALLEGIANCE** Smith led the pledge

**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.)

**Marble stated no citizen requests were received**

#### 2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

##### a. INTRODUCTION of new employees

**Young presented new employees.**

**Nolie Thornton, 911 dispatch. She was an intern at Police Department in high school.**

**Dennis Moody, Public Works line locator, served in the military.**

**Brady Cox and Brandon Hendricks are out on a fiber service call.**

#### 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. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.)

a. APPROVAL minutes for City Council meeting December 13, 2021

b. APPROVAL minutes for City Council workshop meeting December 13, 2021

c. ACKNOWLEDGMENT receipt of payroll and claims for December 2021

- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for December 2021
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for December 2021
- f. ACCEPTANCE of donation of perpetual easement from Denny Guy Bennett and Lisa D. Bennett for 7854 Silver City Ridge Road
- g. ACCEPTANCE of donation of perpetual easement from JMIF Investments for 5 W Main Street
- h. ACCEPTANCE of donation of perpetual easement from Rodney Williams for 1108 Pine Ridge
- i. ACCEPTANCE of American Rescue Plan Act Funds and award of agreement between Grady County and Tuttle/Fire EMS in the amount of \$126,938.00 for purchase of Lucas Chest Compression System
- j. APPROVAL **Budget Amendment 2021-29** regarding issuance costs for WWTP bank note and reimbursing TPWA for engineering costs
- k. APPROVAL **Budget Amendment 2021-30** regarding donation to Fire Department by Plains All American Pipeline
- l. APPROVAL **Budget Amendment 2021-31** regarding Public Works Safety Grant for Oklahoma Municipal Assurance Group
- m. APPROVAL **Budget Amendment 2022-01** regarding carryover of unused donation expenditures for the Fire Department from FY 2021 to FY2022
- n. APPROVAL **Budget Amendment 2022-02** regarding carryover of Safety Grant for Public Works from Oklahoma Municipal Assurance Group

**Motion was made by Dickson, seconded by Littleton to approve Items 4a through 4n on consent docket. Motion carried as follows:  
 Aye: Dickson, Littleton, Hughes and Smith  
 Nay: None**

- 5. CONSIDERATION of Items Removed from Consent Docket

**Strike**

- 6. COMMUNITY DEVELOPMENT

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding **(PC 2021-40)** a real estate donation contract with Shadow Valley Development regarding land within the Hollow Brook Subdivision

**Young presented Balenseifen is not present. Items a and b have not been fully reviewed. He recommended taking no action on both items.**

- b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding **Ordinance 2021-12 (PC 2021-40)** request of Shadow Valley Development for approval to amend an already approved Planned Development (PUD-006) in the area bounded by N Mustang Rd/SH-4, E Tyler Dr, N Sara Rd and E SH-37.

**Motion was made by Littleton, seconded by Dickson to TABLE items 6a and 6b until the February 14, 2022, meeting. Motion carried as follows:  
 Aye: Dickson, Littleton, Hughes and Smith  
 Nay: None**

**Littleton asked the engineer to look where water sits the 17-acre proposed city property and where the runoff from this might affect adjacent properties. Fairbairn stated he looked at it today, he presented map showing all phases and the two**

detention ponds. He stated one pond in phase 3 and one pond in phase 4 will flow into the 17-acre property. Stated he told the developer we have concerns with the drainage, stating the surrounding lots are higher than the proposed city property.

Littleton stated if they use the natural drainage for creek along the proposed trail, he has questions about the plan for this.

- c. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **Ordinance 2022-01 (PC 2021-38)** petition of Rodney and Summer Williams to rezone two parcels from A-1 to R-1A located in the 1100 block of Pine Ridge.

Young presented this is 15 acres, three parcels total with two smaller parcels to be rezoned.

**\*\*7:13 pm David Perryman, City Attorney entered the meeting.**

Young stated the Planning Commission approved this 4-0. Hughes asked about the road access. Young stated all property fronts Pine Ridge and owner donated easements.

Motion was made by Littleton, seconded by Hughes to approve **Ordinance 2022-01 (PC 2021-38)** petition of Rodney and Summer Williams to rezone two parcels from A-1 to R-1A located in the 1100 block of Pine Ridge.

Motion carried as follows:

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

**Nay: None**

- d. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **Ordinance 2022-02 (PC 2022-03)** amending zoning, subdivision, and other community development fees.

Young stated to move to Item 6e first then 6d.

Young presented new fees start with Planning and Zoning department. Fees do not cover the cost of the Community Development department today. Amending should cover costs.

Motion was made by Hughes, seconded by Dickson to approve **Ordinance 2022-02 (PC 2022-03)** amending zoning, subdivision, and other community development fees.

Motion carried as follows:

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

**Nay: None**

- e. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **Ordinance 2022-03 (PC 2022-04)** amending the Tuttle Subdivision Regulations regarding fees and escrow deposits, renaming subdivision variances to subdivision waivers, and clarifying language regarding lot merges and lot line adjustments.

Young stated amending will make sure we are charging appropriate fees. We need to amend the code first, cleanup section Chapter 7 amend to fee set by council, and chapter 12 taking out the dollar amount amending to be fee as set by council. Need to add escrow deposits to final plats with dollar amounts adjusted in the future. Chapter 13 to be as adopted by council and changing variance language to waivers. Section 34 add fee language and Section 35 add fee language and add for un-platted lots. Chapter 9 add donation of easements.

Motion was made by Dickson, seconded by Hughes to approve **Ordinance 2022-03 (PC 2022-04)** amending the Tuttle Subdivision Regulations regarding fees and

**escrow deposits, renaming subdivision variances to subdivision waivers, and clarifying language regarding lot merges and lot line adjustments.**

**Motion carried as follows:**

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

**Nay: None**

**7. GENERAL GOVERNMENT**

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding appointment to Position 1 of the Tuttle Planning Commission for a term ending June 30, 2022

**Marble stated one application and it was forwarded to the mayor. Young stated the mayor nominates the candidate.**

**No Action Taken**

- b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding the adoption of a Resolution implementing a Merit Pay Policy for municipal employees.

**Perryman presented the mayor contacted him last week about creating a resolution. Hughes asked what is the difference? Perryman stated this is a review of the checks and balances of the pay policy. It ensures that merit pay raises will be reviewed by more than one individual before awarding. Dickson stated this is good to clarify the intent of the resolution. Perryman stated this accomplishes what the mayor requested.**

**Motion was made by Littleton, seconded by Hughes to approve the Resolution regarding the adoption of Resolution 2022-01 implementing a Merit Pay Policy for municipal employees.**

**Motion carried as follows:**

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

**Nay: None**

**\*\* Item 2a**

**Young presented new employees**

**Brady Cox has been with the fiber department since July, we overlooked introducing him.**

**Brandon Hendricks joined the fiber department at the end of December 2021.**

**8. INFORMATION AND REPORTS**

- a. City Manager and Department Reports

**No reports**

- b. Council Member Reports

**No reports**

**Motion was made by Hughes, seconded by Dickson to recess the City Council meeting at 7:30 p.m. and begin Tuttle Public Works Authority meeting. Motion carried as follows:**

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

**Nay: None**

**Motion was made by Littleton, seconded by Dickson to reconvene the City Council meeting and Tuttle Public Works meeting concurrently at 7:41 p.m. and enter Executive Session for both meetings concurrently. Motion carried as follows:**

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

**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.**

**Motion was made by Littleton, seconded by Smith to reconvene the City Council Meeting and Tuttle Public Works Authority meeting at 8:51 p.m.**

**Motion carried as follows:**

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

**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 to conduct an EXECUTIVE SESSION regarding collective bargaining with the Fraternal Order of Police Lodge #197 (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. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part related to Executive Session Item 9a

2. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part related to approval of Collective Bargaining Agreement with the Fraternal Order of Police Lodge #197

**Smith presented the motion should include accepting the proposed written agreement including the take home car as is and accepting salary and positions as proposed.**

**Motion was made by Littleton, seconded by Hughes to approve the Collective Bargaining Agreement with the Fraternal Order of Police Lodge #197 with amendments of written agreement accepting the take home car provision as is and the salary and new positions as proposed and discussed in Executive Session.**

**Motion carried as follows:**

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

**Nay: None**

- b. Discuss and Consideration of Process, Procedure and Substance of Annual Review of Performance of City Manager per Paragraph 3(a) of Current City Manager Contract mandating that such review occur between January 1 and March 31 of each year. (Proposed Executive Session pursuant to 25 O.S. Section 307 (B)(1) for discussions. 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. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part related to Executive Session Item 9b

2. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval of an amended or new employment contract with City Manager Tim Young

**No Action Taken**

**NEW BUSINESS**

**None**

**ANNOUNCEMENTS**

1. City Council Workshop Meeting on Monday, January 24, 2022 at 6:00 p.m.
2. City Council Meeting on Monday, February 14, 2022 at 7:00 pm (workshop at 6:00 pm)

**ADJOURNMENT**

**Motion was made by Dickson, seconded by Littleton to adjourn the City Council Meeting at 8:54 p.m.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

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Wendy Marble, City Clerk

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Aaron McLeroy, Mayor