

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **February 8, 2021 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: NONE

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, AARON SLATTERY, WILL SMITH, AND SEAN FAIRBAIRN

OTHERS PRESENT: LESLIE WALKER, JASON WHITE, CHRIS DARKINS, CHRISTY & STEVE COOK, JERRY MAYNARD, WJ MORGAN, JAYSON KNIGHT AND OTHERS WHO DID NOT SIGN IN.

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

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

**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

- a. PRESENTATION to the City from Ron Black of Oklahoma Blood Institute
- b. RECOGNITION of Jerrell Ray Hatcher for 30 years of service to the City of Tuttle EMS

**No Action – Marble stated post pone both items due to weather.**

3. Discussion and questions regarding items on the consent docket

**Littleton stated to pull items l & m on the consent docket.**

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 January 11, 2021
- b. APPROVAL minutes for City Council Workshop meeting January 11, 2021
- c. APPROVAL minutes for City Council Workshop meeting January 25, 2021

- d. ACKNOWLEDGMENT receipt of payroll and claims for January 2021
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for January 2021
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for January 2021
- g. APPROVAL Sports Facility Agreement with the Tuttle Athletic Sports Association for 2021
- h. APPROVAL Facility Agreement with the Tuttle Round-Up Club for 2021
- i. APPROVAL Sports Facility Agreement with the Tuttle Youth Soccer Club for 2021
- j. ACCEPTANCE of award of Rural Economic Action Plan (REAP) grant from the Association of South-Central Oklahoma Governments in the amount of \$43,448 for pipe-bursting sanitary sewer lines.
- k. APPROVAL Budget Amendment 2021-001 transferring funds for the purchase of safety lights for the animal welfare truck
- l. APPROVAL for the City Manager to proceed with the City Hall 2<sup>nd</sup> Floor Project, Phase 1, at a cost not to exceed \$130,000
- m. APPROVAL of contract with Mogyver Communications for the installation of power inverter and related systems at the new Tuttle Police Station
- n. ACCEPTANCE of perpetual easements from Maude Logan located at 203 SW 5<sup>th</sup> Street.
- o. ACCEPTANCE of perpetual easement from Gail Stymerski located at 401 N. Morgan Road
- p. APPROVAL of Change Order #1 with Flintco for the construction of the new Tuttle Police Station in the amount of \$5,948.76
- q. APPROVAL contract with Stryker Medical Pro-Care Services for annual maintenance of power cots for the Emergency Medical Services Department

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

5. CONSIDERATION of Items Removed from Consent Docket

**Strike**

6. GENERAL GOVERNMENT

- a. DISCUSSION and RELATED CONSIDERATION of **Resolution 2021-03** - CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION OF THE CITY OF TUTTLE, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE TUTTLE PUBLIC WORKS AUTHORITY (THE "AUTHORITY") ISSUING ITS (I) SALES AND USE TAX REVENUE NOTE, TAXABLE SERIES 2021A (THE "2021A NOTE"), AND (II) SALES AND USE TAX REVENUE NOTE, SERIES 2021B (THE "2021B NOTE" AND COLLECTIVELY WITH THE 2021A NOTE, THE "NOTES"); PROVIDING THAT THE

ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE; AUTHORIZING THE ISSUANCE OF SAID NOTES; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTES AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTES; APPROVING AND AUTHORIZING THE EXECUTION OF A SALES AND USE TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE YEAR-TO-YEAR PLEDGE OF CERTAIN SALES AND USE TAX REVENUES; AND CONTAINING OTHER PROVISIONS RELATING THERETO

**Ben Oglesby presented refinance 2 notes, 4.9 & 4.2 rates – change to 2.72 and 2.25 - \$941,771.63 in savings together – 13-year term, fixed rate, prepayable – just lowering rate and not changing the lender. Hughes asked what the fees are. Oglesby said its percentages of new note – 2 notes \$9M – costs are \$342,000 or less than 3%.**

**Motion was made by Littleton, seconded by Hughes to approve Resolution 2021-03. Motion carried as follows:**

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

**Nay: None**

- b. PRESENTATION and DISCUSSION regarding financing for the new Wastewater Treatment Plant and the purchase of the existing First National Bank Building

**Ben Oglesby presented financing for Wastewater Treatment Plant, recap of past events, coming events – only making loan application tonight, will come back mid-summer for loan approval, debt service will go up \$100,000 per year until 2028 and then go down for future improvements, OWRB Rate is 1.63%. Dickson asked when does rate lock. Oglesby stated about 10 days before closing. Perryman said close on real estate this week. Young stated the proceeds coming from 2015 utility note. Oglesby said no issues.**

**Jared Davidson – not participating in purchase of 1<sup>st</sup> National Bank, security will be the building – not pledge sales and use tax, improvements to building another conversation about how to fund, acquire facility in name of City. Young stated ask Gorton to finance, will need building as collateral – closing around May.**

**Motion was made by Hughes and seconded by Dickson to recess City Council meeting at 7:26 pm and enter Tuttle Public Works Authority meeting. Motion carries as follows:**

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

**Nay: None**

**Motion was made by Smith, seconded by Littleton reconvene City Council meeting at 7:31 pm.**

**Motion carried as follows:**

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

**Nay: None**

**Mayor began with Item 7a and b, then went back to Item 6c.**

- c. DISCUSSION and related CONSIDERATION to appoint a qualified alternative municipal judge for the City of Tuttle

**Perryman talked about 3 individuals to work for same amount and only be paid if they work in the current judge's place. Randy Brink, Amanda Mullins and Jay Brunson, up to City Council for decision. Hughes asked who had a time constraint. Perryman responded that Randy did have meeting at 6:00 pm after our court. McLeroy asked could we have all or pick one. Perryman said no conflicts for Board of Adjustment.**

**Motion was made by Littleton, seconded by Smith to appoint Jay Brunson as the qualified alternate municipal judge for the City of Tuttle.**

**Motion carried as follows:**

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

**Nay: None**

- d. DISCUSSION ONLY regarding the anticipated vacancy of the City Council Ward 3 position on May 1, 2021

**Young stated he has received 4 applications. The council cannot vote until vacancy occurs on May 1, 2021. Smith suggested waiting until March or April to set up interviews.**

**No Action Taken**

- e. DISCUSSION and related CONSIDERATION adopting of a social media policy

**Young, stated Amber put policy together – she has taken on the role of media and public relations. Hughes asked is this on the City site. Dickson asked how the City can respond. Young stated the City has a current policy for employee social media in handbook. Perryman said must have standards and implement across the board.**

**Motion was made by Littleton, seconded by Hughes to adopt a social media policy.**

**Motion carried as follows:**

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

**Nay: None**

7. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION of Ordinance 2021-01 (PC Petition 2021-02), request of Steven and Christie Cook, to rezone from the General Agricultural (A-1) District to the Urban Estates Residential (R-1A) District approximately 1.22 acres located at 907 W. Main Street

**Steve Cook presented – 2 homes on 14 acres and wanting to build another home. Smith asked if Planning Commission approved this. Young stated yes and will come back for platting process.**

**Motion was made by Dickson, seconded by Littleton to approve Ordinance 2021-01 request of Steven and Christie Cook, to rezone from the General Agricultural (A-1) District to the Urban Estates Residential (R-1A) District approximately 1.22 acres located at 907 W. Main Street. Motion carried as follows:**

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

**Nay: None**

- b. DISCUSSION and related CONSIDERATION of Resolution 2021-04 (PC Petition 2021-03), request of Medville Agriculture, Inc., for a Specific Use Permit to expand a medical marijuana grow facility located at 5909 Aero Drive.

**Jason White & Chris Darkins presented – building out interior – not adding on to the building. Smith asked did Planning Commission vote 4-0 and noted a scrivener error on the PC number in the packet. McLeroy asked why this is needed. Young stated they do not have an SUP, allowing to operate by right in C-5, amended original ordinance.**

**Motion was made by Smith, seconded by Hughes approve Resolution 2021-04 (PC Petition 2021-03), request of Medville Agriculture, Inc., for a Specific Use Permit to expand a medical marijuana grow facility located at 5909 Aero Drive.**

**Motion carried as follows:**

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

**Nay: None**

- c. DISCUSSION and related CONSIDERATION of Ordinance 2021-02 (PC Petition 2020-34) amending the Tuttle Zoning Code regarding amendments to the residential district regulations

**Young recommend reading over and bring back. No urgency. Smith said 2021-02? Young stated it is a scrivener error. Smith asked about lot sizes – 25 & 50 ft frontage. Young said will send mark ups. Littleton asked if that would be a challenge or arbitrary moving from 6,000 to 10,000. Perryman said if implementing rules as they currently exist – not an arbitrary change, you have ability to make changes as legislative branch. Hughes asked would previous additions now have to come back. McLeroy stated change development by right – every development includes a PUD and negotiations. Young said side yard setbacks were left alone.**

**Motion was made by Littleton, seconded by Dickson to table until March.**

**Motion carried as follows:**

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

**Nay: None**

**Motion was made by Littleton and seconded by Smith to recess City Council at 7:50 pm and enter Tuttle Development Authority meeting. Motion carries as follows:**

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

**Nay: None**

**Motion was made by Littleton, seconded by Smith reconvene City Council meeting at 8:00 pm.**

**Motion carried as follows:**

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

**Nay: None**

## 8. INFORMATION AND REPORTS

- a. City Manager and Department Reports

**Slattery talked about Silver City Ridge Road washout – work began January 1, 2021, tinhorn in and inlet poured, completion by April 1, 2021. It is on schedule. Slattery presented he will bring the daily rate asphalt bid to the March or April meeting.**

SH-37 sewer has begun, trees cleared and some trench work, it is on schedule. TPWA packet had map of ODOT sidewalk project, started a few weeks ago, completion March 25, 2021. 100% federal funded on the East side of SH-92.

McLeroy talked about sewer pipe burst – burst connection at PD? Slattery said yes, ties into SH-92, could put manhole at West side to SW 5<sup>th</sup> by our crews, will have to be done eventually.

McLeroy asked about buying mowers – Slattery said need estimate on trade in and will be on next agenda. McLeroy asked about assault on officer. Cluck said tasered, guy in jail, handled well, officer is fine.

Young talked about workshop in 2 weeks, we will focus on employee benefits.

Young said Fire Chief job offer has been issued.

Young said Brevin will be leaving to go to City of Norman.

Also, no fiber installs this week since ground is frozen.

b. Council Member Reports

Smith presented on Chincie Ross' behalf, Jo Bazhaw worked on signage improvements at Silver City Cemetery. She asked that the City post something on social media.

Motion was made by Littleton and seconded by Dickson to recess after 5-minute break at 8:13 pm and enter Executive Session. Motion carries 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. Discuss and Consideration 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. Any action taken on this item shall be taken in Open Session.

1. CONSIDERATION action related to Executive Session Item 9a

**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 Dickson, seconded by Littleton reconvene City Council meeting at 9:56 pm.**

**Motion carried as follows:**

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

**Nay: None**

**NEW BUSINESS**

**ANNOUNCEMENTS**

1. City Council Workshop Meeting on Monday, February 22, 2021 at 6:00pm
2. City Council Workshop Meeting on Monday, March 8, 2021 at 7:00 pm (workshop at 6:00pm)

**ADJOURNMENT**

**Motion was made by Littleton, seconded by Dickson to adjourn the City Council Meeting at 9:57 p.m.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

\_\_\_\_\_  
Wendy Marble, City Clerk

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Aaron McLeroy, Mayor