

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **May 10, 2021 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: NONE

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, AARON SLATTERY, BRYAN BALENSEIFEN, AMBER RILEY, RYAN ALLEN, AND SEAN FAIRBAIRN,

OTHERS PRESENT: JAYSON KNIGHT, BRADLEY RANSOM, DARIN SNOW, CURT CALLAHAN, STEPHEN CLAYMAN, CHARLES GUTHERY, MIKAYLA GUTHERY, TYLER GUTHERY, CHARLES ALLEN, AND OTHERS WHO DID NOT SIGN IN

### **ADMINISTER OATH OF OFFICE FOR WARD 4 CITY COUNCIL MEMBER SCOTT DICKSON**

Perryman presented the oath with Dickson

**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** Matt Dickson led the pledge

**INVOCATION** Littleton gave the invocation

### **ORDER OF BUSINESS**

1. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of declaring a vacancy of the Ward 3 City Council position.

**Motion was made by Hughes, seconded by Dickson declaring a vacancy in Ward 3.**

**Motion carried as follows:**

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

**Nay: None**

2. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of the appointment of an eligible resident to fill the vacancy of the Ward 3 City Council position until the position is filled in the next general municipal election.

**Motion was made by Dickson, seconded by Smith to appoint Todd Littleton. Motion carried as follows:**

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

**Nay: None**

### **ADMINISTER OATH OF OFFICE FOR WARD 3 CITY COUNCIL MEMBER**

Perryman presented the oath with Littleton

3. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of the election of Vice-Mayor for a term ending April 30, 2022

**Motion was made by Littleton, seconded by Dickson to approve appointment of Mary Smith as Vice Mayor**

**Motion carried as follows:**

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

**Nay: None**

4. 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**

5. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

- a. INTRODUCTION of new employees

**Fire Chief Ryan Allen introduced 3 new Volunteer Firefighters. Young, stated the volunteer ranks are filling up.**

6. Discussion and questions regarding items on the consent docket

**None**

7. 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 April 12, 2021
- b. APPROVAL minutes for City Council Workshop meeting April 12, 2021
- c. APPROVAL minutes for City Council Workshop meeting April 26, 2021
- d. ACKNOWLEDGMENT receipt of payroll and claims for April 2021
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for April 2021
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for April 2021
- g. APPROVAL purchase of new police department radio equipment from Lawton Communications in the amount of \$48,642
- h. APPROVAL to surplus animal control truck box and six tires from the Police Department
- i. APPROVAL amendment to copier lease with Standley Systems adding copier for Fire Department
- j. APPROVAL purchase of new 2021 Ford Ranger 4x4 crew cab pickup for utility locates at the state contract price of \$27,650 from the Springwood Acres Water System Fund
- k. ACCEPTANCE of grant application for OEC Foundation Operation Round Up Grant for Fire Department
- l. APPROVAL renaming of the Tuttle Soccer Complex to Hartin-Hambleton Park, In memory of early Tuttle businessmen Joseph Hartin and Russell Hambleton
- m. APPROVAL of Audit Engagement Letter for annual audit by Angel, Johnston & Blasingame, P.C. for year ending December 31, 2020

**Motion was made by Smith, seconded by Hughes to approve Items 7a through 7m on consent docket. Motion carried as follows:  
Aye: Dickson, Littleton, Smith, Hughes, and McLeroy  
Nay: None**

8. CONSIDERATION of Items Removed from Consent Docket

**Strike**

9. 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 of selection of representatives to the Association of Central Oklahoma Government's Board of Directors, 9-1-1 Board of Directors, Intermodal Transportation Policy Committee

**Motion was made by Littleton, seconded by Dickson to appoint Mary Smith to the Association of Central Oklahoma Government's Board of Directors, 9-1-1 Board of Directors, Intermodal Transportation Policy Committee. Motion carried as follows:  
Aye: Dickson, Littleton, Smith, Hughes, and McLeroy  
Nay: None**

**Motion was made by Littleton, seconded by Dickson to appoint Austin Hughes as alternate to the Association of Central Oklahoma Government's Board of Directors, 9-1-1 Board of Directors, Intermodal Transportation Policy Committee. Motion carried as follows:  
Aye: Dickson, Littleton, Smith, Hughes, and McLeroy  
Nay: None**

- b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Employee Health Insurance renewal

**Motion was made by Hughes, seconded by Littleton to approve Employee Health Insurance renewal.  
Motion carried as follows:  
Aye: Dickson, Littleton, Smith, Hughes, and McLeroy  
Nay: None**

10. 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 of **Resolution 2021-06** (PC 2021-06) request of Highway 37 Self Storage for a SUP at 2418 E SH-37 to expand their mini-storage facility

**Curt Callahan stated adding 4 more storage buildings to property. Hughes asked about drainage. Fairbairn stated drainage will go to the North. Callahan stated he will not be dumping water next door. McLeroy asked if staff has any concerns. Young, stated façade conflict on southside. Planning Commission requested same building with site proof fence. Callahan said it is chain-link with slates and current fence is 6 ft tall. Hughes asked if Building Inspector has any issues. Balenseifen stated no issues.**

**Motion was made by Hughes, seconded by Smith to approve Resolution 2021-06 request of Highway 37 Self Storage for a SUP at 2418 E. SH-37 to expand their mini-storage facility. Motion carried as follows:  
Aye: Dickson, Littleton, Smith, Hughes, and McLeroy  
Nay: None**

- b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **Resolution 2021-07** (PC 2021-16) request of Citizen Energy for a time extension on an approved SUP located at the Southeast corner of Richland and Tyler. (Originally PC 2020-11; Resolution 2020-08)

**Steven Clayman is requesting extension on SUP from last year with no modifications to original request. McLeroy stated the concern at Planning Commission meeting was roads. Smith asked if Citizen Energy is up to date on all permits to City. Young responded yes.**

**Motion was made by Smith, seconded by Hughes to approve Resolution 2021-07 Citizen Energy for a time extension on an approved SUP located at the SE Corner of Richland & Tyler. Motion carried as follows:**

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

**Nay: None**

- 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 2021-02** (PC 2021-17) request for a Planned Development (PUD) in the 3900 Block of Silver City Ridge and adjacent to the Silver Ridge Addition, Deer Ridge Run Addition, Prairie Hills Addition including rezoning of existing R-1A Parcels to PUD

**Charles Allen stated it is 67 Acres with 74 lots in gated community. The lots are 30,000 sq ft. Will have concrete roads the developer agreed. Dickson asked if HOA will maintain road? Young stated yes, and also mentioned there are no gated communities in Tuttle currently.**

**Littleton stated eliminates future Czech Hall Road Through road development. Young said impedes path of closed portion of road. Perryman said not giving up access for section of two roads, nothing gives this up. Fairbairn said still shown as Right of way easement. McLeroy asked do lots cross over ROW. Allen said yes they do. Perryman said no concern about square foot and east lots subject to ROW. Allen said there is a 15ft overlapping utility easement.**

**McLeroy said report does not reflect Planning Commission concerns from the meeting Monday.**

**1 – Concern over sheet metal fence – who gets ugly side. 2- Didn't feel info was complete and shouldn't have been presented. 3 – PUD used to avoid ordinances. 4- Fence provision along silver Ridge. 5 – Gated – roads only for residence – go through other neighborhoods. 6 – No info in PUD on home design and sqft. 7- Address HOA 8- Public spaces or amenities – no info, not addressed. Young stated not since lots are 30,000 - not required. 9- Flood Plain – Young said exception granted thru PUD. 10- No description of landscaping. Littleton said these items have been standard in recent PUD's. Young stated he cannot enforce things that are not in the code. McLeroy said would like to have more meetings with this information before item comes to City Council to make decision. Perryman said this is approving a PUD Phase – not approving building permits. Littleton said items were included in other PUD in much more detail than this PUD. Dickson said need more discussion with developer and requested this be remanded back to Planning Commission, many items need to be addressed.**

McLeroy mentioned letter from Tom Koeltzow stating he and partner told by client they are not allowed on property. For Deer Ridge Run to complete project they will need to get access. Young said he has heard issues of access from Koeltzow. Fairbairn said can work in easement. Young stated private property owner matter and City does not get involved. McLeroy said Koeltzow does not use Deer Ridge Run streets as construction entrance.

Young said Planning Commission requested could traffic be routed through community in event of emergency. Dickson said blocking Czech Hall to go North is bad spot for gated community and leaves no option for connectivity. McLeroy mentioned possible agreement between two developers and City that Czech Hall would not open, but connectivity would happen. Young said who would like to be on committee. Littleton said Ward member should and secondary access needs clarity.

Motion was made by Littleton, seconded by Smith to remand item back to Planning Commission to clear up Item 7.1 and what has been agreed with concrete streets, fencing, open space, HOA and name two from City Council – Dickson & McLeroy for committee, motion to send back to Planning Commission and for the City to schedule meeting. Motion carried as follows:

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

Nay: None

## 11. STREETS

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding update on use of remaining funds for neighborhood streets project

Slattery presented Phase II possible roads to repair, discussed Suzan Rd and possible illegal gate. Littleton questioned that this has happened this long. Smith said property owner at North said road did go through to West and connect at one time.

Slattery presented section lines that need repair to make drivable using 3 inches of asphalt. \$772,000 discuss how to prioritize. McLeroy said \$1M approximate to do section lines. Young said approximately \$600,00. McLeroy asked about money from oil and gas? Young said repairs were made with some of those funds. Slattery said complaints will get worse before this can be completed. Young said maybe have \$700,000 currently but will review to see the exact funds available.

No Action

- b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Ordinance 2021-03 regarding closing of alley in Block 42 of the original townsite

Perryman said behind Police Department new building, does not include all of alley but width of City's lot. McLeroy said should we have access to lot 92. Perryman said yes could but would not want to vacate or it would not be useable. The purpose was to build right up to alley. McLeroy asked for letter with explanation. Perryman stated he will do that next time.

Motion was made by Littleton, seconded by Smith to adopt Ordinance 2021-03 regarding closing of alley in Block 42 of the original townsite. Motion carried as follows:

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

Nay: None

**Motion was made by Smith, seconded by Littleton to adopt emergency clause for Ordinance 2021-03 regarding closing of alley in Block 42 of the original townsite.**

**Motion carried as follows:**

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

**Nay: None**

12. INFORMATION AND REPORTS

a. City Manager and Department Reports

**Cluck talked about walk through with Police Department – parking will be concrete rather than asphalt at no extra cost. He requested naming street Nowka Dr. for the on block in front of Police building to honor the officer killed.**

**Allen talked about agreement with red cross to provide smoke alarms.**

**Balenseifen said no report – working on Community Development Report for meeting.**

**Slattery said SH-76 gas line project may try to swap 18 customers to ONG and have them provide new gas gate. They have little interest in steel gas line constructed in 1960s, so will not be a swap. The cost is approximately \$360,000 for ONG to construct line. There are 3 concerns:**

- 1- 76 SH and what to do with existing customers**
- 2- 37 & 4 growth and providing enough gas**
- 3- Town fed by a gate at SH-76 and one at Fairview cemetery. Downtown needs to be fed from another direction. ONG would move gate from SH-76 to SH-37, Rock Creek to SH-4, another feed from Cemetery into town. If we swap customers for gate it would not be an even trade for ONG. I will provide cost estimates and summary of ONG offer.**

**McLeroy asked about Farm Credit drainage. Slattery said it is complete.**

**Perryman said no reports.**

**Young said sales tax is up, beginning budget prep in next few weeks. Would like a meeting for the 4<sup>th</sup> Monday in June maybe 4pm for budget prep. Young said will communicate dates.**

**McLeroy suggested last Monday of April 2022 for City Council Member Training.**

**Young said legislative update is public safety districts approved for vote of people. Young stated concerning second floor construction, met with Architect and Cory from Flintco. Would you prefer a construction manager or general contractor? All agreed to construction manager to manage the second-floor project.**

**Marble presented Incode updates are in progress and we are working on utility billing for emailing bills and employee document self-service.**

**Young stated the fiber redundancy is complete.**

b. Council Member Reports

**Smith presented in-house dining at Senior Center has resumed.**

**NEW BUSINESS**

**ANNOUNCEMENTS**

1. City Council Special Workshop Meeting on Monday, May 24, 2021 at 6:00 pm
2. City Council Meeting on Monday, June 14, 2021 at 7:00 pm (workshop at 6:00 pm)

**ADJOURNMENT**

**Motion was made by Hughes, seconded by Smith to adjourn the City Council Meeting at 9:43 p.m.**

**Motion carried as follows:**

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

**Nay: None**

Attest:

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Wendy Marble, City Clerk

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Aaron McLeroy, Mayor