

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **AUGUST 9, 2021**, 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, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, AARON SLATTERY, RYAN ALLEN, BRYAN BALENSEIFEN, LAURIE KOELSCH, AMBER RILEY, AND SEAN FAIRBAIRN

OTHERS PRESENT: JIM KING, JEANIE KING, WILLIAM B. MILLER, AMY STOUT, RODNEY FRENCH, MARCUS PINEDA, MIKE WALDRON, JOHN WALDRON, JAYSON KNIGHT, TYLER GUTHERY, CHARLEY GUTHERY, LARRY WATSON, LESA RHOADS, DALE RHOADS, JEFF FISH, KLANE KIRBY, MARCY WASHBURN, KIM KIRBY, LESLIE WAKER AND OTHERS WHO 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

INVOCATION Dickson 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. INTRODUCTION of new employees

Balenseifen introduce Mark Mathes as new building inspector.

b. ISSUANCE and READING of a Proclamation from the Mayor and City Council proclaiming the City of Tuttle as a Purple Heart City

Amy Stout presented purple heart designation is to honor and remember Purple Heart recipients. The proclamation will be sent to the governor's office. She thanked the council for the consideration.

Jim King presented there are two Purple Heart recipients that their families gave the awards to the American Legion. They are working to remodel the building before displaying these medals.

Mayor McLeroy read the proclamation.

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 July 12, 2021
- b. APPROVAL minutes for City Council workshop meeting July 12, 2021
- c. ACKNOWLEDGMENT receipt of payroll and claims for July 2021
- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for July 2021
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for July 2021
- f. APPROVAL of **Budget Amendment 2021-019** regarding replacement of damaged police vehicle
- g. AUTHORIZATION to purchase and equip a new police vehicle at a cost not to exceed \$42,000
- h. APPROVAL surplus a 2015 Chevy Tahoe in the Police Department
- i. APPROVAL of **Budget Amendment 2021-020** fixing budget fund transfer error
- j. APPROVAL of Memorandum of Understanding with the Tuttle Public Schools for the joint construction of a new Futsal Court
- k. AUTHORIZATION to expend \$40,000 towards the joint Futsal Court with the Tuttle Public Schools
- l. APPROVAL of Memorandum of Understanding with the City of Chickasha regarding the use of their gun range by the Tuttle Police Range
- m. APPROVAL minutes for City Council workshop meeting July 26, 2021

**Motion was made by Littleton, seconded by Dickson to approve Items 4a through 4m 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. 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 **Ordinance 2021-02 (PC 2021-17)** request for a Planned Unit Development (PUD) in the 3900 Block of Silver City Ridge including rezoning of existing R-1A Parcels to PUD with a base R-1 zoning

Charles Allen presented request for PUD. He stated this changed to 130 lots from 74 because the concrete streets were not financially feasible. Balenseifen presented recap from the Planning Meeting and the changes that were added to the PUD. Planning commission recommended 1800 sq ft homes, citizen concerns were drainage and ponds, smaller lots not have the same curb appeal as the additions.

Jeff Fish of 1006 Twin Creek Circle stated the rezoning is arbitrary and not good for the residents, this only benefits the builder and he objects to this rezoning.

Marcie Washburn of 1006 Twin Creek circle sent an email to staff with her concerns. She stated this is a beautiful area and 75 homes would match the existing neighborhoods.

McLeroy explained why concrete streets are required. He stated the City can't afford to take care of what we have and the concrete will last 3-4 times longer than asphalt.

Starr Jones of 1302 Prairie Hills Drive stated she does not believe the developer and his estimate of the difference in cost of concrete versus asphalt.

McLeroy stated he understands and agrees with the resident's concerns but our job is to make rules and make sure they are followed. Dickson stated concrete street ordinance was adopted in 2019. He stated the developer has right to develop his land as long as he follows the city ordinances.

Kim Kirby of 1004 Twin Creek Circle sent email with her concerns. She is concerned about devaluation of their homes, liability issues with the pond. She asked for some sort of compromise. She noted that the lack of attendance by Fulkerson says a lot.

Anita Cinnamon of 1432 Prairie Hills Drive concerned about Silver City Ridge road and concerned what will happen to the wild life.

Motion was made by Littleton, seconded by Hughes to TABLE Ordinance 2021-02 (PC 2021-17) request for a Planned Unit Development (PUD) in the 3900 Block of Silver City Ridge including rezoning of existing R-1A Parcels to PUD with a base R-1 zoning until the September 13 meeting. Motion carried as follows:

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

Nay: None

Littleton stated Fulkerson needs to attend or the Council will continue to table this item.

- 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 2021-05 (PC 2021-26)** request of Erick & Holly Cummings to rezone property from Light Office (O-1) to the Urban Estates Residential (R1-A) located 5 Willow Creek Dr.

Balenseifen stated the applicant is on deployment. Request is to build home on south side of property.

Motion was made by Hughes, seconded by Smith to approve Ordinance 2021-05 (PC 2021-26) request of Erick & Holly Cummings to rezone property from Light Office (O-1) to the Urban Estates Residential (R1-A) located 5 Willow Creek Dr.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes, Smith, 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 2021-06 (PC 2021-29)** request of Chance and Elizabeth Elliott to rezone property from General Agriculture (A-1) to the Residential Estates (R1-B) located 105 Kevin Lane.

Balenseifen presented 5.5 acres requesting rezoning due to lot split. Perryman stated you may consider the two items together.

- d. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **PC 2021-31** request of Chance and Elizabeth Elliott for a final plat located at 100 Block of Kevin Lane to be named Elliott Acres Addition

Fairbairn state he has reviewed the street and utility access and easements.

Motion was made by Hughes, seconded by Littleton to approve both items 6c and d; Ordinance 2021-06 (PC 2021-29) request of Chance and Elizabeth Elliott to rezone property from General Agriculture (A-1) to the Residential Estates (R1-B) located 105 Kevin Lane and PC 2021-31 request of Chance and Elizabeth Elliott for a final plat located at 100 Block of Kevin Lane to be named Elliott Acres Addition

Motion carried as follows:

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

Nay: None

7. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION appointment of Position 4 on the Parks & Recreation Advisory Board for a term ending June 30, 2023

Riley stated she will get applicant information for next month.

- 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 hiring of a construction manager for the City Hall 2nd Floor project

Young presented this is the contract with Flintco and the City Attorney has reviewed.

Motion was made by Smith, seconded by Littleton to approve contract regarding the hiring of a construction manager for the City Hall 2nd Floor project. Motion carried as follows:

Aye: Dickson, Littleton, Hughes, Smith, 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 regarding **Resolution 2021-12** initiating the process for City Council Ward Boundary Redistricting

Perryman stated this initiates the process. He stated the Planning Commission has looked at this, made recommendations and selected option 3. We have to give the public a 30 day notice of shifting boundary. You may take recommendation or adjust it. Resolution will need to be published this week. Smith asked if the census will change this. Young stated data used is households since census data was not available.

Motion was made by Dickson, seconded by Littleton to approve Resolution 2021-12 initiating the process for City Council Ward Boundary Redistricting. Motion carried as follows:

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

Nay: None

8. STREETS

None

Motion was made by Littleton, seconded by Hughes to recess the City Council meeting at 8:09 p.m. and begin Tuttle Development Authority meeting. Motion carried as follows:

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

Nay: None

Motion was made by Littleton and seconded by Smith to reconvene the City Council meeting at 8:20 in joint session with Tuttle Public Works Authority meeting beginning with Item 9 staff reports of City Council Meeting before Executive Session.

9. INFORMATION AND REPORTS

a. City Manager and Department Reports

Cluck stated no other report. Slattery presented completed gas system and drinking water reports. Riley stated a working toilet at the ballpark is needed. Young stated this will require sewer line extension. Littleton asked for cost for this project. Balenseifen stated no report. Koelsch stated no report. Dickson asked what were the 30 calls to the help desk? Koelsch stated 90% of those are 5G issues and routers. Koelsch stated they have discontinued what we have been using and we will be going to all new version eventually. Allen stated no report. Marble stated no report. Perryman stated no report. Young stated he will be representing the City on the Oklahoma Gas Association board.

b. Council Member Reports

None

Motion was made by Dickson, seconded by Hughes to recess the City Council meeting, take a five-minute break and enter Executive Session at 8:34 p.m. Motion carried as follows:

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

Nay: None

10. 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 10a**

b. **CONSIDERATION to conduct an EXECUTIVE SESSION regarding collective bargaining with the International Association of Fire Fighters Local 5017** (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 10a**

c. **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 10a**

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 Smith, seconded by Littleton to reconvene the City Council Meeting at 10:33 p.m.

Motion carried as follows:

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

Nay: None

NEW BUSINESS

ANNOUNCEMENTS

1. City Council Workshop Meeting on Monday, August 23, 2021 at 6:00 pm
2. Police Station Dedication on Monday, August 30, 2021 at 6:00 pm
Strike – date to be determined
3. City Council Meeting on Monday, September 13, 2021 at 7:00 pm (workshop at 6:00 pm)

ADJOURNMENT

Motion was made by Littleton, seconded by Hughes to adjourn the City Council Meeting at 10:37 p.m.

Motion carried as follows:

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

Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor