

Minutes

THE BOARD OF TRUSTEES OF THE TUTTLE PUBLIC WORKS AUTHORITY MET IN REGULAR SESSION ON **FEBRUARY 14, 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, MARY SMITH AND AARON MCLEROY

MEMBERS ABSENT: NONE

STAFF PRESENT: DAVID PERRYMAN, WENDY MARBLE, AARON SLATTERY, RYAN ALLEN, DON CLUCK, LAURIE KOELSCH, AMBER RILEY, JULIE MOWDY, WJ MORGAN, KELLY DEATHERAGE, BRYAN BALENSEIFEN, ANNE SUBLETT, AMY NATCHER AND SEAN FAIRBAIRN

OTHERS PRESENT: MIKE HIXSON, TYMON SHARP, TYLER GUTHERY, CHARLES CUTHERY, GENIA GORE, JARED MCATEE, JAYSON KNOGHT, JAY KNIGHT, MARCY WASHBURN, JEFF FISH, JUDY PRESTON, TYLER KINCANNON, KIM & KLANE KIRBY, MIKE MEDRANO, LESLIE WALKER AND OTHERS WHO DID NOT SIGN IN

CALL TO ORDER Mayor McLeroy called the meeting to order at 7:07 p.m.

ROLL CALL Marble called roll and declared a quorum present

ORDER OF BUSINESS

Mayor McLeroy asked to begin with Item 8 on the agenda at 7:07 p.m.

Motion was made by Littleton, seconded by Hughes to reconvene the Tuttle Public Works Authority meeting at 9:14 p.m.

Motion carried as follows:

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

Nay: None

1. Discussion and questions regarding items on the consent docket

None

2. CONSENT DOCKET

(This item is placed on the agenda so that the Board of Trustees, 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 Board members, that item will be removed from the consent docket and considered in regular order)

- a. APPROVAL minutes for TPWA meeting January 10, 2022
- b. APPROVAL minutes for TPWA meeting January 24, 2022
- c. ACKNOWLEDGMENT receipt of payroll and claims for January 2022
- d. APPROVAL and Ratification of Manager Resignation and Separation Agreement

Motion was made by Dickson and seconded by Hughes to approve items 2 a, b, c and d. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

3. CONSIDERATION of Items Removed from Consent Docket

Strike

4. DISCUSSION, CONSIDERATION and POSSIBLE ACTION regarding the possible reconsideration of abandoning and the relocation of gas lines of the TPWA due to an ODOT Project widening Highway 76 in the city limits of Newcastle. Action on this item may include Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part.

Perryman stated if Option 1B is the choice, Council will need to authorize staff to pursue.

Motion was made by Smith and seconded by Hughes adopting Option 1B as presented at prior meeting, authorizing staff to pursue at a cost quoted of \$187,000. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

5. DISCUSSION, CONSIDERATION and POSSIBLE ACTION authorizing Staff to Negotiate a Right of First Refusal Agreement with ONG for gas customers within all or part of Section 30-T10N-R4W; Section 31-T10N-R4W; Section 6-T9N-R4W; Section 7-T9N-R4W; and Section 18-T9N-R4W. Action on this item may include Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part.

Motion was made by Littleton and seconded by Hughes to authorize Staff to Negotiate a Right of First Refusal Agreement with ONG for gas customers within all or part of Section 30-T10N-R4W; Section 31-T10N-R4W; Section 6-T9N-R4W; Section 7-T9N-R4W; and Section 18-T9N-R4W. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

6. DISCUSSION, CONSIDERATION and POSSIBLE ACTION retaining the Contractual Services of Smith Roberts as the Agent of the Tuttle Public Works Authority for Right of Way needed for relocation of gas lines of the TPWA. Action on this item may include Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part.

Motion was made by Dickson and seconded by Hughes to authorize retaining the Contractual Services of Smith Roberts as the Agent of the Tuttle Public Works Authority for Right of Way needed for relocation of gas lines of the TPWA as presented in Option 1B. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

7. DISCUSSION, CONSIDERATION and POSSIBLE ACTION related to serving Rolling Meadows neighborhood with natural gas. Action on this item may include Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part.

Slattery presented the request, cost estimate, and asked if Council is interested in pursuing this project. Slattery stated the timing would be challenging because of the many projects scheduled ahead of this. He stated the residents may not realize the cost to convert could be \$3,000 to \$5,000 for appliances, plumbing, city connection fees and any other necessary expenses. He stated the city would need a certain percentage to commit in order for this to be cost effective. Dickson asked how you insure who pays cost and what about those that want to connect after those that committed have paid. Perryman stated city can implement an improvement district or create escrow agreement. McLeroy stated escrow account seems best. Slattery stated the additional costs probably have not been shared with all the residents.

No Action Taken

McLeroy thanked Anne Sublett for her work in taking all the calls about the water meter price increases.

Motion was made by Littleton and seconded by Hughes to recess the Tuttle Public Works Authority meeting at 9:31 p.m. and begin Tuttle Development Authority meeting. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

8. DISCUSSION, CONSIDERATION and POSSIBLE ACTION related to **TPWA Resolution 2022-02** revising utility rates for FY 2022. Action on this item may include Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part.

McLeroy presented that we messed up on this, we normally consider how a change affects the residents, and businesses. The utility rate increase was approved in November to begin in February. The meter size minimum rate increase affects those that have a 2" or larger water meter. Staff recommends that we do away with the water meter size minimum rate and refund the overages on the affected accounts. We apologize for this and want to make it right. Cluck requested this be processed as a credit on the utility accounts.

Motion was made by Dickson and seconded by Littleton to approve TPWA Resolution 2022-02 revising utility rates for FY 2022 and approving the credit to those utility accounts that were charged the minimum water meter size rate on the February 2022 bill. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Littleton and seconded by Hughes to recess the Tuttle Public Works Authority meeting at 7:12 p.m. and reconvene the City Council meeting. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Littleton, seconded by Dickson to reconvene the City Council Meeting and Tuttle Public Works Authority meeting at 9:47 p.m. and enter Executive Session for both meetings.

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.

Motion was made by Littleton, seconded by Smith to reconvene the City Council Meeting and Tuttle Public Works Authority meeting at 11:23 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. Discussion and Consideration and Possible Action relating to the employment of an Interim Trust Manager for the Tuttle Public Works Authority. The Discussion and Consideration and Action

potentially anticipated under this Agenda Item may include the following and may include Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part related to:

1. The Process, Procedure and Substance of employing an Interim Trust Manager for the TPWA.
2. The possible employment of an Interim Trust Manager for the TPWA.
3. The possible establishment of terms and conditions of employment of an Interim Trust Manager.
4. The possible execution of an Interim Trust Manager Contract.

(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.)

No Action Taken

Motion was made by Smith and seconded by Littleton at 11:24 p.m. to recess the City Council meeting and Tuttle Public Works Authority meeting until 6:00 p.m. on Tuesday, February 15, 2022. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

Tuesday, February 15, 2022

Motion was made by Littleton, seconded by Dickson at 6:00 p.m. to reconvene the City Council Meeting and Tuttle Public Works Authority meeting from Monday, February 14, 2022 and enter Executive Session for both meetings.

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.

Motion was made by Littleton, seconded by Dickson to reconvene the City Council Meeting and Tuttle Public Works Authority meeting at 7:44 p.m. on Tuesday, February 15, 2022. Motion carried as follows:

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

Nay: None

No Action Taken

Motion was made by Littleton and seconded by Dickson at 7:47 p.m. to recess the City Council meeting and Tuttle Public Works Authority meeting until 6:00 p.m. on Thursday, February 17, 2022. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

Thursday, February 17, 2022

Motion was made by Dickson, seconded by Littleton at 6:00 p.m. to reconvene the City Council Meeting and Tuttle Public Works Authority meeting from Tuesday, February 15, 2022 and enter Executive Session for both meetings. Motion carried as follows:

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

Nay: None

Motion was made by Smith, seconded by Littleton to reconvene the City Council Meeting and Tuttle Public Works Authority meeting at 6:11 p.m. on Thursday, February 17, 2022.

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.

Item 9 – Executive Session

Motion was made by Smith and seconded by Dickson to offer employment to Larry Mitchell under the terms and conditions of the agreement with the City. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

NEW BUSINESS

ANNOUNCEMENTS

ADJOURNMENT

Motion was made by Littleton and seconded by Smith to adjourn Tuttle Public Works Authority meeting at 6:12 p.m. on Thursday, February 17, 2022. Motion carries as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

Attest:

TPWA Secretary, Wendy Marble

Chairman, Aaron McLeroy