

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **APRIL 13, 2020 at 7:00 P.M.** VIA VIDEOCONFERENCE ON ZOOM AND BROADCAST ON YOUTUBE

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, BRUCE ANTHONY, LAURIE KOELSCH, MATT MEARS, BRYAN BALENSEIFEN, BIANCA VALENCIA AND SEAN FAIRBAIRN

OTHERS PRESENT: BEN OGLESBY, NATE ELLIS, LESLIE WALKER AND JAYSON KNIGHT

**CALL TO ORDER** Mayor McLeroy called the meeting to order at 7:06 p.m.

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

**PLEDGE OF ALLEGIANCE** McLeroy led the 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.)

**Young stated no request were submitted via Zoom conference**

#### 2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

**None**

#### 3. Discussion and questions regarding items on the consent docket

**Hughes asked for information about Item 4i CAD system for Police Department and if the department has money budgeted for this. Cluck stated he will be able to work \$8000 into the current budget. Hughes asked how the officers will utilize and Cluck stated they will receive additional information on their laptops and dispatch can view which officer is closer to the location of the incident.**

**Hughes asked about storm siren repair of \$1600. Young stated this fixed enough of the problem for the sirens to work; but will require upgrades in the future of up to \$50,000. There seemed to be no failures in the system only radio interference was possibly the issue.**

**Hughes asked about Medicare payment. Marble stated this was not for an employee, it was an overpayment by Medicare to Tuttle EMS, which in turn we refunded and the billing company refiled the claim if there were funds to collect.**

**Hughes asked about uniform payments. Young stated this is the monthly payment for public works uniforms.**

**Dickson asked about siren upgrades and didn't the City do some upgrades last year. Anthony stated the upgrades that were done last year were to the batteries and battery chargers that were replaced in all thirteen towers. He stated the problem now is a signal problem.**

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 March 9, 2020
- b. APPROVAL minutes for City Council Workshop meeting March 9, 2020
- c. APPROVAL minutes of City Council Workshop meeting March 23, 2020
- d. ACKNOWLEDGMENT receipt of payroll and claims for March 2020
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for March 2020
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for March 2020
- g. APPROVAL **Resolution 2020-02** declaring April 2020 as Fair Housing Month
- h. APPROVAL **Resolution 2020-03** declaring the week of April 12-18, 2020 to be National Public Safety Telecommunicator Week
- i. ACCEPTANCE of 2019 Oklahoma 911 Management Authority Grant for the 911 Department
- j. AWARD OF CONTRACT to SWH Construction, LLC for FY 2020 daily rate street repairs
- k. APPROVAL to purchase a 2019 Pick Up Truck for the Streets Department at a cost of \$46,100

**Motion was made by Hughes, seconded by Smith to approve consent docket items 4a through k**

**Motion carried as follows:**

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

**Nay: None**

5. CONSIDERATION of Items Removed from Consent Docket

**Strike**

6. PRESENTATION and DISCUSSION regarding financing for the new Tuttle Police Station, financing for neighborhood streets, and potential refinancing of existing debts, along with project updates

- a. 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 UTILITY SYSTEM REVENUE NOTE, SERIES 2020 (THE "NOTE"); PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY

IS SUBJECT TO THE PROVISIONS OF THE INDENTURE AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; RATIFYING AND CONFIRMING AN AMENDED LEASE AGREEMENT, AS AMENDED; ESTABLISHING THE CITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY OR ON BEHALF OF SAID CITY IN CALENDAR YEAR 2020, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AND CONTAINING OTHER PROVISIONS RELATING THERETO (**Resolution 2020-04**).

**Oglesby presented packages were sent to lenders to refinance, adding another \$300,000 to the note for sewer projects. The amount of this note is \$2,518,000. The previous 2013 sewer note that this will be paying off had a rate of 3.18%. The rates received for financing were 1.50% from FNB Community Bank, 2.01% from First National Bank and 2.45% from Sooner State Bank. This refinancing should save about \$100,000 from the 2013 sewer note. Oglesby recommended awarding the note to FNB Community Bank of Midwest City. McLeroy asked about terms. Oglesby stated this is a fixed rate and is pre-payable with no penalties. Young stated the additional monies will be used for extending sewer to SH-37 and SH-4 and the extension of Jaden Court to Warm Springs developments.**

**Motion was made by Smith, seconded by Littleton to adopt Resolution 2020-04 and award note to FNB Community Bank of Midwest City at a rate of 1.50% pre-payable.**

**Motion carried as follows:**

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

**Nay: None**

- b. 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 SALES TAX REVENUE NOTE, SERIES 2020 (THE "NOTE") AND A RELATED RATE LOCK AGREEMENT; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF THE NOTE AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; APPROVING AND AUTHORIZING EXECUTION OF A SALES TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; ESTABLISHING THE CITY'S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY OR ON BEHALF OF SAID CITY IN CALENDAR YEAR 2020, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATIONAND CONTAINING OTHER PROVISIONS RELATING THERETO (**Resolution 2020-05**).

**Oglesby presented the sales tax note was sent to the same banks and only one bid was received. It was from FNB Community Bank at a rate of 1.60%. Oglesby recommended awarding the note to FNB Community Bank of Midwest City.**

**Dickson asked how much risk is involved. Oglesby stated that is why only one bank submitted a bid, because of the risk. He stated sales tax revenue pledge is concerning to cover the note with those funds. He presented a coverage calculation of 1% in 2019 was \$542,000 and the debt service was \$242,000. Wanting to use only 1/2 penny should cover the debt but may have to dip into general fund if sales tax**

decreases. Young stated currently the ½ penny would generate \$271,000 and the debt would be \$221,000. He stated we should be able to cover the debt.

Ellis presented the language in Item 6b and Resolution 2020-05 about a rate lock agreement is not relevant and should be deleted.

Motion was made by Smith, seconded by Dickson to adopt Resolution 2020-05 and award note to FNB Community Bank of Midwest City at a rate of 1.60% pre-payable as amended to delete the rate lock agreement language.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

- c. CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2020 TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/REGISTRAR; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF; AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE (Resolution 2020-06).

Oglesby presented copy of the Preliminary Official Statement was provided for the \$2,000,000 General Obligation bond. This is for a 20-year bond that will sell on May 11, 2020 at 11:00 a.m. Bids will be received electronically and be provided to the Council that evening at the regular meeting. If the City Council awards the bonds the closing will be on June 24, 2020. Young asked Oglesby how the market is working. Oglesby presented the market is getting better, he is seeing general obligation bonds getting sold. He stated if the bids are not acceptable the Council has the option to reject. Perryman asked what the process would be if the Council refuses the bids. Oglesby presented another meeting would be held to change the bid dates and then go back out for bids. If it does not close by the end of June, the impact would be the tax money would not be on the tax rolls and collected until the next year.

Motion was made by Dickson, seconded by Littleton to adopt Resolution 2020-06 for the General Obligation bonds.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes, Smith and McLeroy

Nay: None

7. UPDATE and DISCUSSION Regarding the COVID-19 State of Emergency

Young presented the City has extended the Emergency Proclamation to April 30, 2020, the same as the State of Oklahoma Executive Order. He stated operations are as they should be. Littleton asked if the City has ordered face masks be worn in public. Young stated this is not required. Perryman presented steps have been taken to protect employees and state may have requirements or restrictions of gas system workers entering private residences. He said it was related to propane companies entering residences.

Dickson asked about the morale of the employees and do you have proper PPE.

Anthony stated morale is good, two vacancies which is creating over time for employees. He stated call volume is up and transports are down.

McLeroy asked how short staffed is affecting operations. Anthony stated we are keeping the shifts staffed. Usually have 12 on staff with 6 of those being paramedics and now we have 10 employees total with 6 paramedics if I count myself. Anthony stated we are advertising for paramedic positions.

Cluck presented his staff is down two officers that have come in contact with someone who has tested positive for COVID-19. He stated morale is up but calls have slowed down. He stated they have plenty of PPE.

Slattery presented he has three employees that have been off work due to COVID-19 symptoms. One employee is already back to work and the others are expected back next week. He stated his department is very busy, that developers are pushing to get utilities installed. He stated his employees need face masks but other than that they are doing fine.

Mears presented he has made contacts with silver Ridge residents about drainage. He stated no progress has been made on the IOOF building relocation. He stated he has procured some PPE for Fire, Police and EMS.

Young presented that fiber installs have resumed and are being installed in the garage instead of going in the home. Koelsch stated they are doing drill through installation, which is faster. In April, 18 installs have been completed.

Perryman presented the Supreme Court ordered district courts closed and after review he stated this is broad enough to apply to municipal courts. He stated the May dockets may need to be moved to June.

## 8. INFORMATION AND REPORTS

### a. City Manager and Department Reports

Young presented Com Dev is in full operation except for not having Planning Commission meetings. He stated cases with Public Hearings are delayed until June. Young reported he is working on purchase of Community Development software to provide better access to services for the public. Young stated he is hopeful the general obligation bonds will go on the tax rolls for the coming year as planned. He stated staff, construction manager and architect are working on design for the new police station. Hope to have a ribbon cutting in April 2021. He stated he would like to release the streets to be paved at the meeting next month.

Slattery presented he will have the street information ready for the meeting in May. He stated the public is aware and glad that this street project is moving forward.

Mears presented he is working with residents on the drainage in Silver City Addition. He is dealing with FEMA on the Gregory Road bridge, stating the County is moving forward to get financing, \$55,000 will come from FEMA and \$125,000 will be left to pay. He stated the Silver City Ridge Road culvert project is waiting on the Army Corp of Engineers to approve the project. He stated Czech Hall Road ½ mile south of SH-37, FEMA is only willing to pay \$4500 of the estimated \$24,000 needed to repair the road. Littleton stated a resident discovered water running underground, just for your information. McLeroy asked about the water table. Fairbairn stated they have encountered ground water on some projects in Mustang. Slattery stated that Czech Hall Road has a natural spring under the road. He stated several areas around town have these springs.

McLeroy asked if Mears resolved the issue with residents in Silver City Addition. Mears stated has a meeting this Thursday. Slattery stated the channel may not be dry for a while.

Young presented he has noticed the water flowing is more constant, stating the pond must be releasing slowly as planned.

Fairbairn presented SH-37 sewer survey is complete and he is starting on the design plan.

Cluck presented he has met with the architect and Flintco discussing the plans for the Police Station.

Anthony stated he is receiving daily reports from several agencies, providing information about COVID-19. He stated the projected peak date for Oklahoma is April 27. Anthony encouraged all to wear a mask while in public.

Marble presented the perception is since City Hall is not open to the public that we are not working. She stated we are all working, some from the office and some from home or both. Laurie and Kara set everyone up so they can answer City Hall phones from their cell phones at home and provided laptops, hotspots and whatever was needed to be able to work from home. We are continuing to provide service even though we are not open to the public.

Young provided the financials, stating sales tax has been declining prior to COVID-19. He stated OK Tax Commission presented there was an overpayment of \$45,000 in use tax that will be deducted for the next four months. He stated the cash reserves are in good shape. Young stated sales tax is concerning but we are not overly dependent on that.

Young presented Bryan Balenseifen received his residential building inspector license.

b. Council Member Reports

Dickson thanked the department heads and staff for their dedication during this difficult time.

#### **NEW BUSINESS**

#### **ANNOUNCEMENTS**

1. City Council Workshop Meeting on Monday, April 27, 2020 at 6:00 pm
2. City Council Meeting on Monday, May 11, 2020 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 8:29 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