

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **MAY 11, 2020 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET AND VIA VIDEOCONFERENCE ON ZOOM AND BROADCAST ON YOUTUBE

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

MEMBERS ABSENT: MARY SMITH

STAFF PRESENT: TIM YOUNG, WENDY MARBLE, DON CLUCK, AARON SLATTERY,
Staff via videoconference: DAVID PERRYMAN, BRUCE ANTHONY,
LAURIE KOELSCH, MATT MEARS, BRYAN BALENSEIFEN, BIANCA VALENCIA AND SEAN FAIRBAIRN

OTHERS PRESENT: Via Videoconference: BEN OGLESBY, NATE ELLIS, LESLIE WALKER,
CHARLIE BINGHAM, ANTHONY HANLEY, TONY BLATT AND CORY RACKLEY

CALL TO ORDER Mayor McLeroy called the meeting to order at 7:01 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.)

***For those wishing to speak via Zoom, please send an email to tyoung@cityoftuttle.com prior to the start of the meeting and specify your name, street address, and topic you wish to speak about. You will be able to speak when called upon if you are logged into Zoom for the meeting.

Young stated no request were submitted via Zoom conference

2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

NONE

3. DISCUSSION and related CONSIDERATION selection of Vice-Mayor to serve term ending April 30, 2021

Motion was made by Littleton, seconded by Dickson to appoint Mary Smith Vice-Mayor to serve term ending April 30, 2021.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes and McLeroy

Nay: None

4. Discussion and questions regarding items on the consent docket

Dickson asked questions about payroll and claims Item 5b.

Dickson asked about \$3300 cost of signage for Hollowbrook Development. Young presented the City purchases all the street signs and bills the developer. Slattery stated this is the cost of all signs and posts for the first phase. He stated signage costs have increased by approximately 25% in the last year.

Dickson asked about purchase of cameras by Police Department. Cluck stated these are inexpensive cameras that each officer carries with them and they have to be replaced every few years.

Dickson asked about purchase of laser level. Young presented this was needed for the park restroom project and the silver ridge channel project. Mears stated this was purchased with park trails grant money. He stated this can be used in the future for water and sewer lines.

Dickson asked about payment for Council dinner since there was no meeting in April. Marble stated this is the payment for March meeting dinner.

Hughes asked about Item 5j street tax. Young stated it will be discussed during item 9. Hughes asked about Item 5k money for moving IOOF building. Mears stated church pays for \$18,000 of the move and the City will pay an additional \$1,900. The movers should start preparing the building in 3-4 weeks.

McLeroy asked about payment for \$ 1200 to Ron Williams plumbing for the park restroom. He stated he thought the city was doing the rough in plumbing. Mears stated the city's plan was to sub out the plumbing in order to close the grant by June 30th. McLeroy stated that was not his understanding. Mears stated the building contractor wanted to be the General Contractor for the project which would add cost to the project. The savings was for the City to perform as the GC but it was not to do the plumbing.

McLeroy asked to pull Item 5i from the consent docket.

5. 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 April 13, 2020
- b. ACKNOWLEDGMENT receipt of payroll and claims for April 2020
- c. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for April 2020
- d. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for April 2020
- e. APPROVAL Grady County Criminal Justice Authority Jail Service Agreement for July 1, 2020 through June 30, 2021
- f. ACCEPTANCE of donation of street and utility easement from Jackie and Oma Hill in Section 22, Township 10 North, Range 5 West
- g. ACCEPTANCE of donation of street and utility easement from Jackie and Oma Hill in Section 22, Township 10 North, Range 5 West
- h. ACCEPTANCE of donation of utility easement from Brennan Zurline and Chelsi Zurline and Daniel Hicks and Lori Hicks in Section 31, Township 10 North, Range 5 West

- i. APPROVAL of **PC Petition 2019-42** request of Riata Ranch Holdings, LLC, for approval of a preliminary plat and construction plans for The Montford Phase 2
- j. APPROVAL of Budget Amendment 2020-003 regarding the neighborhood streets tax
- k. APPROVAL of Budget Amendment 2020-005 regarding the Tuttle Historical Society Building
- l. APPROVAL of Budget Amendment 2020-004 regarding the new Tuttle Police Station
- m. APPROVAL License and Services Agreement with Tyler Technologies
- n. APPROVAL of **Resolution 2020-07** amending the agreement establishing the Oklahoma Municipal Assurance Group in perpetuity
- o. ACCEPTANCE of Grady Emergency Medical Services Audit for period July 1, 2018 through June 30, 2019
- p. AUTHORIZATION for City Manager to apply up to \$70,000 for principal reduction on the 2014 Tuttle Lumber Store Purchase Note

Motion was made by Hughes, seconded by Littleton to approve consent docket items 5a through p excluding item 5i.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes and McLeroy

Nay: None

6. CONSIDERATION of Items Removed from Consent Docket

McLeroy stated he pulled this item 5i to get the opinion of the City Council. He does not like this on the consent docket. He stated subdivisions need to be discussed. He stated in the Planning Commission meeting they were told to pass this because it meets the requirements. He stated this needs to be looked at and discussed. He has questions about the green space that were not answered at the Planning meeting.

Dickson stated he has no problem discussing as a separate item. He asked if the green space was in place previously. Young stated in place around 2006 and previous council allowed detention ponds to be used as green space. Littleton asked if it would be prudent to update the ordinance to avoid this. He asked for a statement from the engineer with green space information and formal direction for interpretation. He stated he does not disagree, but it is consistent with the past. Young stated this is consistent with past interpretation of greenspace to be detention pond. Littleton stated a precedent was set with Phase I and it would be hard to go back and change for Phase II. Young stated the ordinance needs to be updated. McLeroy stated current developments have been required to have park land. McLeroy also stated the planned Unit Development has an exception for the approval of 5000 sq ft lots that were approved as senior housing. Young stated that things have changed with this development.

Dickson asked what the two lots at the NE corner of development. Fairbairn stated it is common area buffer for SH-4. Dickson asked if this could be used for green space or park land. Bingham stated this is greenbelt. Hanley stated park land is open space maintained by the HOA. He also stated there are two detention areas in the Montford. He stated pond area will be aesthetic and not for public use. He stated the developers could choose to add park benches or other items for the public. Bingham stated the intent for senior living has not changed. The market is for high end small homes on small lots for

seniors and professionals. Dickson stated there has been some miscommunication, but it looks as if the plan has stayed the same.

Motion was made by Hughes, seconded by Dickson to approve request of Riata Ranch Holdings, LLC, for approval of a preliminary plat and construction plans for The Montford Phase 2

Motion carried as follows:

Aye: Dickson, Littleton and Hughes

Nay: McLeroy

7. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION of Election of two Trustees for Oklahoma Municipal Assurance Group Board of Trustees

Young presented he knows Justin Battles and Pam Polk. McLeroy stated his opinion that elected officials may not be as active.

Motion was made by Dickson, seconded by Hughes to approve of Election of Justin Battles and Pam Polk as Trustees for Oklahoma Municipal Assurance Group Board of Trustees

Motion carried as follows:

Aye: Dickson, Littleton, Hughes and McLeroy

Nay: None

8. PRESENTATION, DISCUSSION and related CONSIDERATION regarding financing for the new Tuttle Police Station along with project updates

- a. Receive bids for the purchase of \$2,000,000 General Obligation Bonds, Series 2020 of the City and vote to award said Bonds to the lowest bidder complying with the Notice of Sale and Instructions to Bidders or to reject all bids.

Oglesby presented general obligation bond bid information. Three bids were received. The low bid was from Baker Group/Sooner State Bank at 2.40%. He stated these were good aggressive bids and recommends acceptance of the Baker Group/Sooner State Bank bid.

Ellis presented recommendation to award the sale of bonds. McLeroy asked if it is possible this does not go until 2040. Oglesby stated it doesn't have to go to 2040, it could be refinanced in 2028. Ellis stated the amount of money does not change but the tax per household will.

Motion was made by Littleton, seconded by Dickson to award sale of 2020 General Obligation Bonds to Baker Group LLP in association with Sooner State Bank at a rate of 2.395683%.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes and McLeroy

Nay: None

- b. Consider and take action with respect to an Ordinance (**Ordinance 2020-08**) providing for the issuance of General Obligation Bonds, Series 2020 in the sum of \$2,000,000 by the City of Tuttle, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of Bonds; providing for registration thereof; designating the registrar for the issue; providing for levy of an annual tax for the payment of principal and interest on the Bonds and fixing other details of the issue; approving the forms of a Continuing Disclosure Agreement and an Official Statement; establishing the City's reasonable expectation with respect to issuance of tax-exempt obligations for calendar year 2020 and

designating the Bonds as qualified tax-exempt obligations; authorizing executions and actions necessary for the issuance and delivery of the Bonds; and declaring an emergency.

1. Emergency Clause for Ordinance.

Ellis stated this authorizes issuance of bonds with a separate emergency clause. The closing will be set for June 24, 2020.

Motion was made by Dickson, seconded by Hughes to approve Ordinance 2020-08 authorizing the issuance of bonds.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes and McLeroy

Nay: None

Motion was made by Dickson, seconded by Littleton to approve Ordinance 2020-08 and declaring an emergency.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes and McLeroy

Nay: None

c. Project update

Rackley and Blatt presented update on the Police Station project. Blatt presented working on design package, the document for bidding metal building, with a spring 2021 completion date. Rackley presented Flintco is working to develop design for all components and finish elements. They are working to stay within the budget and it will be stretched. Blatt stated Flintco is reaching out to contractors for pricing. Young stated the issue resolved with electronic bids. Perryman stated just asking if it was allowed, since they have to be opened in public. Rackley stated Flintco legal department responded and stated all Flintco locations have adopted this as the new normal. Rackley stated the bid opening is scheduled for May 28th. Blatt stated if anything with the bid changes an addendum can be issued. Rackley stated the bids will be delivered to Flintco and read aloud via a zoom meeting. Young stated the project is on track for completion by April 2021.

9. PRESENTATION, DISCUSSION, and related CONSIDERATION regarding the expenditures of the new neighborhood streets tax

Slattery presented street improvement plan to Council in January 2020 and at the March meeting Council asked for a proposal for funding. He stated this is Phase 1 of the plan. Slattery stated the contractor has been reviewing the streets and will complete drone footage before and after repair. His recommendation is to approve Phase 1 with the addition of first seven streets that were previously part of CBDG grant. Young stated the city was not awarded the grant this year.

McLeroy asked how do you come up with the rate and guarantee that they will do what is needed in the amount of time estimated. Slattery stated some contingency is built in and contractor has looked at every street. He stated the project can stop or readjust at any time.

Council members and staff discussed various streets on the list. Slattery presented Czech Hall Road can come off the list.

Slattery presented the section of W Tyler between Cimarron and Gregory road is unrepairable. He stated it needs 4 inches of gravel and grind up the asphalt. McLeroy asked about Silver City Ridge between Frisco and Richland. Slattery stated it should be paved or ground up. He stated he will get estimates for these and bring back for consideration.

Motion was made by Littleton, seconded by Hughes to amend the contract for Phase 1 adding seven streets from the first page list, striking Czech Hall Road and using the daily rate as quoted. Motion carried as follows:

Aye: Dickson, Littleton, Hughes and McLeroy

Nay: None

10. INFORMATION AND REPORTS

a. City Manager and Department Reports

1. Financial reports

Young presented sales tax is down 7.3% compared to last year. He stated he is working on audit, stated fund balances are strong, but court collection is down. He stated EMS funds may be lower because of less transports.

2. New bathrooms and trails at the Tuttle Soccer Complex

Mears presented the slab for park restroom is poured and rough plumbing is in. The building is delivered, so this should move along quick. \$30,000 remain for other improvements.

3. COVID-19 State of Emergency and response

Young presented we enter Phase II on Friday. Soccer and baseball fields will be open, with socially distancing required. City Hall will open to the public on May 18th. Phase III should begin the end of May.

4. Gregory Road Bridge and Silver City Ridge Dam repairs

Mears attended the county commissioner's meetings for the last few weeks. The plans were delivered, and the county has been approved for the loan. Continued weekly meeting with FEMA and waiting for Czech Hall Road approval, then can bid project.

b. Council Member Reports

Dickson asked why Station 2 was a hot spot. Young stated a hot spot on that side of town was the intent and the cost was \$200. Dickson asked if there are plans to move the hotspot and Young stated it can be moved.

Dickson stated that grow facilities are becoming a hot item. Young stated the city has a moratorium in place and the Planning Commission is working on ordinances for businesses and licensing.

Littleton stated a resident presented that north of Jaden Court development on Excalibur water is running underground from the detention pond. Fairbairn presented pond has been holding water, but it won't always be full and work on the outlet is in progress.

Littleton stated and ordinance is needed for the grow facilities and the moratorium provides time to get the ordinance in place.

Perryman presented the moratorium could be held as illegal if in a reasonable amount of time the rules are not determined.

Young presented Planning Commission wants industrial only and 1000 feet back from churches and schools. Dickson asked about designating an industrial area. Littleton asked if there was much interest in agricultural area. Perryman stated

municipality has ability to say you can or can't locate within 1000 feet. Littleton asked about agricultural area over industrial area. Perryman stated could designate as subclass giving ability to decide where and if located in the municipality.

NEW BUSINESS

ANNOUNCEMENTS

1. No City Council Workshop Meeting for May 2020
2. City Council Meeting on Monday, June 8, 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 9:48 p.m.

Motion carried as follows:

Aye: Dickson, Littleton, Hughes and McLeroy

Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor