

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **MAY 13, 2019 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: SCOTT DICKSON

STAFF PRESENT: TIM YOUNG, WENDY MARBLE, DON CLUCK, BRUCE ANTHONY, AARON SLATTERY, TIM EDWARDS, LAURIE KOELSCH, KARA BLEVINS, BIANCA VALENCIA, KAYLEY GORDON AND SEAN FAIRBAIRN

OTHERS PRESENT: K. MAURICE ARMSTRONG, AIMEE DAUPHIN, JOE DAUPHIN, LANCE HARPER, ANDY JACKSON, C. WONG. T. WONG, BILLY JACK TRAXLER, LESLIE WALKER, JAYSON KNIGHT AND OTHERS THAT DID NOT SIGN IN

SWEARING IN OF WARD 1 AND WARD 2 CITY COUNCIL MEMBERS

At 7:07 p.m. Judge Hendrickson presented the swearing in of Council member Mary Smith, Council member Austin Hughes and Police Officer Thomas Cooper

CALL TO ORDER Mayor McLeroy called the meeting to order at 7:15 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

SELECTION OF VICE MAYOR FOR A TERM ENDING JUNE 30, 2020

Motion was made by Littleton, seconded by McLeroy to appoint Mary Smith as Vice-Mayor for a term ending June 30, 2020. Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

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 introduced Kayley Gordon as the Community Development Clerk

2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

- a. Swearing in of new Police Officer Thomas Cooper

Completed at beginning of meeting by Judge Hendrickson

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)

- a. APPROVAL minutes for City Council meeting April 8, 2019
- b. APPROVAL minutes for City Council Workshop meeting April 8, 2019
- c. APPROVAL minutes for City Council Workshop meeting April 22, 2019
- d. ACKNOWLEDGMENT receipt of payroll and claims for April 2019
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for April 2019
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for April 2019
- g. APPROVAL purchase of 2019 Ford F350 from Joe Cooper Ford for Streets Department at State Contract price of \$48,127
- h. APPROVAL appointment of Shirley Shaffer as Resident Commissioner for the Tuttle Housing Authority with term expiring November 1, 2021
- i. APPROVAL Grady County Criminal Justice Authority Jail Service Agreement for July 1, 2019 through June 30, 2020
- j. APPROVAL purchase of two 2019 Dodge Chargers with equipment for the Police Department at State Contract price of \$79,108
- k. APPROVAL Memorandum of Lease with DUBCO, Inc., to lease to the City 5 acres at the southwest corner of E SH-37 and Cottonwood Dr for use as park land
- l. APPROVAL of re-adoption City Council Handbook
- m. APPROVAL of **Resolution 2019-06** authorizing the City Council's participation in the Oklahoma Municipal Assurance Group's recognition program
- n. APPROVAL of Audit Engagement Letter for annual audit by Angel, Johnston & Blasingame, P.C. for year ending December 31, 2018

Motion was made by Littleton, seconded by Smith to approve Consent Docket Items a,b,c,d,e,f,g,h,i,j,k,l,m and n. Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

5. CONSIDERATION of Items Removed from Consent Docket

Strike

6. COMMUNITY DEVELOPMENT

- a. DISCUSSION and related CONSIDERATION of **Ordinance 2019-08** (PC Petition 2019-13), request of Landy Development, LLC, to rezone approximately 20 acres located in the 4400 Block of E Tyler Dr from A-1 to R-1 with Planned Unit Development

Harper presented he is requesting rezoning for 20 acre residential development with 50 brick or stone homes. He stated these are mid-range family homes on smaller lots at approximately \$200,000. Smith asked if this is only the rezoning request and Harper stated yes.

McLeroy stated this recommendation passed 3-1 from the Planning Commission.

Hughes asked about PUD item 10 fencing. Harper stated it will be wood fence or a longer lasting alternative, all the same type.

McLeroy asked about PUD item 5 which is 30% maximum lot coverage. Harper stated he thinks this is enough but would prefer larger percentage in PUD to allow for larger patio. McLeroy stated he is concerned about the size of the homes and would prefer 40% lot coverage. Harper stated he is agreeable to this. Young stated a 12x12 prefab shed is discussed in the PUD and it is limited to this size. McLeroy stated the façade is not mentioned. Harper stated 80% of home will be brick or stone and Hardy board will only be used as accent.

Smith asked if approval of the PUD is part of the zoning. Young stated PUD is unique zoning law for this neighborhood.

McLeroy asked if mailboxes will match homes and Harper stated yes they will be brick to match. McLeroy asked if 26' street is wide enough for emergency vehicles. Anthony stated yes for one way travel. McLeroy stated he is just trying to prevent complaints that may arise from street parking, such as mail delivery, trash pick-up and congestion. Littleton stated that enforcing some of these items is out of City control.

McLeroy discussed landscape requirement of trees in front and back yards. Hughes asked how can you hold home owner responsible for maintain a tree in back yard. Littleton stated tree requirement and maintenance should be Home Owner Association responsibility. Perryman stated no will be responsible. Smith stated she understands the aesthetic look for a nice neighborhood. Harper stated the HOA is produced from the PUD.

McLeroy asked about fencing at the entrance. Harper presented the fence will run across Tyler Drive frontage and will have a brick or stone entry. The interior fencing will be stockade or possible longer lasting alternative.

Young presented the City is addressing fencing standards for all subdivisions. Review will still be required from Planning Commission and City Council.

McLeroy stated drainage will be addressed at final plat review after rezoning. The preliminary plat will not be approved until the City Engineer approves it.

Young presented the drainage problems on Tyler at bank are the result of the bank not wanting to comply with City code requirements. Young stated he will not be granting any passes on what is required.

Aimee Dauphin of 805 Eagle Ridge presented she closed \$40 million in home loans last year and she is concerned that there is nothing in writing and asked who the other builder will be. Harper stated he does not want to disclose since the developer is not present. Dauphin stated it is probably Rausch Coleman Homes or some other low end builder. She stated she is not against development, but she would like it to conform with what is in the area.

C. Wong of 924 Eagle Ridge Rd presented the bonus room was a requirement at the Planning Commission meeting. She asked if buses will be able to enter addition. They cannot enter Eagle Ridge and the kids standing along Tyler Drive is a safety concern. McLeroy stated bus routes are not regulated by the City. She asked if the City will enforce the tree requirement. McLeroy stated that the City does not enforce Home Owner Association rules.

McLeroy stated the changes to the PUD that have been discussed are 40% lot coverage and 75% of façade to be brick or stone. Dauphin stated she is uneasy with information because it changes. McLeroy explained the Planning Commission makes a recommendation and the City Council has the authority to make changes before approval.

Littleton presented a decision needs to be made or remand this back to the Planing Commission. He stated a \$200,000 home is not a starter home. He would like the City to find a way to promote housing because the revenue is required for the quality of life that residents demand. Hughes agreed that an 1800 square foot home is not a starter home and he stated he understands property values concerns. Dauphin stated lower square foot lowers the property values. Smith stated the council should make a decision tonight and this can be solved with a good PUD and preliminary plat. Smith stated she does not like the requirement of a second story bonus room. Hughes asked what the neighbors would like to see for the development. Dauphin stated conforming to the area as far as square footage with at least 2100 square feet. Harper stated 1800 square feet is what they want to build.

Motion was made by Smith, seconded by Hughes to approve as amended providing the most recent PUD with changes of 40% lot coverage and 75% brick or stone façade; Ordinance 2019-08 (PC Petition 2019-13), request of Landy Development, LLC, to rezone approximately 20 acres located in the 4400 Block of E Tyler Dr from A-1 to R-1 with Planned Unit Development.

Motion carried as follows:

Aye: Littleton, Hughes and Smith

Nay: McLeroy

- b. DISCUSSION and related CONSIDERATION of **Ordinance 2019-10** (PC Petition 2019-15), request of Otis Coon, to rezone approximately 0.68 acres located at 5300 E. SH-37 from A-1 to C-5

Young presented First National Bank is the owner and this was not rezoned correctly years ago when it was annexed in to the City limits.

Motion was made by Littleton, seconded by Smith to approve Ordinance 2019- 10 (PC Petition 2019-15), request of Otis Coon, to rezone approximately 0.68 acres located at 5300 E. SH-37 from A-1 to C-5

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Littleton, seconded by Hughes to recess the City Council Meeting at 8:49 p.m. and begin Tuttle Public Works Authority meeting.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Littleton, seconded by Hughes to reconvene the City Council meeting at 9:34 p.m.

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

- c. DISCUSSION and related CONSIDERATION of **Ordinance 2019-09** (PC Petition 2019-12) regarding amending the Tuttle Zoning Code adopting regulations for carports and updating regulations for boat, RV, camper, and trailer parking in residential areas

Young presented Planning Commission is working on this for several months dealing with carports in the front yard only, not allowed in neighborhoods developed after 2000. Carports are allowed in A-1. McLeroy stated he does not think 20 foot length is big enough.

Tammi Long of 509 Willow Street presented request to extend garage with a 24' carport long enough to cover a truck. This will be an extension of the garage roof. McLeroy stated this is an extension of the structure and not a freestanding carport.

Long presented that they have made major improvements to the home in the 6 years they have resided there. She asked if an accessory building could be constructed in the back yard for the RV. Young stated yes with 3 foot setback from the property line.

Council and staff discussed the other two carports on Willow Street that possibly violate the carport regulations. Young stated if these were constructed in the last ten years they are in violation.

Motion was made by Littleton, seconded by Smith to approve Ordinance 2019-09 (PC Petition 2019-12) with amendment for 24 foot length, as long as it does not interfere with street setback regulations; regarding amending the Tuttle Zoning Code adopting regulations for carports and updating regulations for boat, RV, camper, and trailer parking in residential areas.

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Smith, seconded by Littleton at 10:00 p.m. to extend the City Council meeting one hour to 11:00 p.m.

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

- d. DISCUSSION and related CONSIDERATION of **Ordinance 2019-11** (PC Petition 2019-16) regarding amending the Tuttle Subdivision Regulations regarding street lights

Young presented PSO and OEC provide street lights. PSO price is \$3 per month and OEC is \$13 per month. The regulation should be amended with City will no

longer covering gap between price difference for OEC street light and the city will take over the cost of the bill with 75% occupancy of the development.

Motion was made by Smith, seconded by Littleton to approve Ordinance 2019-11 (PC Petition 2019-16) regarding amending the Tuttle Subdivision Regulations regarding street lights amended with City no longer covering gap between price difference for OEC street light and the City will take over the cost of the bill with 75% occupancy of the development amended from 50%.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

- e.* DISCUSSION and related CONSIDERATION regarding requirements for new subdivisions, including Homeowner/Property Owners Associations and adjacent roadway improvements

Young presented the Mayor asked for this item because our ordinances don't address when a Home Owner Association should be established. The preference is that HOA are active from the beginning of the development. Young presented roadway improvements should be paid by the developer or they pay the City to improve.

No Action Taken

7. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION regarding the potential relocation of the former Odd Fellows Building owned by Tuttle Christian Church

Young presented staff toured the building and it is bigger and in better shape than what he thought. There is interest to preserve this since it is the only original building left. The church may have the ability to raise enough money to move the building but a location needs to be determined and there will be costs to build a foundation and any repairs to the structure. Smith stated she thinks there are some trying to put a plan together. McLeroy stated taking the building to the park to benefit the community. Young stated he will ask DEQ to examine the building for lead paint and asbestos at no cost to the City.

No Action Taken

- b. DISCUSSION and related CONSIDERTION acceptance of donation of utility easement from Austin Hughes at 903 Pecan St

Motion was made by Littleton, seconded by Smith to approve acceptance of donation of utility easement from Austin Hughes at 903 Pecan St

Motion carried as follows:

Aye: Littleton, Smith and McLeroy

Nay: Hughes abstained

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

Staff discussed the nominees and selected Justin Battles and Randy Stallings.

Motion was made by Littleton, seconded by Hughes to select Justin Battles and Randy Stallings for Election of two Trustees for Oklahoma Municipal Assurance Group Board of Trustees

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

- d. DISCUSSION and related CONSIDERATION selection of representatives to the Association of Central Oklahoma Government's 9-1-1 Board of Directors and the Intermodal Transportation Policy Committee

Motion was made by McLeroy, seconded by Littleton to approve selection of Mary Smith and Austin Hughes as representatives to the Association of Central Oklahoma Government's 9-1-1 Board of Directors and the Intermodal Transportation Policy Committee. Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

- e. DISCUSSION and related CONSIDERATION selection of the representative to Tuttle Area Chamber of Commerce's Board of Directors

Motion was made by Smith, seconded by Hughes to approve selection of Todd Littleton as the representative to Tuttle Area Chamber of Commerce's Board of Directors

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

- f. DISCUSSION and related CONSIDERATION selection of the representative to the Parks & Recreation Advisory Board

Motion was made by Littleton, seconded by Hughes to approve selection of Aaron McLeroy as the representative to the Parks & Recreation Advisory Board.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

- g. DISCUSSION and related CONSIDERATION appointments of Positions 3 & 4 on the Parks & Recreation Advisory Board for a term ending June 30, 2021

No Action Taken

- h. DISCUSSION and related CONSIDERATION appointment of Position 1 on the Planning Commission for a term ending June 30, 2022

No Action Taken

- i. DISCUSSION and related CONSIDERATION appointment of Position 1 on the Cemetery Advisory Board for a term ending June 30, 2022

No Action Taken

- j. DISCUSSION and related CONSIDERATION appointment of Position 1 on the Board of Adjustment for a term ending June 30, 2022

No Action Taken

- k.* DISCUSSION and related CONSIDERATION regarding the process for appointments to city boards, committees, and commissions

McLeroy presented concern that City Council is not interviewing or discussing the appointment of applicants for the various boards and committees. He stated it is the Mayor's responsibility to nominate and he would like one other council member to be present for the interview process.

Young stated this policy can be added to the City Council Handbook.

Motion was made by Littleton, seconded by Smith to recess the City Council Meeting at 10:41 p.m. and begin Tuttle Development Authority meeting.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Littleton, seconded by Smith to reconvene the City Council meeting at 10:50 p.m.

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Motion was made by Littleton, seconded by Smith to enter executive session at 10:50 p.m. to discuss Item 8a.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

8. 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 annual job performance review of the City Manager. Proposed Executive Session pursuant to 25 O.S. Section 307(B)(1).

- 1. CONSIDERATION action related to Executive Session Item 8a

- 2. CONSIDERATION approval of amended employment contract with City Manager Tim Young

Perryman announced for the record that only items on the agenda were discussed in Executive Session and no action was taken in Executive Session.

Perryman presented effective May 1, 2019 salary increase was approved with technology and vehicle allowance to remain the same. This was determined at the April 8, 2019 meeting to be effective May 1, 2019.

Motion was made by Littleton, seconded by Hughes to approve amended employment contract with the City Manager Tim Young with salary adjustment effective May 1, 2019.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

9. INFORMATION AND REPORTS

a. City Manager and Department Reports

Anthony presented the new ambulance was picked up and will be in service soon. Anthony stated some damage occurred at station 2 when the ambulance backed into a work bench damaging the wall.

Young presented the oil and gas bill is on hold at the capitol, SB 400 was signed by governor proving counties can help cities. HB 1032 about facades is still pending.

b. Councilmember Reports

None

NEW BUSINESS

ANNOUNCEMENTS

1. No City Council Workshop Meeting for May 2019
2. City Council Meeting on Monday, June 10, 2019 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 11:11 p.m.

Motion carried as follows:

Aye: Littleton, Hughes, Smith and McLeroy

Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor