

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JULY 13, 2020 at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

MEMBERS PRESENT: SCOTT DICKSON, AUSTIN HUGHES, MARY SMITH AND AARON MCLEROY

MEMBERS ABSENT: TODD LITTLETON

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN, WENDY MARBLE, DON CLUCK, AARON SLATTERY, BRUCE ANTHONY, KAYLEY GORDON, AND SEAN FAIRBAIRN

OTHERS PRESENT: LESLIE WALKER, EDDIE GLASS, RODNEY FRENCH, ROBERT GARRETT, KRISTI HUGHES, BRYAN BAGBY, CHARLES GARRETT, VICKI CRAIG, CADE VINCENT, DONNA AND SAM ALLOWAY, RACHELLE AND KEVIN ROGERS, JAYSON AND JAYA KNIGHT, RINA WONG, CAILEY AND TYLER ENTZ, DARIN TARPLEY, MAYA AND ANTHONY MOUNT, MIKE MEDRANO AND OTHERS WHO DID NOT SIGN IN.

CALL TO ORDER Mayor McLeroy called the meeting to order at 7:03 p.m.

ROLL CALL Marble called the roll and declared a quorum present

PLEDGE OF ALLEGIANCE McLeroy led the pledge of allegiance

INVOCATION Hughes 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.)

Mayor stated he had two citizen requests and would they like to speak now or wait for the item. They stated wait for item 6a.

2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

a. RECOGNITION of Fred Yaeger, Sr. for 11 years of service on the Planning Commission

b. RECOGNITION of Larry Steverson for 20 years of service to the City of Tuttle Fire and EMS

c. RECOGNITION of Towana Smith for 28 years of service to the City of Tuttle EMS

d. PRESENTATION, DISCUSSION, and RELATED CONSIDERATION request of Cade Vincent for approval of Eagle Scout Project at the Tuttle Soccer Complex

McLeroy stated to skip 2a, b and c for later date.

2d – Cade Vincent presented handicap accessible picnic table at Soccer Park, presented photos and dimensions, and list of donated materials.

Smith asked if it is close to the parking lot. Vincent said yes, easy access. Dickson asked the location from tree in photo and how far off sidewalk. Vincent stated 10 yards and 1 ft from trail with foundation and sidewalk. Smith asked how much research was done. Vincent replied that he looked at several ADA plans. McLeroy asked if he had any help? Vincent stated he is required to have help from other scouts . Smith asked if he was asking for City money? McLeroy asked how much? Vincent said he is asking \$300 from the City, he stated he has money saved up and set aside. Dickson asked what the extra out of pocket amount is. Vincent said \$200 of his own money. Smith asked Young if we have it. Tim stated Yes.

Motion was made by Dickson, seconded by Hughes to approve Item 2d and provide \$300 for project.

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

3. Discussion and questions regarding items on the consent docket

Strike

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 June 8, 2020
- b. APPROVAL minutes for City Council Workshop meeting June 8, 2020
- c. ACKNOWLEDGEMENT receipt of payroll and claims for June 2020
- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for June 2020
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for June 2020
- f. APPROVAL Budget Amendment 2020-006 for 911 Computer Aided Dispatch Grant
- g. APPROVAL of 522 Annual Provider Agreement and Capital Outlay Allocation Agreement with Grady Emergency Medical Services District for July 1, 2020 to June 30, 2021
- h. APPROVAL to surplus Community Development 2004 Chevrolet Trailblazer
- i. APPROVAL to surplus Police Department vehicles; 1996 Chevrolet Impala and 2011 Chevrolet Caprice
- j. APPROVAL allocated funding awarded by FEMA for repairs to Silver City Ridge Road
- k. APPROVAL renewal of employee health, dental, vision, and other benefits beginning July 1, 2020
- l. TABLE **PC Petition 2020-23** request of Shadow Valley Development, LLC for approval of a final plat and acceptance of dedicated infrastructure for Hollow Brook Phase 1 to the July 27, 2020 City Council Workshop Meeting
- m. ACCEPTANCE of utility easements from Eddie McDowell and Kari McDowell in Section 34, Township 10 North, Range 5 West
- n. APPROVAL request of Tuttle Housing Authority to waive payment in lieu of taxes for 2019 in the amount of \$1,539.83

- o. ACCEPTANCE of utility easement from Jacob Clay Roberts and Jamie Renee Roberts in Section 35, Township 10 North, Range 5 West.
- p. APPROVAL of stop sign locations for new subdivisions of Hollow Brook and Jaden Court.
- q. APPROVAL award of COPS grant for Police Department
- r. APPROVAL minutes for City Council Workshop meeting June 22, 2020
- s. ACCEPTANCE of easements from Hurricane Hill, LLC in Section 4, Township 9 North, Range 5 West.
- t. ACCEPTANCE of easements from Martin E. Wolf and Brenda L. Wolf in Section 34, Township 10 North, Range 5 West.
- u. APPROVAL of Sports Facility Agreement with Tuttle Youth Soccer Club for Calendar Year 2020

Motion was made by Hughes, seconded by Smith to approve Items 4a through u on consent docket.

Motion carried as follows:

Aye: Dickson, 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 2020-11** (PC Petition 2020-20), request of Casey's Marketing Company, to rezone from Light Office (O-1) District to the Central Business (CBD) District approximately 0.97 acres located at 3 W. Main St.

Kevin Rogers 4 W. Holly – stated uphill in all directions from yard, water floods and pools. Water from North goes down Holly, creates stream between houses, concrete takes away ability to absorb water, traffic is second issue because of school, 100ft from his kitchen window are gas pump venting, this is concerning. Stated he would like a traffic study and engineering.

Rachelle Rogers – Lived in Tuttle since 80's. 15 years in the home, auto immune disease. Concerned about the effect to her health. Organic garden in backyard, asking for study about chemicals and how they affect people, please consider health.

Vicki Craig – 400 NW 1st. – Drainage is bad down the street, concerned about school traffic, hard to get to SH-37 in the morning for work, not a good location for this store.

McLeroy stated this item is about rezoning – Step one, does not mean gas station will locate there, this will not be allowed until they meet City requirements. If it will not drain it will not be allowed, this Council has some of the highest standards in the State, this Council should not decide who can buy and sell property – this is the land of opportunity. Dickson stated he is disappointed developer is not at meeting, has number of questions, that corner is a concern. Smith stated could deal with drainage through compliance with regulations. She stated this a choke point from 4 lanes to 2 lanes and stated all downtown streets should be 4 lanes. She stated we have reasonable zoning request.

Hughes mentioned what are State requirements for gas setbacks.

Perryman stated he could not find any state requirements, lots of entities could locate in this area. Looking at owner rights to rezone is what is before City Council tonight. Your consideration is if this can be zoned this way.

Smith stated if apply for gas station, look at state rules and regulations. Perryman stated engineer would review all for compliance of State codes and City Ordinances.

McLeroy stated he is confident with City Engineer recommendation that drainage plan will work.

Perryman stated this could be tabled and require developer to be present, grant rezoning and they could proceed toward design phase, what was Planning Commission's recommendation? Hughes stated 4-0 passed. Young stated required to meet all state and City Building Codes.

Motion was made by Smith, seconded by McLeroy to approve Ordinance 2020-11 (PC Petition 2020-20), request of Casey's Marketing Company, to rezone from Light Office (O-1) District to the Central Business (CBD) District approximately 0.97 acres located at 3 W. Main St.

Motion carried as follows:

Aye: Dickson, Smith, and McLeroy

Nay: Hughes

- b. DISCUSSION and related CONSIDERATION of **Ordinance 2020-12** adopting food truck regulations

Young presented the new ordinance, no urgency, no regulations for food vendors, they are required to have business license. Dickson asked what is considered truck and how long in one spot – concerned about health department rules.

Young stated it is addressed but not right for Tuttle. Hughes talked about the process and how they go through all kinds of licensing with the County. Hughes asked about bathrooms. Young stated may not be important. Smith stated special events, rodeo require health dept certificate. OKC has food trucks how do they handle it. Food truck is less expensive than brick and mortar. Perryman stated most communities have framework, required permission for location, Noble has area and solicits food trucks, come cities have restrooms. McLeroy asked what the goal is? Complains about lack of eating places, having issues with several parts of this ordinance. Young stated this is framework. Dickson stated this is starting point to mark up, looked at several other cities for examples – this starts discussion. Perryman stated would help regulate sales tax. McLeroy stated tax would be more than annual business license renewal, maybe waive renewal with proof of sales tax remittance.

No Action Taken.

- c. DISCUSSION and related CONSIDERATION of **Ordinance 2020-13** adopting special event regulations.

Young stated there is no rules for special events, who gets free resources and who doesn't. Police and Public Works are used for these events.

No Action Taken

7. GENERAL GOVERNMENT

- a. DISCUSSION and related CONSIDERATION regarding the broadcasting of future City Council meetings

Young stated he is ready to make City Council Policy. McLeroy stated he is not a fan. Smith & Dickson said they think it is good. Hughes stated he is also not a fan. Dickson stated it will get more people involved. Hughes asked about the nasty comments. Dickson stated to just broadcast with no communication from public. Perryman stated anyone could come in and record, but that does not make it a city record. Smith stated may have to go back to zoom meetings because of COVID. Hughes stated he is ok with streaming live and not retaining. Perryman stated it is not open record if it's not retaining. Perryman said needs to be live streamed without recording. Smith & Hughes both stated to hold off until we have more details.

No Action Taken

- b. DISCUSSION and related CONSIDERATION appointments of Positions 1 & 2 on the Parks and Recreation Advisory Board for a term ending June 30, 2022

Motion was made by Smith, seconded by Hughes to nominate Cole Prestidge and Sarah Hites for Positions 1 & 2 on the Parks and Recreation Advisory Board for a term ending June 30, 2022

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

- c. DISCUSSION and related CONSIDERATION appointment of Position 2 on the Planning Commission for a term ending June 30, 2023

McLeroy stated he would like to interview applicant.

Motion was made by McLeroy, seconded by Smith to table to 2 weeks from today to have time to interview.

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

- d. DISCUSSION and related CONSIDERATION appointment of Position 2 & 3 on the Board of Adjustment for a term ending June 30, 2023

Motion was made by Smith, seconded by McLeroy to table to 2 weeks from today to have time to interview.

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

- e. DISCUSSION and related CONSIDERATION appointment of Positions 2 & 3 on the Cemetery Advisory Board for a term ending June 30, 2023

Motion was made by Littleton, seconded by Dickson to reappoint Deanna Hardesty to Position 3 and appoint Krystal Hutchison to Position 2 on the Cemetery Advisory Board for a term ending June 30, 2023.

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

8. STREETS

- a. UPDATE and REPORTS regarding street and drainage projects

Slattery gave update on street repair project, started Springwood, just finished Irvin and starting Meyers. His Monthly report has details. Challenging to track by neighborhood and break cost out by quadrant, running over on cost. Spent \$25,000 on street in East Creek, material cost is most of overrun cost, driveway approach and widening some streets to 18ft – because easier to make turns, this added material costs, will get some gain on streets that only need 1 ½ rather than 2 inch overlay. Slattery stated not all areas require this. McLeroy stated should not pay for 18ft rather than 15ft streets. Slattery stated he is focused on quality. 1 ½ inch will not be less quality if it has good base. Hughes responded that this is good information. McLeroy asked if there is any plan for section line roads? Slattery stated to be considered in future.

- b. DISCUSSION and related CONSIDERATION approval to make improvements to E. Silver City Ridge between N. Cemetery Rd and Riviera Dr.

Slattery stated two worst areas were Tyler which starting soon and Silver City Ridge. Presented cost, the base is good. Full 3 inches of asphalt - \$72,093 and \$114,000 materials for 6,000 ft. \$186,093 total. These two would use all oil and gas maintenance funds. Slattery said will be addressing Tyler near Frisco with spot patches and N&S Czech Hall Rd. Dickson said this is good. Fairbairn said speaking with developer Prairie Hills to improve Silver City. McLeroy stated developers are required to improve intersections. Dickson said work with developer for improvements. Both Slattery and Fairbairn said they will discuss with developer.

No Action Taken

- c. DISCUSSION and related CONSIDERATION regarding drainage improvements to Silver Ridge Drainage Channel

Young stated does not have all 11 licenses- maybe 7 or 8 – expire end of August. Dickson stated he had some conversations and presented information that City does not have what we require to begin project. Residents have had water in their house, moved because of issues/problems. Fairbairn stated he has discussed channel and how pond is holding water, other option is dry pond and pumping water off. Perryman asked how much rain would it take? Fairbairn said pond is built for full development so will not know until full runoff. Dickson stated Jaden Court cannot stay as is, need plan if do not get licenses – really one is the holdout.

No Action Taken.

Motion was made by Hughes, seconded by Smith to recess the City Council meeting at 8:55 p.m. and begin the Tuttle Development Authority Meeting.

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

Motion was made by Dickson, seconded by Smith to reconvene City Council meeting at 9:03 p.m. and begin with Item 10.

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

9. EXECUTIVE SESSIONS

Motion was made by Smith, seconded by Dickson to reconvene City Council meeting at 9:51 p.m.

Motion carried as follows:

Aye: Dickson, 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.

10. INFORMATION AND REPORTS.

a. City Manager and Department Reports

Slattery stated water sample reporting error, forgot to sign chain of command – there will be a note on consumer confidence report, with link to site.

IOOF – last contact 19th June – will be here Wednesday.

Young stated do not know who oversees project. Hughes asked if building has been open? Perryman said memo states City is responsible for move, Church pays first \$18,000 – will review contract.

Cluck said he met with Construction Manager, price is \$1.9M, lumber yard encroached 2.2 ft. in front, pipe bursting to repair sewer. Smith asked if there are any drawings available. Cluck stated change size for 911 Center, moved safe room, cost too high to make dispatch safe room. Young stated Architect and manager at workshop meeting before bid.

Anthony stated picked up new EMS 3 from Houston, old will be possibly donated, will contact purple wave for surplus.

Fairbairn sent site plan for PD to Architect.

b. Council Member Reports

Smith – Soccer complex expansion. Perryman stated have not closed, needing info about blanket easement from DCP. McLeroy asked about grant. Slattery stated extension granted thru 12/3. Building is up, building quotes should be on next agenda. Dickson asked about soccer agreement. Young stated Club wanted agreement.

Motion was made by Dickson, seconded by Hughes at 9:24 p.m. to go into Executive Session after 5 min break.

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

NEW BUSINESS

ANNOUNCEMENTS

1. City Council Workshop Meeting on Monday, June 27, 2020 at 6:00 pm
2. City Council Meeting on Monday, August 10, 2020 at 7:00 pm (workshop at 6:00 pm)

ADJOURNMENT

Motion was made by Smith, seconded by Dickson to adjourn the City Council Meeting at 9:52 p.m.

Motion carried as follows:

Aye: Dickson, Hughes, Smith, and McLeroy

Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor