

## Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **FEBRUARY 13, 2023, at 7:00 P.M.** IN THE TUTTLE CITY HALL LOCATED AT 221 W. MAIN STREET.

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

MEMBERS ABSENT: NONE

STAFF PRESENT: DANA SCHOENING, DAVID PERRYMAN, WENDY MARBLE, AARON SLATTERY, DON CLUCK, RYAN ALLEN, AMBER RILEY, LAURIE KOELSCH, JULIE MOWDY AND WJ MORGAN

OTHERS PRESENT: DAVID TRUELOVE, ANTHONY COLVIN, DIANNA GARRETT, ANNETTE LITTLEJOHN, TYLER GUTHERY, CHARLES GUTHERY, SHAWN MITCHELL, LESLIE WALKER, JAYSON KNIGHT AND OTHERS WHO DID NOT SIGN IN

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

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

**PLEDGE OF ALLEGIANCE** McLeroy led the pledge

**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.)

**McLeroy stated he has two requests to speak. He stated the council cannot reply to your questions, but you have three minutes to speak.**

**Chase Bartlett thanked Smith and Hughes for providing information and discussing the animal ordinances.**

**Shawn Mitchell asked for clarification on the caged bird ordinances, stating that he raises quail. Mayor McLeroy stated the council cannot reply to your question.**

#### 2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

##### a. INTRODUCTION of new employees

**Marble stated no new employees to introduce.**

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

**Dickson requested that Item 4o be pulled from the consent items and brought back with more information. Hughes requested that item 4m be corrected to read 2012.**

#### 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. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.)

a. APPROVAL minutes for City Council meeting January 9, 2023

b. APPROVAL minutes for City Council workshop meeting January 9, 2023

c. APPROVAL minutes for City Council workshop meeting January 23, 2023

- d. APPROVAL minutes for City Council Special meeting January 23, 2023
- e. ACKNOWLEDGMENT receipt of payroll and claims for January 2023
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for January 2023
- g. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for January 2023
- h. ACCEPTANCE of donation of perpetual easement from Ideal Homes Development Company in Section 34, Township 10 North, Range 5 West
- i. ACCEPTANCE of donation of perpetual easement from Stephen A Crissinger and Anita J. Crissinger in Section 35, Township 10 North, Range 6 West
- j. ACCEPTANCE of donation of perpetual easement from William S. Wilcher and Arlene F. Wilcher in Section 32, Township 10, Range 5 West
- k. ACCEPTANCE of Partial Release of Perpetual Easement from Terry Tanner in Block One of Springwood Acres Addition
- l. APPROVAL of Emergency Management Performance Grant (EMPG) for Conference and Training Attendance reimbursement for cost associated with Emergency Management Conference
- m. APPROVAL to surplus Fire Department turnout gear that is dated **2012** or prior (**updated scrivener's error date on agenda as 2022 was incorrect**)
- n. APPROVAL of Community Wildfire Protection Plan to provide a comprehensive wildfire mitigation plan for the City
- o. APPROVAL purchase of Security Cameras, Server and Software Licensing from Digi Security Systems not to exceed \$21,434
- p. APPROVAL award of Daily Rate bid for asphalt repairs to SWH Construction in the amounts of \$5,000 for daily rate fee, \$14.00 per ton transportation fee, 70 cents per square yard for tack oil, \$150 per load for transportation fee for spoils, 35 cents per linear foot for weed killer, \$1.50 per line foot for crack sealing, 30 cents per square foot for seal coating and 60 cents per line foot for paint striping

**Motion was made by Dickson, seconded by Hughes to approve Items 4a through 4n and 4p on the consent docket. Motion carried as follows:**

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

**Nay: None**

- 5. CONSIDERATION of Items Removed from Consent Docket

**Strike**

- 6. COMMUNITY DEVELOPMENT

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **Ordinance 2023-01 (PC 2022-31)** request for rezoning from A-1 to C-5 located at 5 N Mustang Rd (SH-4) (Tabled 1/9/23)

**Schoening presented due to absence of Balenseifen. Schoening stated that ingress and egress of property is in question. He stated the proposed use will be a daycare. The south drive will be a right turn only. Schoening stated this item is to consider rezoning From A-1 to C-5 district.**

**Smith stated she would prefer if ODOT would allow another entrance. Perryman stated ODOT would have to approve the curb cut. Schoening stated ODOT does not want an entrance on SH-37 and recommended no changes considering current use of the building. McLeroy stated there are utilities in the easement along SH-37.**

Slattery stated extensive utility work would need to be done in preparation of an entrance on SH-37.

Motion was made by Smith, seconded by Hughes to approve Ordinance 2023-01 (PC 2022-31) request for rezoning from A-1 to C-5 located at 5 N Mustang Rd (SH-4) as amended based on the conditions set forth in the memo of 2/1/23 from the Community Development Manager regarding egress and ingress, one entrance only sign and one exit sign with right turn only. Motion carried as follows:

Aye: Dickson, Buck, Hughes, Smith and McLeroy

Nay: None

Perryman stated these conditions should be incorporated into the Ordinance.

- b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of Ordinance 2023-03 (PC 2023-01) request for rezoning from C-2, R-1 to C-5 located in the 5400 Block of E SH-37 (Scrivener's error - Ordinance number was left off the agenda)

Schoening presented Charles Garrett is the applicant requesting the rezoning. He stated three lots were merged to two to allow for the C-5 designation. He stated the Planning Commission recommended the rezoning.

Motion was made by Dickson, seconded by Smith to approve Ordinance 2023-03 (PC 2023-01) request for rezoning from C-2, R-1 to C-5 located in the 5400 Block of E SH-37. Motion carried as follows:

Aye: Dickson, Buck, Hughes, Smith and McLeroy

Nay: None

- c. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of PC 2023-02 request for approval of Deer Ridge Run Re-plat in Phase 2.

Schoening presented the oil well site was removed and the developer is requesting to replat to two usable lots with street connectivity to Jaden Court. McLeroy asked if the streets will line up. Schoening stated he walked the property and reviewed the plan.

Motion was made by Hughes, seconded by Smith to approve PC 2023-02 request for approval of Deer Ridge Run Re-plat in Phase 2. Motion carried as follows:

Aye: Dickson, Buck, Hughes, Smith and McLeroy

Nay: None

7. GENERAL GOVERNMENT

- a. None

**Strike**

8. CEMETERY

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of request for purchase of (5) New Scag mowers and trade in (5) current mowers at a cost not to exceed \$31,095

Schoening presented a program is in place to trade in mowers every two years. Slattery stated this was started a few years back and decided that 2 years is the best time to trade in. He stated he would prefer to stay on this cycle. Slattery stated the mowers are \$2400 more expensive than two years ago.

McLeroy asked if he checked with any other scag dealers? Slattery stated the city gets fleet pricing from Country Equipment, so he did not check other scag dealers. He stated he received a quote from the John Deere dealer, but it was more expensive. Slattery stated he is comfortable with the trade in and stated if we don't order now, it will be hard to get the mowers.

McLeroy stated that used mowers are selling for \$10,00 to \$12,000 online and maybe these should be sold rather than traded in. Perryman stated these can be sold as long as they are approved as surplus.

Dickson asked if the price to purchase is based on the trade in and Slattery stated no. Slattery stated we did not budget this to purchase the mowers outright without the trade in.

Motion was made by Smith, seconded by Hughes to approve request for purchase of (5) New Scag mowers at the listed cost not to exceed \$61,095 and (5) current mowers to be declared surplus and sold at the City Managers discretion. Motion carried as follows:

Aye: Dickson, Buck, Hughes, Smith and McLeroy

Nay: None

9. STREETS

a. None

Strike

Motion was made by Hughes, and seconded by Buck to recess the City Council meeting at 8:02 p.m. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Smith and McLeroy

Nay: None

Motion was made by Smith, and seconded by Dickson to reconvene the City Council meeting at 8:07 p.m. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Smith and McLeroy

Nay: None

10. INFORMATION AND REPORTS

a. City Manager and Department Reports

Cluck presented updates need to be made regarding animal ordinances.

Koelsch presented the domain name switch over will take place 3/1/23. Dickson stated he thought we paused this because of the cost. Koelsch stated the Microsoft cost was \$50,000 up front so we chose not to go that direction but we chose the google licenses that are cheaper and compliant.

Allen stated station 2 was shut down for 44 hours during the freeze.

Slattery presented SH-76 gas line project is close to moving forward. Perryman stated ODOT will be reimbursing the city for easements as was originally proposed.

Slattery stated will begin pavement striping project for north and south Cimarron Road soon.

Slattery stated ACOG approved the overlay on North Cimarron to Tyler. He stated other project approved are and N. Richland, and joint project with Newcastle for N. County Line. Slattery stated the bridge project was not approved and the estimate is \$700,000.

Slattery stated the gas line project on South Cimarron is complete except for the fence around the regulator but it will be completed soon.

Riley stated the WWTP groundbreaking is 2/21/23 at 4:00 p.m.

Walker stated Gov. Anoatubby of Chickasaw Nation will speak at the March Luncheon at Coal Creek on 3/29/23. She stated the muti-chamber lunch is in July and Lt Governor Pinnell will speak.

Schoening stated he and Marble met with Republic Services and will continue to have quarterly in person meetings to establish a better relationship and work

together to improve service. Schoening stated a open house for the second floor will be scheduled and the WWTP project is moving forward.

b. Council Member Reports

Hughes asked if the city is eligible for ARPA funds for broadband improvements. Schoening stated we can discuss where we provide service and expand if we can. Perryman stated we may be eligible. He stated the city is not restricted to go outside the city limits. Koelsch stated the concern with ARPA money is the requirement to be compliant with federal regulations.

Smith stated the ACOG Board of Directors dues are going up and she does not feel it is worth being on the board.

**NEW BUSINESS**

**ANNOUNCEMENTS**

1. City Council Workshop Meeting on Monday, February 27, 2023 at 6:00 p.m.
2. City Council Meeting on Monday, March 13, 2023 at 7:00 p.m. (workshop at 6:00 p.m.)

**ADJOURNMENT**

**Motion was made by Dickson, and seconded by Buck to adjourn the City Council meeting at 8:43 p.m. Motion carries as follows:**

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

**Nay: None**

Attest:

\_\_\_\_\_  
Wendy Marble, City Clerk

\_\_\_\_\_  
Aaron McLeroy, Mayor