

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **MARCH 13, 2023, 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: TREY BUCK

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

OTHERS PRESENT: BLAYNE HORN, MICHAEL FULLER, DRU MANEK, DAVID TRUELOVE, CHARLES GARRETT, TONY RAMOS, DENISE RAMOS, LESLIE WALKER, JAYSON KNIGHT AND OTHERS WHO DID NOT SIGN IN

CALL TO ORDER McLeroy called the meeting to order at 7:05 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.)

Mayor informed citizens that they can listen to them but cannot reply to any requests.

Michael Fuller of 1807 N Frisco Rd presented neighbor to the north has a feed lot with two cows on 6.6 acres in a 60x60 pen at my fence line. He stated it is 200 feet from his house and the smell is bad. He stated the code says it has to be on 10 acres to have livestock. He requested the cows be removed. Fuller stated at 1012 N Frisco Rd there are junk cars and he would like these removed. He stated he came to Tuttle 13 years ago. He discussed other problems near him, toxic waste dump and ATV riding within 20 feet of his home. He stated it took 5 years to resolve the ATV riding. He wants this rectified in 7 days or he will need to leave this area. He wants resolution by Monday. Mayor stated to reach out to the City Manager to work with him on this. Schoening gave him his business card and ask that he call him.

2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

- a. Accreditation presentation to the Tuttle Police Department by Kevin McCullough, Chair, Oklahoma Law Enforcement Accreditation Program

McCullough ask for Cluck and Graham to come forward. He presented this program proves that this department meets national and state best practices. The department is committed to professionalism, accountability and transparency. He stated no other police agency in state has done this, going from a smaller agency program to a larger program accreditation. McCullough stated he is here tonight to recognize Chief Cluck, Lt. Graham and all the members of the Tuttle Police Department. He presented the credentials for the police department, a leadership certificate for Lt. Graham, and a leadership certificate for Chief

Cluck. He stated he is very proud of the Tuttle Police department and the leadership for taking this big step.

b. INTRODUCTION of new employees

Morgan introduced Jared Taylor, new fiber department technician.

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. 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 February 13, 2023

b. APPROVAL minutes for City Council workshop meeting February 13, 2023

c. APPROVAL minutes for City Council workshop meeting February 27, 2023

d. APPROVAL minutes for City Council Special meeting February 27, 2023

e. ACKNOWLEDGMENT receipt of payroll and claims for February 2023

f. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for February 2023

g. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for February 2023

h. ACCEPTANCE of ACOG CRRSAA (Corona Virus Response and Relief Supplemental Appropriations Act grant) to overlay N Cimarron Rd from N. Pine Street to E. Tyler Drive

i. APPROVAL OF **Resolution 2023-03** and agreement from ODOT (Oklahoma Department of Transportation) to receive funds from MRDAF (Municipal Roads Drilling Activity funds) grant for 1-mile overlay of N. Richland Road from Tyler Drive to Silver City Ridge Road

j. APPROVAL of Heartland Education Inc. Training Program Clinical Affiliation Agreement for Fire and EMS department training

k. APPROVAL of Clinical Affiliation Agreement between Oklahoma City Community College and Tuttle Fire and EMS department for training

Motion was made by Dickson, seconded by Smith to approve Items 4a through 4k on the consent docket. Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

5. CONSIDERATION of Items Removed from Consent Docket

Strike

6. INFORMATION AND REPORTS

a. City Manager and Department Reports

Cluck presented he has been appointed by the Speaker of the House to sit on the CLEET Council, stating that is the council for law enforcement education. I was chosen because I am on the board for accreditation.

Allen stated no information other than my report.

Slattery presented his report of grants applied for and the shared matches. He stated the city is receiving \$1.1 million in grants with the cost to the city of \$110,000. Dickson thank Slattery for his effort with grant funding for road improvements.

Walker presented met with Drew Braum last week with Dana and Wendy. She stated he is still looking for land for a Braum's store. The downtown historic district was

discussed and Braum stated he would donate his land near the railroad tracks for city use. He stated the tours to the plant will resume in about 60 days, after the plant improvements are complete.

Riley presented the wrestling proclamation will be March 22, blood drive on April 7th and the city-wide garage sale is the last week of April.

Koelsch presented the tuttleok.gov domain transition is going well.

Balenseifen stated no report.

Mowdy presented the performance evaluation process was implemented. She stated we will be meeting with Gallagher to begin benefits discussions.

Marble presented new item in monthly report is library statistics. She stated visitor count for January is double from last year and February is triple compared to 2022. She stated books checked out increase from 130 in Jan/Feb 2022 to 638 for the same two months in 2023 and Overdrive, the eBook and audiobook checkout increased as well.

Schoening presented working on disc golf with Littleton and Slattery.

Perryman presented the motion for the temporary injunction was heard and the judge agreed with the city collecting road usage fees and annual assessment from oil companies. He stated Citizen and Roan energy companies are challenging this, but the hearing was a step in the right direction.

b. Council Member Reports

No reports

7. 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 **Resolution 2023-02** (PC 2023-03) request by City Electric Supply for a Specific Use Permit for an electrical supply warehouse in the 5400 Block of E SH-37.

Dru Manek of City Electric Supply presented they operate six locations in the metro area. Dickson asked if this is wholesale only. Manek stated 80-90% of business is contractors. Dickson asked about building improvements. Manek stated a showroom will be built and a double glass entry door. Balenseifen presented the specific use permit was approved by the planning commission. He stated the fence is north of the floodplain and will be used for a material yard. The changes on the inside were submitted and approved per the building permit process. The tenant has asked to use the floodplain to turn around big trucks if needed. The material yard will be gravel with a site proof fence. He stated the striping plan for parking is in progress to include ADA parking as required.

McLeroy asked if it is allowed to gravel or pave the floodplain. Balenseifen stated he emailed the city engineer last week but has not received a reply.

McLeroy asked if the driveway is resolved. Garrett stated they agree to paving it all the way along the property. Manek stated they are not concerned about the floodplain area for parking and can do without that. He stated there will be 5-6 employees and they can park in the fenced area.

Motion was made by Smith, seconded by Hughes to approve Resolution 2023-02 (PC 2023-03) request by City Electric Supply for a Specific Use Permit for an electrical supply warehouse in the 5400 Block of E SH-37. Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

8. GENERAL GOVERNMENT

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding acceptance of resignation of Amy Rauls for **Position 4** of the Tuttle Public Library Board for a term ending June 30, 2026 (3-year term)

Marble presented Ms. Rauls moved to Chickasha. Marble stated the city will be accepting applications and forwarding those to the Mayor for his recommendation of appointment.

Motion was made by Hughes, seconded by Dickson to acceptance resignation of Amy Rauls for Position 4 of the Tuttle Public Library Board for a term ending June 30, 2026 (3-year term). Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- 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 2023-04** regarding TSET (Tobacco Settlement Endowment Trust)

Perryman stated this can be adopted as written. He stated there is a slight difference on the vapor definition on the older version that may need to be updated. Schoening stated the adoption of this allows for incentive grants. He stated we can go with their language and adopt what they request. Smith asked about the enforcement mechanism. Perryman stated it will involve the ABLE Commission.

Motion was made by Dickson, seconded by Hughes to approve adoption of Ordinance 2023-04 regarding TSET (Tobacco Settlement Endowment Trust).

Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

9. STREETS

- a. None

10. PUBLIC SAFETY

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part to purchase two 2023 Dodge Chargers with equipment for the Police Department With a total cost not to exceed \$118,000

Cluck presented the equipment from older vehicles will be used and then the vehicles will be surplus.

Motion was made by Smith, seconded by Hughes to approve purchase two 2023 Dodge Chargers with equipment for the Police Department with a total cost not to exceed \$118,000. Motion carried as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

- b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of GADCS (Medicare Ground Ambulance Data Collection Systems)

Allen presented we were selected in December 2021 and notified in March of 2022 that we were required to provide the information. He stated emails were sent that this would be taken care of but no one was aware of the volume of information or amount of time the city would spend on collecting the information. The billing company can only provide a small portion of the information. He stated an estimate of 120–160-man hours to collect the data. Allen stated if we don't provide this Medicare will penalize us 10% on our EMS payments which would be approximately a \$60,000 decrease annually. He stated the data is due May 31, 2023.

Allen would like to use PCG to help us collect the data and they will charge approximately \$10,000 rather than use another company that will charge \$30,000 to do it all. Allen stated he is requesting to allow us to join the American Ambulance Association. Dickson asked if this should come back to workshop or if it should be tabled. Allen stated request to have this back on the March 27th workshop meeting.

No Action Taken

McLeroy stated he did have a comment for Item 6b reports. He stated the planning commission is confused about their role and their authority in the SUP process. He stated some of these items should be an administrative decision per the code. The SUP process looks like the city is picking winners and losers. Dickson stated he is concerned that this does not allow for negotiations if we remove the SUP process. McLeroy stated this would set the standard for all Specific Use Permit requests.

**NEW BUSINESS
ANNOUNCEMENTS**

- 1. City Council Workshop Meeting on Monday, March 27, 2023 at 6:00 p.m.
- 2. City Council Meeting on Monday, April 10, 2023 at 7:00 p.m. (workshop at 6:00 p.m.)

ADJOURNMENT

Motion was made by Dickson, and seconded by Smith to adjourn the City Council meeting at 8:22 p.m. Motion carries as follows:

Aye: Dickson, Hughes, Smith and McLeroy

Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor