

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN SPECIAL SESSION ON **MAY 15, 2023, at 7:00 P.M.** IN THE TUTTLE CITY HALL BUILDING LOCATED AT 221 W. MAIN STREET

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

MEMBERS ABSENT: NONE

STAFF PRESENT: DANA SCHOENING, WENDY MARBLE, AARON SLATTERY, DON CLUCK, RYAN ALLEN, AMBER RILEY, LAURIE KOELSCH, JULIE MOWDY, BRYAN BALENSEIFEN AND SEAN FAIRBAIRN

OTHERS PRESENT: LINDA CODY, GAVIN NEUBERGER, BRITTANY NEUBERGER, JOHN WAGONER, JIM VELLETTA , LESLIE WALKER, JAYSON KNIGHT AND OTHERS WHO DID NOT SIGN IN

CALL TO ORDER McLeroy called the meeting to order at 7:04 p.m.

ROLL CALL Marble called 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 stated he has two requests to speak and asked citizens to come forward.

Gavin Neuberger presented his request for beekeeping to be allowed in the city. He states he wants beekeeping for his 4-H project. He stated the current rules say it is not allowed unless you have 2 acres. He asked if the rule could change.

Brittany Neuberger of 769 Magnolia Ln discussed the chickens and livestock rule does not allow residents to have their own food source. She stated with the tough times ahead people need to be able to have a food source. She stated her other son would like to do poultry as his 4-H project. She requested the ordinances be changed to allow some animals.

2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

a. Recognition of Alec Towell, Engineer with the Fire Department for 5 years of service.

Chief Allen presented a 5-year award to Towell stating he came up through the intern program and is a paramedic and engineer.

b. INTRODUCTION of new employees

Mowdy introduced Dakota Head who started in September as an EMT/Firefighter.

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. 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 April 10, 2023
- b. APPROVAL minutes for City Council workshop meeting April 10, 2023
- c. APPROVAL minutes for City Council workshop meeting April 24, 2023
- d. APPROVAL minutes for City Council Special meeting April 24, 2023
- e. ACKNOWLEDGMENT receipt of payroll and claims for April 2023
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for April 2023
- g. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for April 2023
- h. APPROVAL renewal of agreement with Keystone Flex Administrators for administrating the city's Section 125 Cafeteria Plan, Section 105 HRA Plan, and COBRA
- i. APPROVAL of PILOT (Payment in Lieu of Taxes) 2022 for Tuttle Housing Authority in the amount of \$1,183.18
- j. APPROVAL of Environmental Review exemption request for Tuttle Housing Authority
- k. APPROVAL of appointment to **Position 1** of the Tuttle Cemetery Advisory Board for a term ending June 30, 2025 (remainder of 3-year term)
- l. APPROVAL to surplus office furniture from the Fire Department
- m. APPROVAL of request of REAP Grant reimbursement funds in the amount of \$43,448.00
- n. ACCEPTANCE of application for Community Oriented Police Service Grant

Motion was made by Hughes, seconded by Buck to approve consent items 4a-n.

Motion carried as follows:

Aye: Dickson, Buck, Hughes and McLeroy

Nay: None

5. CONSIDERATION of Items Removed from Consent Docket

Strike

6. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Allen stated no report. Koelsch stated a new chart in report showing the growth of customers. Hughes stated this is great information. Dickson asked why the difference of 128 from Marble's utility report compared to Koelsch's fiber report. Koelsch stated her report is the total installs and Marble's report has active accounts and doesn't count those disconnections for non- payment. Riley stated no report. Mowdy stated she has items on the agenda but no report. Cluck stated it is National Police Week. He stated the new officer graduating CLEET on 5/31/23. Slattery stated N Countyline Road overlay is complete. He stated the school road project will be in the summer of 2024. Marble stated the Veteran's Day ceremony will be Monday, May 29th at 11am. She stated the park renaming ceremony will be Saturday, May 27th at 10:30am. Schoening stated the ASCOG interview will be coming up and we are one of four applicants, and they will select two cities.

- b. Council Member Reports

None

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 **Ordinance 2023-06** (PC 2023-07) rezoning from A-1 to R-1 located at the Northwest corner of Tyler Dr and Frisco Rd.

McLeroy stated applicants are not here. He stated there are infrastructure issues to work out. He stated Newcastle will probably stop selling water to the city in the next five years, we have wastewater issues to resolve, and all these things need to be addressed before approving more development.

Motion was made by Hughes, seconded by Buck to TABLE Ordinance 2023-06 (PC 2023-07) rezoning from A-1 to R-1 located at the Northwest corner of Tyler Dr and Frisco Rd. Motion carries as follows:

Aye: Dickson, Buck, Hughes 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 **PC 2023-08** for approval of Jaden Court Phase II Final Plat and Acceptance of Infrastructure

Hughes asked about walking trails and playground, stating he did not see any of that in the final plat of this phase. John Wagoner stated in phase 2 by the pond is where the trails and playground are to be located. He stated he will discuss this with the developer. McLeroy asked if there will be access to the walking trail. Wagoner stated it will be accessed from the northeast corner of the property. Buck asked if there were any plans for a sidewalk in front of the neighborhood. Wagoner stated no plan currently. Hughes stated he would like to see the playground and park during phase two. Fairbairn stated received offsite easement and water passed review. Schoening stated reviewed by Slattery and Fairbairn and met all requirements.

Motion was made by Dickson, seconded by Buck to approve PC 2023-08 for approval of Jaden Court Phase II Final Plat and Acceptance of Infrastructure.

Motion carries as follows:

Aye: Dickson, Buck, Hughes 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 2023-15** approval of Gore Acres Final Plat

Schoening stated the applicant is not present. Balenseifen at graduation and not present. He stated one tract divided into three lots. Platinum Lawns is building on the back lot, and they intend to sell the two front lots. This has been reviewed by the city engineer. Hughes asked about detention ponds. Fairbairn stated two ponds on the property. McLeroy asked why detention was located near the highway. Fairbairn stated it flows toward the highway. He stated large amount of detainment needed because it could all be pavement and the increased flow could be substantial.

Motion was made by Dickson, seconded by Hughes to approve PC 2023-15 approval of Gore Acres Final Plat. Motion carries as follows:

Aye: Dickson, Buck, Hughes and McLeroy

Nay: None

- d. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **Ordinance 2023-08** (PC 2023-11) amending the Subdivision Regulations regarding subdivision section line improvement requirements

Schoening stated Fairbairn will present. He stated he, Slattery, Fairbairn and City Attorney have been studying this and decided it needs to go back to the Planning Commission for further review and bring back to June council meeting. Fairbairn presented power point with the proposed information and discussed the current ordinance. He discussed developer improvements and impact fees. Dickson asked if all new developers would be required to do the improvements and Fairbairn stated Public Works Director, City Manager and City Engineer could use or determine funds for impact fee. Hughes asked what formula is based on and Fairbairn stated based on costs at the time. He stated the impact fee is paid by the developer at the time of plat. Schoening stated this is a significant amount and is an option if feasible. He stated the city is trying to find a way to get improvements but knows there will be push back from the developers. McLeroy stated we have to do something to take care of the streets that are being impacted by the development. Dickson stated he likes one or the other but not both fees. Fairbairn stated this can be remanded back to the planning commission and ask for any additional scenarios. Buck stated to put a minimum on smaller developments. Schoening stated we will take this back to the planning commission to consider.

Motion was made by Hughes, seconded by Dickson to remand this item back to the Planning Commission for revisions as Ordinance 2023-08 (PC 2023-11) amending the Subdivision Regulations regarding subdivision section line improvement requirements. Motion carries as follows:

Aye: Dickson, Buck, Hughes and McLeroy

Nay: None

- e. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **Ordinance 2023-09** (PC 2023-13) amending the Subdivision Regulations regarding subdivision lift station requirements

McLeroy asked if the language should be changed in section 1 #15 stating an extra pump would be the third pump. Fairbairn stated the second pump is not an extra or spare, two pumps are required for a lift station, so extra/spare would be the third pump. Slattery stated future inspections on lift stations will not be accepted without the third or spare pump. He stated the pump will be housed at public works shop.

Motion was made by Dickson, seconded by Hughes to approve Ordinance 2023-09 (PC 2023-13) amending the Subdivision Regulations regarding subdivision lift station requirements. Motion carries as follows:

Aye: Dickson, Buck, Hughes and McLeroy

Nay: None

- f. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **Ordinance 2023-07** (PC 2023-10) amending the Subdivision Regulations regarding subdivision thoroughfare screening

Schoening stated this is not addressed in the regulations. This will provide requirements for materials and maintenance. Balenseifen presented this is regarding section line and highways for all developments and includes the type of material and landscaping requirements. Hughes stated he likes this ordinance.

Dickon stated he appreciates the planning commission removed wood from being allowed along highways. He stated this is a start for outside the neighborhoods but needs to add collector roads and uniform fencing. Schoening stated this could be brought back later.

Motion was made by Hughes, seconded by Dickson to approve Ordinance 2023-07 (PC 2023-10) amending the Subdivision Regulations regarding subdivision thoroughfare screening. Motion carries as follows:

Aye: Dickson, Buck, Hughes 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 amended agreement to extend the Crown-Castle cell tower ground lease at 200 N. Richland Road to June 30, 2055

Schoening presented item discussed in previous workshop. This is to extend the lease to 2055 with a start date of July 1, 2025. He stated the rent will increase from \$805 to \$1300 with continual increase and a \$3,000 signing bonus. Schoening stated he worked with Perryman to get these lease terms.

Motion was made by Hughes, seconded by Buck to approve amended agreement to extend the Crown-Castle cell tower ground lease at 200 N. Richland Road to June 30, 2055. Motion carries as follows:

Aye: Dickson, Buck, Hughes 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 regarding consideration of Marketing agreement with Utility Service Partners Private Label, Inc. d/b/a Line Warranties of America

Schoening presented this is the warranty program for private sewer, water and gas lines for city residents. He stated this is between the company and property owners. It is a monthly fee dependent on the coverage selected. He stated this is optional for customers and not required. Balenseifen stated the village did this and did not like it because of the calls to city hall and customers not understanding it is optional and not a city program. Schoening stated the marketing materials will say it is not a city service or program.

Motion was made by Dickson, seconded by Hughes to approve Marketing agreement with Utility Service Partners Private Label, Inc. d/b/a Line Warranties of America. Motion carries as follows:

Aye: Dickson, Buck, Hughes 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 regarding Employee Health Insurance rate renewal options for 2023-2024

Schoening presented working on this renewal for July 1, 2023. Jim Velletta presented BCBS health increased 6.9%, dental increased 15% and all others had no increase. He stated he reviewed other carriers but staying with Blue Cross Blue Shield is the best option. He stated we need to utilize Insure Oklahoma. Mowdy presented the modeling for employee contributions and spousal surcharge. Velletta stated number one is no change, number two is 5% and number three is 10% participation from employee. Hughes asked what you normally see for employees' contribution to health insurance.

Velletta stated some contributions from employees but not a large amount for municipalities and higher amounts for private sector employers. Dickson asked about surcharges and Velletta stated that he sees this, but amounts vary. He stated cities have rich benefits but also have heavy dependent use. Hughes stated only 16 spouses will be affected and that is if coverage is offered elsewhere. He stated insurance has increased 40% in three years with the city absorbing the cost. McLeroy stated costs have doubled in eight years. He stated we could use the savings to hire more employees. He is concerned about employees being double covered because the insurance is at no cost to them. McLeroy recommends 5% contribution and Hughes stated he prefers 10% contribution but not this year. Dickson stated this is a good entry point and they may increase the percentage in future. Buck asked if there was an option to not include uniformed employees and Hughes stated union/uniformed should make the same contribution as other city employees. Buck stated he agrees with option 5 but prefers not to charge first responders. Allen stated those that make \$15 hourly wage will see a net loss on their pay. Mowdy stated those are the ones that need to be on Insure OK plan at no cost.

Velletta presented this year we will begin paperless enrollment at no cost to the city. McLeroy stated he likes option 5.

Motion was made by Dickson, seconded by Hughes to approve Employee Health Insurance rate renewal option 5 including employee insurance cost of \$10 per pay period and spousal surcharge of \$75 per pay period if applicable for 2023-2024.

Motion carries as follows:

Aye: Dickson, Buck, Hughes and McLeroy

Nay: None

- d. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part **Resolution 2023-07** regarding consideration of an On-Call Compensation Policy

Mowdy presented the current policy is the public works employees are on call and not paid while on call. She stated FLSA does not require compensation. She presented constraints on personal time with no compensation is what brought this to our attention. She stated staff came up with a daily rate and extra pay for holidays. The impact on the budget will be approximately \$105 to \$160 per week. Hughes stated if this is the maximum impact, he likes the plan. Slattery explained the employees get two hours of pay if they are called out and overtime rate could apply. Hughes stated the need to be specific about the November and December holidays including the day before and day after.

Motion was made by Hughes, seconded by Buck to approve Resolution 2023-07 regarding consideration of an On-Call Compensation Policy amending November and December holidays to exclude Veteran's Day and include Thanksgiving, day after Thanksgiving, Christmas Eve, and Christmas. Motion carries as follows:

Aye: Dickson, Buck, Hughes and McLeroy

Nay: None

- e. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of selection of representatives to the Association of Central Oklahoma Government's Board of Directors, 9-1-1 Board of Directors, Intermodal Transportation Policy Committee and Garber Wellington Association Policy Committee

Motion was made by Dickson, seconded by Buck to TABLE selection of representatives to the Association of Central Oklahoma Government's Board

of Directors, 9-1-1 Board of Directors, Intermodal Transportation Policy Committee and Garber Wellington Association Policy Committee. Motion carries as follows:
Aye: Dickson, Buck, Hughes and McLeroy
Nay: None

9. 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 request to purchase 10 sets of Dual-Purpose Gear for the Fire Department at a cost of \$10,500

Allen presented will use the Grady County funds to purchase and the gear will be used for wildfires.

Motion was made by Hughes, seconded by Dickson to approve request to purchase 10 sets of Dual-Purpose Gear for the Fire Department at a cost of \$10,500. Motion carries as follows:

**Aye: Dickson, Buck, Hughes 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 to approve proceeding with a mass notification system to be used by all departments

Allen presented this would be similar to a reverse 911 system, residents can opt in or out and we control the alerts. It could be used for emergencies, city events or notify residents when the storm shelter is open. Allen stated he wants to interview companies and the cost should be \$5,000 to \$7,600 depending on the vendor chosen. He stated EMPG funds would be used. He stated we receive \$10,000 annually from that grant. He stated these funds have not been used for Emergency Management in several years.

Motion was made by Hughes, seconded by Dickson to approve proceeding with a mass notification system to be used by all departments. Motion carries as follows:

**Aye: Dickson, Buck, Hughes and McLeroy
Nay: None**

ANNOUNCEMENTS

1. No City Council Workshop Meeting on Monday, May 22, 2023
2. City Council Meeting on Monday, June 12, 2023 at 7:00 p.m. (workshop at 6:00 p.m.)

ADJOURNMENT

Motion was made by Hughes, seconded by Buck to adjourn the meeting at 9:41 p.m.

Motion carried as follows:

**Aye: Dickson, Buck, Hughes and McLeroy
Nay: None**

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor