

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **JULY 10, 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, LARRY WATSON AND AARON MCLEROY

MEMBERS ABSENT: NONE

STAFF PRESENT: DANA SCHOENING, DAVID PERRYMAN, WENDY MARBLE, AARON SLATTERY, DON CLUCK, RYAN ALLEN, AMBER RILEY, LAURIE KOELSCH, BRYAN BALENSEIFEN, JULIE MOWDY, ANDREW GRAHAM, WILL SMITH AND MIKE FAY

OTHERS PRESENT: JACQUELINE JONES, DAVID STINER, LESLIE WALKER, JAYSON KNIGHT AND OTHERS WHO DID NOT SIGN IN

SWEARING IN OF WARD 2 CITY COUNCIL MEMBER

Judge Hendrickson presented the swearing in process with Larry Watson

CALL TO ORDER McLeroy called the meeting to order at 7:06 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.)

None

2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

a. INTRODUCTION of new employees

None

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 Special City Council meeting June 19, 2023

b. APPROVAL minutes for Special City Council workshop meeting June 19, 2023

c. ACKNOWLEDGMENT receipt of payroll and claims for June 2023

- d. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for June 2023
- e. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for June 2023
- f. APPROVAL of 522 Annual Provider Agreement with Grady Emergency Medical Services District for July 1, 2023 to June 30, 2024
- g. APPROVAL Zoll AEV Portable Ventilator Loan agreement between Grady County 522 EMS District and Tuttle EMS for July 1, 2023 to June 30, 2024
- h. APPROVAL Capital Outlay agreement between Grady County 522 EMS District and Tuttle EMS for July 1, 2023 to June 30, 2024
- i. APPROVAL **Budget Amendment 2023-05** regarding professional services related to application required to receive GEMT (Ground Emergency Medical Transportation) funds for EMS department
- j. APPROVAL **Budget Amendment 2023-06** regarding fund transfer from department software service agreements to general fund software service agreements to cover expenditures for consolidation to the general fund

**Motion was made by Dickson, seconded by Hughes to approve consent items 4a-j.
Motion carried as follows:**

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

- 5. CONSIDERATION of Items Removed from Consent Docket

Strike

- 6. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Slattery presented the road and drainage project in the Stones addition will begin next week. Buck asked how the sale of mowers went and Slattery stated 2 were sold by the city and 3 sold on the auction site. He stated the city received an additional \$13,000 rather than trading mowers in.

Cluck stated nothing more than what is in the report. Balenseifen stated nothing to report. Allen asked if any questions about report. Hughes asked what it will take to change the ambulance service from ALS to BLS. Allen stated to contact the state and provide information regarding the change. Allen stated it has been a pleasure to work with everyone and appreciates the opportunity he was given.

Walker stated the multi-chamber luncheon is Wednesday at Coal Creek and the teacher breakfasts for Bridge Creek and Tuttle are August 2 and August 10.

Riley stated the fireworks were a success. Koelsch stated nothing more to report.

Marble presented Marcie Vergez-Cheong received her Court Clerk Mastery Certification in June. She stated the Mastery Program is an additional 40 hours of class credit above the 86 hours obtained for the Court Clerk Certification Program. Marble stated Marcie is a great asset for city with this level of court training and experience.

Dickson asked about the Tuttle Historical Society. Marble stated the society has been raising funds to make improvements to the gas station building that the city owns. She stated a new roof and new windows have been installed. She stated the next step will be the exterior wood trim and painting the exterior of the building. The plans are to use the building as a museum.

Schoening presented he and staff have been working on a budget calendar to get an earlier start on the 2024 budget and to present it to the city council earlier than in previous years.

b. Council Member Reports

Dickson stated his appreciation for Chief Allen and his professionalism and the growth of the department. McLeroy stated Allen has been a blessing to the city, he thanked him and stated his service is appreciated.

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 **PC Petition 2023-09** River Ridge Farms Lot Split/Final Plat for property located at 1808 Doris Avenue (tabled 6/19/23)

Balenseifen stated this is a plat of 10 acres to be split into two 5-acres tracts. He stated the city did acquire a statement from the applicant, attesting to use of easement, and stipulation the two 5-acres could not be split. McLeroy asked how does this grant access. Perryman stated nothing that would limit access, concern is back property could increase use. He stated easement is valid for the purpose and the lot split is granted on an assumption of risk on applicant. The front property owner may or may not say anything and based on applicants' representation, front property owner gives easement to back property owner. McLeroy asked about easement on driveway. Balenseifen stated a 25ft easement on west 10 acres to make 50ft legal access easement. He stated Doris Drive is a filed access easement. Perryman stated easement is from 1995 filing and runs with the land. He stated the roadway is private. McLeroy presented a scenario about excess truck traffic and what would happen. Perryman stated the front property owner would go to district court for over burden and use. He stated they could not just shut a gate because there is an access easement.

Motion was made by Dickson, seconded by Buck to approve PC Petition 2023-09 River Ridge Farms Lot Split/Final Plat for property located at 1808 Doris Avenue to include a statement on the plat that no further lot splits allowed, and city standards apply at time of passing. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson 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 2022-02** request of Meek Development for approval of Hollow Brook Phase 4 Preliminary Plat and Construction Plans

Balenseifen presented Phase 4 is south of Phase 1. He stated Phases 1 and 2 are complete, Phase 3 preliminary plans approved for 140 lots and Phase 5 is under initial review. He stated two concerns are fire issues and only one current access to development that is on SH-4. He stated Phase 3 has Crystal Lane as a gated emergency access and the road is complete. There is an issue with the fire flow requirements for hydrants until the entire development water infrastructure is looped together. Hughes asked when the development will connect to the second entrance on Sara Road. Reid stated Phase 4 has no access to the entrance and stated the developer for Phase 5 will be responsible for the road connection to Sara Road. He stated that could be two years. Dickson states he would like to see an overlay of the location of each phase. Hughes asked about the amenities. Hagen stated Phase 1, 2, and 3 are ready to go after approval. He stated the road for emergency access is not complete but only a few days away from completion.

McLeroy asked why the original access on Crystal was changed. Hagen stated the residents complained, improvements to Tyler Dr. are not possible because of no easement to make improvements. Staff and developers discussed water and sewer capacity issues. Perryman stated the city's infrastructure is strapped and even though the city produces large amounts of water, at times it does not have adequate water supply.

McLeroy stated concern about walking trails. Hagen stated trails will be from SH-4 to Sara Rd and put as each phase is completed. Reid stated there is a sidewalk plan and 1.3-acre park and walking trail from the southwest to the southeast that is one mile in length.

McLeroy stated his concern with ingress and egress, stating removing Crystal Lane as an entrance was a mistake because one access point is a problem. He stated the congestion on the streets with cars and trash cart access is another issue. Schoening stated he came in halfway through the project, but he stated the number of developers is problematic, access is the biggest concern and when the other access point will be completed. Meek stated this meets city code and feelings or not liking this should not determine approval. Hagen stated the HOA may be able to help with the parking issues. Schoening stated another connection is important and maybe developers can get together and the access connection first. Hagen stated the road connection to Sara Rd will cost about \$1.5 million. Dickson stated this is frustrating from the city council perspective and developers took advantage of what was available. Watson stated we need to find some common ground. Hagen stated in compliance with fire code and Reid stated water psi is not a problem with ODEQ. Meek stated this phase is in compliance and just trying to get going on the dirt work and utilities. Please let us move forward and don't let personal feelings get in the way of approval. Staff and developers discussed the timeline and why this has taken so long. McLeroy stated we need to try to have a meeting to work out the issues. Hagen stated we have been available and trying to work this out. He stated we met over 10 times, and we are open to discuss the PUD or whatever you have in mind.

Motion was made by Dickson, seconded by Hughes to approve PC 2022-02 request of Meek Development for approval of Hollow Brook Phase 4 Preliminary Plat and Construction Plans. Motion carries as follows:

Aye: Dickson, Hughes, Watson and McLeroy

Nay: Buck

- c. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of PC2023-20 acceptance of public streets located in Deer Ridge Run Phase I and II

Balenseifen presented the streets did not meet city standard in 2017 for the final plat approval. He stated the repairs and inspections are complete. The plat note stated private streets, but this will be reversed by filing the addendum for public streets. Perryman stated he is working on plat and covenances and the document is not ready for consideration. Slattery stated the roadway meets the city standards. He stated 75% of homes built, construction traffic is gone, the concrete is 13 years old and has held up. He stated he is comfortable with accepting once repairs are complete. Schoening stated in 2017 Fairbairn inspected and declared roadways deficient, and now states the repairs meet the standard. Dickson asked if we could verify this with Fairbairn.

Motion was made by Hughes, seconded by Buck to TABLE PC2023-20 acceptance of public streets located in Deer Ridge Run Phase I and II.

Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

8. STREETS

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of payment in the amount of \$34,287.50 to the City of Newcastle for the Municipal Road Drilling Activity Fund project on N. County Line Road

Slattery stated the MOU with Newcastle for this project was approved but this is asking for approval of the specific amount of the payment.

Motion was made by Hughes, seconded by Dickson to approve payment in the amount of \$34,287.50 to the City of Newcastle for the Municipal Road Drilling Activity Fund project on N. County Line Road. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson 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 of Force-on-Force Training Equipment for Active Shooter Training

Cluck presented an unfunded mandate from 2022 that requires this training.

Watson asked how often this training is required. Cluck said possibly annual training.

Motion was made by Dickson, seconded by Watson to approve Force-on-Force Training Equipment for Active Shooter Training. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

Motion was made by Hughes, seconded by Buck to recess the City Council Meeting at 9:51 p.m. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

Motion was made by Dickson, seconded by Buck to reconvene the City Council Meeting at 9:54 p.m. and enter Executive Session after a five-minute break. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson 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.

Mayor McLeroy reconvened the City Council meeting at 10:57 p.m.

10. EXECUTIVE SESSION

(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. Discuss and Take Appropriate Action regarding pending claims based on grievances of the FOP Lodge and FOP Lodge Members and possible negotiations to resolve outstanding issues which are subjects of and related to the pending grievances. (Proposed Executive Session for confidential communications between the City Council and its attorney concerning pursuant to 25 O.S. Section 307(B)(4) relating to pending claims if the City Council determines that disclosure will seriously impair the ability of the City to process the claim or conduct a pending investigation, litigation, arbitration or proceeding in the public interest and pursuant to 25 O.S. Section 307(B)(2) relating to negotiations of pending grievances of Employees of the City of Tuttle who are FOP Lodge members and

representatives of FOP Lodge members. No action shall be taken in Executive Session and any action taken will be taken in open session by recorded vote at the conclusion of any executive session.)

- b. Discuss and Take Appropriate Action regarding pending claims based on grievances of the IAFF Local and IAFF Local Members and possible negotiations to resolve outstanding issues which are subjects of and related to the pending grievances. (Proposed Executive Session for confidential communications between the City Council and its attorney concerning pursuant to 25 O.S. Section 307(B)(4) relating to pending claims if the City Council determines that disclosure will seriously impair the ability of the City to process the claim or conduct a pending investigation, litigation, arbitration or proceeding in the public interest and pursuant to 25 O.S. Section 307(B)(2) relating to negotiations of pending grievances of Employees of the City of Tuttle who are IAFF Local members and representatives of IAFF Local members. No action shall be taken in Executive Session and any action taken will be taken in open session by recorded vote at the conclusion of any executive session.)

Motion was made by Dickson, seconded by Buck to authorize the City Manager to offer the IAFF a 24 cent an hour pay increase and offer the FOP Lodge a 34 cent an hour pay increase effective July 1, 2023 and authorize the Mayor to sign.

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

NEW BUSINESS

ANNOUNCEMENTS

1. City Council Workshop Meeting on Monday, July 24, 2023 at 6:00 p.m.
2. City Council Meeting on Monday, August 14, 2023 at 7:00 p.m. (workshop at 6:00 p.m.)

ADJOURNMENT

Motion was made by Dickson, seconded by Hughes to adjourn the meeting at 10:59 p.m.

Motion carried as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor