**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, JANUARY 21, 2014**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, January 21, 2014 at 6:00 PM with Mayor Marty Follis presiding. Members present were Ed Trumbull, Don Nielsen, Marty Dyer and Ivan Devitt. Also present was City Manager, Bill Keefer; Attorney, Brandon Watkins; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower; Code Enforcement/Building Inspector, John Fasano and City Clerk, Bonnie Buzzard.

Devitt made the motion to approve the minutes of the previous meeting. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve the purchase order register. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:08 PM Dyer made the motion to open a Public Hearing on the following:

Regarding application submitted by the Hulse Family Trust to rezone the following legally described property from R-1 Single Family Residential District to R-2 Two Family Residential District for the purpose of constructing residential Patio Homes:

Part of U.S. Government Lot 2 of Section 5, Township 24 North, Range 24 East, Delaware County, Oklahoma, Being more particularly described as follows: Commencing at the NW corner of said Government Lot 2; thence S 02◦07’30” East 1258.72 feet along the West line of said Government Lot 2; thence N 88◦15’47” East 30.31 feet to an existing iron pin; thence N 88◦15’47” East 9.15 feet to a set 5/8” iron pin for the point of beginning; thence N 02◦17’54” West 143.09 feet to a set 5/8” iron pin; thence S 87◦42’06” West 7.75 feet to a set 5/8” iron pin; thence N 01◦44’02” West 88.30 feet to an existing iron pin at the SW corner of Lots 6, Block 2, Duffield Addition; thence N 88◦21’43” East 125.17 feet to an existing iron pin at the SE corner of Lot 6, Block 2, Duffield Addition; thence N 88◦19’28” East 180.06 feet to an existing iron pin at the SW corner of said Lot 3, Block 1, Duffield Addition; thence N 88◦24’07” East 131.22 feet to an existing iron pin at the SE corner of said Lot 3, Block 1, Duffield Addition; thence N 88◦24’07” East 6.72 feet to a set 5/8” iron pin; thence S 02◦07’27” East 196.03 feet to a set 5/8” iron pin; thence S 87◦59’42” West 7.00 feet to an existing concrete monument; thence S 02◦00’23” East 34.52 feet to an existing iron pin; thence S 88◦24’28” West 98.27 feet to an existing iron pin; thence S 88◦11’23” West 189.53 feet to an existing iron pin; thence S 88◦15’47” West 140.71 feet to the point of beginning, subject to easements thereof.

LESS AND EXCEPT

Part of Government Lot 2 and Part of the NW ¼ SW ¼ NE ¼ all in Section 5, Township 24 North, Range 24 East, Delaware County, Oklahoma, being more particularly described as follows: Beginning at a found iron pin 171.12 feet North and 36.10 feet East of the SW corner of said Government Lot 2; thence S 89◦49’17” East 150.3 feet; thence S 89◦57’50” East 189.51 feet; thence S 89◦54’39” East 99.12 feet; thence S 00◦08’57” East 228.61 feet; thence S 77◦19’03” West 104.88 feet; thence S 81◦11’18” West 190.14 feet; thence N 00◦19’34” East 100.02 feet; thence N 89◦45’52” West 149.54 feet; thence N 00◦01’24” West 180.87 feet to the point of beginning. AKA - the property located along the east side of S. Osage between East O'Daniel and Goins Street abutting the Village of St. Andrews, Grove, OK.

Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Architect Pat Fox addressed the Board to report that this project consist of approximately two (2) acres of land located adjacent to Village of St. Andrews on Osage and Goins Street. The proposed rezoning is to construct twenty-two (22) patio homes with 11 driveway cuts. Each unit will consist of 1200 square feet with two car garage. Fox mentioned that the owner expressed concern with the residents backing out into oncoming traffic on Osage Street so they designed the complex to show an ingress/egress onto Osage and Goins Street. Bottoroff reported that the Staff mailed out twenty-nine (29) letters to surrounding property owners and received six (6) back undeliverable. The P&Z Board met and held a Public Hearing of the same and entertained comments and concerns from three (3) residents of the area. The P&Z Board approved the rezoning for recommendation to the Mayor and City Council. The Council entertained questions, comments and concerns from the following individuals:

* Alveta Osborn
* William Conrad

Property Owner, Doug Hulse was present to entertain questions from the Council and Staff. At 6:25 PM Devitt made the motion to close the Public Hearing session. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve the Ordinance regarding an application submitted by the Hulse Family Trust to re-zone the property legally described in the above-mentioned Public Hearing from R-1 Single Family Residential District to R-2 Two Family Residential District for the purpose of Constructing Residential Patio homes. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to Administrative Orders and request from property owners for an extension of time to complete provisions of the Administrative Orders pertaining to dilapidated structures.

A. Property a located at 507 Broadway owned by Barbara Bilke – Fasano reported that he has visited with Bilke, and that she has indicated to him that she has given the structure to an individual contractor who has agreed to remove the structure from its current location. The independent contractor addressed the Council with the detail on the removal of this structure, and indicated at that he would need additional time to get his sub-contractors lined up on this project. The Council entertained questions, comments and concerns from the individual contractor, property owner and staff. Nielsen made the motion to:

* Grant a 45 day extension. In such time the property owner/contractor is to remove the collapsed roof over the front porch and remove the add-on at the rear of the structure that is collapsed; deadline of March 20, 2014.
* 90 days extension to remove the dilapidated structure and all debris from the property; deadline of May 4, 2014
* No exceptions will be allowed

Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

B. Property B located at 119 N. Hazel owned by Angie Woffard – Fasano reported that he has been in contact with the property owner, and that she has obtained a remodel permit, replaced some of the windows and doors. The property owner is continually making repairs on the property and has respectfully requested and extension on the permit for completion of this project. Fasano indicated no problems. Dyer made a motion to grant the property owner a 30 day extension in order to complete the remodel and bring the structure into compliance with city codes; deadline of March 3, 2014. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve a Resolution authorizing the City Manager on behalf of the City of Grove, Oklahoma to apply for and execute miscellaneous documents enabling the Oklahoma Quality Events Incentive Act for the 2014 National Bass Anglers Association (NBAA) National Championship to be held on April 23-26, 2014. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an Agreement between the Grand Lake Association, Inc. and the City of Grove, Oklahoma for Administration of the Oklahoma Quality Events Incentive Act Program for the 2014 National Bass Anglers Association National Championship. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to approval of a joint Resolution with GMSA adopting Strategic Planning Goal Number One pertaining to the repair and maintenance of city streets. Keefer reported that he has prepared a joint Resolution between the City of Grove and GMSA identifying the first goal (of five) from the Strategic Planning retreat that was held in October 2013. The goal identifies the creation of a pavement management plan and the various tasks that will need to be implemented to successfully achieve the desired results. This includes action items by the City Council that will be necessary to move this goal forward such as authorizing the preparation of a pavement management plan in the next budget and identifying and authorizing related action regarding funding this plan. The GMSA Board met earlier this date and approved this joint Resolution for recommendation to the Mayor and City Council. Devitt made the motion to approve the joint Resolution as presented and discussed adopting Goal #1 of the Strategic Planning as pertaining to the repair and maintenance of city streets. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to approve the declaration of surplus material for the disposal of City owned scrap metal. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to approval of a proposal from RSUTV for the City to participate as an underwriter of their TV show "Living Grand on Grand Lake. Keefer announced that because of the current budgetary concerns, the group was informed that in all likelihood the City wouldn’t be able to underwrite a sponsorship at this time but the request would be presented for review and consideration. “No action was taken

**WARD REPORTS**:

Follis mentioned that that signal lights at Highway 10 and Shundi is cycling 5-6 times before given the green light in the North bound lane.

Dyer reported that he noticed the guardrails removed in front of the old Harps facility. Dyer added that it looks real nice however asked if there are any plans to replace the rails. Bower indicated that the intentions are to lay sod.

Devitt remarked on the expansion of the Stage store.

**EXECUTIVE SESSION**:

Discussion and / or action with respect to an Executive Session for the purpose of confidential communication between a public body and its Attorney concerning a pending investigation, claim, or action if the public body, with the advice of its Attorney, determines that the disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest pursuant to Title 25 O.S. Section 307.B.5. No action taken.

At 7:07 PM Devitt made the motion to adjourn. Seconded by Nielsen.  AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.