

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 3, 2016
6:00 PM**

The Grove City Council met in regular session on Tuesday, May 3, 2016 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, Darren Cook; Assistant City Manager, Debbie Botoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

PUBLIC COMMENTS:

Follis presented and read in its entirety a Proclamation proclaiming the week of May 21-27, 2016 as 'National Safe Boating' Week.

Mayor Follis presented a Scholarship Certificate to the following recipients of the Gary Dunham Memorial Scholarship:

- Kayla Dollarhide \$ 500
- Tyler Graham \$ 500
- Bethany Hinman \$ 500
- Alexandria Morris \$ 500
- McKayla Rutherford \$ 500
- Jordan Rutherford \$1,000
- Sarah Tanner \$ 500

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

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

Follis opened the floor for discussion with respect to the bids received for one (1) used or off lease Wheel Loader for the Street Department. Keefer reported that the Staff advertised for bids for this project and received the following bids:

- Victor L. Phillips \$135,000
- Scott Equipment Co. \$134,449

Keefer noted that this piece of equipment would replace two old and well-seasoned pieces of equipment that the city purchased in the 1990's, and is basically wore out:

- A 1980's W-14 loader, and
- A Case track loader

Keefer added that both bids exceeded the budget funding level of \$131,700. Through a budget amendment resolution (later on the agenda), there will be sufficient budget authority in this capital budget to purchase the loader. It is Staff recommendation to award the bid to Victor L. Phillip as it is the most responsible bid, and it meets or exceeds the specifications. Keefer and Bower entertained questions, comments and concerns from the Council. Nielsen made the motion to approve the bid from Victor L. Phillips in the amount of \$135,000 for used wheel loader for the Street Department. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an Ordinance amending Part 17, Chapter 5, Section 17-506 of the Code of Ordinances of the City of Grove, Oklahoma as it pertains to refuse collection. 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 an Ordinance creating Section 10-105 under Part 10, Chapter 1 as it pertains to school attendance requirements. Attorney Cook reported that it was brought to his attention that the City currently doesn't have an Ordinance in place addressing truancy in our schools. School Resource Officer, Tracy Bloss was present to entertain questions, comments and concerns from the Council and Staff. Devitt made the motion to approve the Ordinance as presented. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to approval of an Ordinance amending Part 4, Chapter 1, Section 4-104 as it pertains to Animal Welfare. Bottoroff reported that the current animal regulations doesn't address animals being left in parking vehicles. Per Animal Control Officer, Shawna Moore, the number of owners leaving their animals unattended in a parked vehicle is on the rise, and that an enclosed vehicle can reach unsafe temperatures in both hot and cold conditions within a short period of time. The Staff entertained questions, comments and concerns from the Council and Ms. Judith Read. Devitt made the motion to approve the Ordinance as presented. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve the Emergency Clause for the above-mentioned Ordinance as it is immediately necessary for the preservation of the public peace, health and safety of the City of Grove, Oklahoma and its inhabitants thereof, an emergency is thereby determined to exist and therefore it is necessary that this Ordinance shall go into full effect and be in force immediately upon its passage and publication. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve the Resolution authorizing a budget amendments for the 2015-2016 Fiscal Year Budget. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve a Resolution amending the Personnel Policies and Procedures Manual as it pertains to exempt and non-exempt positions of the City of Grove. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

CITY MANAGER'S REPORT:

Dyer remarked on the City Managers report pertaining to the small pavilion structure to be constructed on the ramp at Wolf Creek Park. Dyer questioned the dimensions of the structure. Keefer noted that it would be a 30'x40'. Keefer added that the Staff is working with GRDA to secure a timeframe when they will be available to erect the building.

Dyer then asked if it would be the City's intentions to annex Sail Boat Bridge as presented in paragraph #5 of the City Managers Report. Keefer reported that the City can annex property on the north side of Sail Boat Bridge after the extension of utilities. By statutes the City can "*annex property by crossing a body of water id the property has been improved with a bridge or similar permanent structure*". The City cannot annex any of the lake property but we can use Sail Boat Bridge as the tool to connect that area to the City on the south side of the bridge.

Devitt asked if the Staff has heard any discussions pertaining to re-designing the intersection at Tom Cat Corners and Highway 59 in order to accommodate the excess traffic from the Casino. Keefer reported that he has heard some comments on that project but it would have to be between the Cherokee Tribal Nation, and the Oklahoma Department of Transportation.

Bottoroff reported that she received the total tallies from Bernice Sanitation pertaining to the recent city-wide trash pick-up:

- Residential pick-up totaled 48.7 tons
- Tire collection: 651 vehicle & 7 big truck tires were collected (not including what was taken out and dumped at the Delaware County Solid Waste station), and that
- 51 households participated in the "Household Hazardous Waste" collection project out at the Waste Water Treatment facility.

WARD REPORTS:

Devitt reported that he has drove around the community, and was embarrassed on how some of the properties in the community looked. Devitt asked how these properties even exist. Keefer reported that the Fire Department is working diligently knocking on door on informing residents of their property violation(s), and Code Enforcement Officer, Calvin Igney is hearing complaints and driving out assessing code violation properties almost daily. Ms. Cheryl Flood addressed the Council to report that she has driven by several addresses that has numerous amount of vehicles parked, and other items that is scattered all over the yard that are for sale or vehicles that are driven by the residents. Richard and Shirley Allen too reported seeing a resident that has several vehicles, an RV, food trailer, a boat, etc. parked all around their yard. Bottoroff encouraged them to inform the Staff of these properties, and that she would have Igney go out and assess them closer.

EXECUTIVE SESSION:

At 7:12 PM Devitt made the motion for the Council to recess into an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, pursuant to Title 25 O.S. Section 307.B.1; City Manager's annual evaluation. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 8:31 PM Nielsen made the motion for the Council to come out of Executive Session with no action taken. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion regarding the above-mentioned agenda item. Devitt made the motion to authorize the City Manager to prepare a contract with the proposed amendments and corrections for consideration at the May 17, 2016 City Council meeting.

At 8:32 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.