

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 17, 2018
6:00 PM
MINUTES**

The Grove City Council met in regular session on Tuesday, April 17, 2018 at 6:00 PM with Mayor, Ed Trumbull presiding. Members present were Josh McElhaney, Don Nielsen, Marty Dyer and Ivan Devitt. Also present was City Manager, Bill Keefer; Attorney, Darren Cook; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

PUBLIC COMMENT:

Grove Area Chamber of Commerce Director, Donnie Crain addressed the Council to report on two (2) upcoming event with GACC:

1. Saturday, April 28th – ‘Keep Grove Grand’ trash pick-up & beautification efforts, and starting at 11:00 AM thru 1:00 PM lunch will be served (hot dogs, chips and water)
2. End of April – ‘Yard of the Month’ contest will begin thru October 2018. Crain noted that GACC will accept nominations throughout the month, and at the end of the month an individual yard will be selected for this event.

Trumbull presented a plaque and certificate of appreciation to Grove Police Department – Animal Control Officer, Shawna Moore as Employee of the Quarter.

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

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

At 6:10 Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 131 S. Cherokee Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property Owner, Valerie Vitro addressed the Council to report that:

- She was working on the property until such time her mother became ill and had to care for her
- Has approximately 6/8 months until completion of repairs
- The foundation is in good standing so it is her intentions to remodel / refurbish the home
- Replace the roof and decking
- Anticipates that she should have the property grounds cleaned up in a couple of weeks

Building Inspector, Calvin Igney reported that he hasn’t been inside the structure but has assessed the outside premises of the property, and found that:

- The power has been tagged shut off to the property for approximately one year
- The property is secured, and is repairable
- The roof shingles are in bad shape, and needs to be secured from animals coming in and out
- Suggested that if it is the property owner’s intentions to keep the structure intact that she pull a permit and complete the necessary repairs in 6-8 months.

Vitro entertained questions, comments and concerns from the Council and Staff. At 6:17 PM McElhaney made the motion to close the Public Hearing. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order for 131 S. Cherokee Street. Dyer made the motion to require the property owner to:

- ✓ Remove the trash, junk, and debris from the property within fourteen (14) days, and
- ✓ Obtain a remodel permit, and complete the necessary repairs to comply with city code within six (6) months.

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

At 6:20 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 609 S. Cherokee Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded

by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property owner, Don Nelson addressed the Council to report that:

- Approximately two (2) years ago he pulled a permit, and started working on the property
- Experienced some health issue is still recovering
- Has all materials on hand, and is ready to start working on project again
- The structure is in good shape, and that his intentions are to restore the property

Building Inspector, Calvin Igney reported that he has assessed the property, and found that:

- Property owner has pulled a permit, which has expired
- Two structures were originally on the property, and that one has been totally removed
- The remaining structure is secured

Nelson entertained questions, comments and concerns from the Council and Staff. At 6:25 PM McElhaney made the motion to close the Public Hearing. Seconded by Devitt. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 609 S. Cherokee Street. Devitt made the motion to require the property owner to:

- ✓ Complete the necessary repairs to comply with the city code within thirty (30) days.

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

At 6:26 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 615 S. Cherokee Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property owner, Rickie Farmer addressed the Council to report that:

- This property is the 'Pritchard' family homestead from the Littlegate addition.
- Is currently processing the application for filing this site with the Historical Society for preservation.
- The structure is sturdy, and that it is currently been utilized the storage of construction materials, hay and miscellaneous items.

Building Inspector, Calvin Igney reported that he started working with the owner property on this project about two (2) years ago, and had gone back to the site to reevaluate the property, and found that:

- The property is unsecured
- Has substantial structure damage
- Old abandoned vehicles behind the barn
- Animals coming and going out of the structure
- Grove Police Department has responded to kids congregating inside the structure, and
- That the underbrush needs to be cleaned up and removed from around the property

Farmer entertained questions, comments and concerns from the Council and Staff. At 6:40 PM Devitt made the motion to close the Public Hearing. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 615 S. Cherokee Street. Dyer made the motion to require the property owner to:

- ✓ Secure the structure within fourteen (14) days, and
- ✓ Obtain a remodel permit and the complete the necessary repairs to comply with city code within thirty (30) days.

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

At 6:41 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 1563 110th Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property owner William (Bill) Sievert addressed the Council to report that:

- He had recently inherited this property from his mother
- Has started bringing the structure up to code by securing / replacing the doors and windows
- Unsure at this time of his intentions to rent or sale the property

Building Inspector, Calvin Igney reported that he had gone out to the site to access the property, and found that:

- It has been secured
- Property owner has completed a substantial part of the project which is now approximately 99% in compliance with the city code, and

- Added that if it is the owner's intentions to remodel the interior portions of the structure that he would be required to pull a permit for that project.

Sievert entertained questions, comments and concerns from the Council and Staff. At 6:47 PM Devitt made the motion to close the Public Hearing. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 1563 110th Street. Devitt made the motion to:

- ✓ Grant the property owner an additional fourteen days to complete the necessary repairs to the structure in order to comply with the city code.

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

At 6:48 PM McElhaney made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 1701 Gaslight Drive should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property owner(s), Jerry & Bonnie Parker was not present. Building Inspector, Calvin Igney reported that he had gone out to the site to assess the property, and found that:

- Upon entering the property it was brought to his attention by a neighbor that there is a family of buzzards nesting in that structure
- Staff placed a called to the local Game Warden to inquire on the proper & permitted way to safely remove the birds from the premises, and the Game Warden informed the Staff that the nest could not be disturbed until the birds are mature enough to fly out on their own, which should be the first of August or so.

The Staff entertained comments and concerns from the Council. At 6:52 PM Devitt made the motion to close the Public Hearing. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 1701 Gaslight Drive. Dyer made the motion to:

- ✓ Require the property owner to obtain a demolition permit no later than August 10, 2018, and
- ✓ Demolish and remove the wooden structure and debris from the property and fill / level the ground in a manner that can be mowed no later than September 10, 2018

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

At 6:54 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 3661 Highway 59 should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded By McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property owner, Nancy Garrett was not present. Building Inspector, Calvin Igney reported that the property owner is ill, and that the Staff has been working with her brother, who has been advised of the current condition of the structure. Igney mentioned that he had assessed the property, and found that:

- The roof shingles and decking appears to be missing in some areas allowing for water damage to occur, and that the roof as a whole is a large problem
- Front porch overhang is becoming dilapidated, and is in need of repair
- The remaining property appears to be structurally sound

Igney entertained questions, comments and concerns from the Council. At 6:56 PM Devitt made the motion to close the Public Hearing. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 3661 Highway 59. Dyer made the motion to:

- ✓ Require the property owner to obtain a roof permit and make the necessary roof repairs to the structure to comply with city code within thirty days

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

At 6:58 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at Dubois Street – Grove X-Land, Section/Township/Range 12-24N-23E-1 should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property Owner, Randy Fisher was not present. Building Inspector, Calvin Igney reported that he had assessed the property, and found that:

- The roof is fully dilapidated

- The structure is unsecured
- Heard no response from the property owner, and
- That the property is currently listed with a realtor

Igney entertained questions, comments and concerns from the Council. At 7:02 PM McElhaney made the motion to close the Public Hearing. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at Dubois Street – Grove X-Land, Section/Township/Range 12-24N-23E-1. Dyer made the motion to:

- ✓ Require the property owner to obtain a demolition permit, demolish and remove the structure and debris from the property and fill/level the ground in a manner that can be mowed within thirty (30) days

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

Trumbull opened the floor for discussion with respect to bids for the relocation of the gas transmission line as part of the South Highway 59 ODOT Highway Improvement Project. Rose & McCrary - Vice-President, Tim McCrary, P.E. addressed the Council to report that five (5) bids were received for this project, and all five (5) bids were found to be responsive. The apparent low bidder on the project is Circle B Underground, LLC with a base bid of \$453,229.00. McCrary reported that his Staff contacted four of the Circle B Underground's references and four (4) responded to the request for information in a positive way, and verified that they are qualified to complete the work. McCrary added that it is his recommendation to award the contract to Circle B Underground, LLC for the said amount of \$453,299.00. Keefer added that the GMSA Board met earlier this afternoon and approved the awarding of contract to Circle B Underground, LLC as presented. Nielsen made the motion to award the contract to Circle B Underground LLC upon recommendation from McCrary. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to the bids for Solid Waste Collection within the City of Grove. Bottoroff respectfully requested that the Council table this item for the next meeting to allow the proposed bidder time to review the contract, and prepare to be at the next meeting to entertain any questions or concerns from Council. No action was taken.

Trumbull opened the floor for discussion with respect to scheduling a "Work Session" to review and discuss the proposed 2018-2019 Fiscal Year Budget. Keefer reported that the Staff has started working on the upcoming annual budget, and would like to schedule a budget work session to review and discuss the proposed budget with the Council. Keefer introduced the following dates for consideration:

- Thursday, May 24th (Councilman, McElhaney will not be available to attend)
- Tuesday, May 29th
- Thursday, May 31st

Keefer added that a comprehensive copy of the proposed budget along with a detailed budget memo will be supplied to the Council a few days prior to the meeting to allow for sufficient preparation. The Council considered their recommended options. Nielsen then made a motion to schedule the work session for May 29th @ 4:00 PM. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull then opened the floor for discussion with respect to the approval of an Ordinance amending Part 17, Chapter 5, Section 17-502 and 17-504 of the Code of Ordinances of the City of Grove, Oklahoma in regards to refuse collection. Bottoroff reported that the current city code states a minimum size of 20 gallon and maximum size of 32 gallon containers are to be used for disposing of solid waste. The contract does not require a minimum size and allows for a maximum of 33 gallon containers or 45-60 yard poly carts. The current city codes does not address the maximum weight of a container and content or limit the per week total gallons to be picked up, the contract limits the weight of the container and content to 70 pounds, and limits a combination of residential garage, yard debris and home improvements waste to not exceed 190 gallons per household per week. Bottoroff mentioned that although most residents bag their household garbage, it has not been previously addressed in the code. However, the current city code does require containers to be kept clean and free from accumulation of any substance remaining attached to the inside of the container which would attract flies, mosquitoes or other insects. Bagging the household garbage will make it easier for residents to keep their containers in compliance with the current city code. Bottoroff entertained questions, comments and concerns from the Council. Devitt made the motion to approve an Ordinance amending Part 17, Chapter 5, Section 17-502 and 17-504 of the Code of Ordinances of the City of Grove, Oklahoma in regards to refuse collection. Seconded by Dyer. AYE: Dyer, Devitt and Trumbull. NAY: McElhaney and Nielsen. Motion carried.

Dyer made the motion to approve a Resolution amending the 2017-2018 City Capital Budget. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

McElhaney made the motion to approve an agreement with the YMCA for use of the Grove Municipal Pool for Swimming and Water Aerobics Classes. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

CITY MANAGER'S REPORT:

Keefer reported that the reconstruction of the City Hall South parking lot started on Monday, and upon removal of the old asphalt the construction crew found unstable material underneath. Keefer added that he anticipates a change order forthcoming for a more stable replacement base material.

At 7:21 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.