

**GROVE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, AUGUST 21, 2018  
6:00 PM  
MINUTES**

The Grove City Council met in regular session on Tuesday, August 21, 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.

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

At 6:05 PM Nielsen made the motion to open a Public Hearing to take public comments regarding a request from the Oklahoma State Bank, Vinita, OK to rezone the following described property:

**Legal Description:** 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 Lot 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.

**General Location of property:** Property located along the east side of S. Osage between East O'Daniel and Goins Street abutting The Village of St. Andrews, Grove, OK

**Zoning of Property:** The property is currently zoned R-2 Two-Family Residential District, the property owner is requesting to Re-zone the property to C-3 Highway Commercial and Commercial Recreation District.

**Proposed Use of Property:** Future Commercial Development

Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Bottoroff reported that the application was made by Oklahoma State Bank of Vinita – Representative Eddy Allensworth. Bottoroff noted that all notices were sent out to the required property owners in accordance to state statutes, and that she had encouraged the proposed property buyer, Karen Kyman to be present to entertain any questions from the Council, Staff and participating audience. The Council & Staff entertained questions, comments and concerns from the following individuals:

- Kathy Schumacher - 105 S Delaware expressed opposition against the rezoning
- Zack Hamilton - 106 S Delaware expressed opposition against the rezoning
- Cody & Lindsey Waggoner - 105 N Delaware expressed opposition against the rezoning
- Sarah Lovelady - 100 S Delaware expressed opposition against the rezoning
- Judy Gray - 101 S Delaware expressed opposition against the rezoning
- Steve Thomas – 108 S Osage expressed opposition against the rezoning
- Sandra Brown – 104 S Osage expressed opposition against the rezoning

Proposed buyer, Karen Kyman addressed the Council to strongly express her personal appreciation to the concerns of the area residents. Kyman reported that her intentions at this time is to hold the investment for retirement purpose, and that she has no target of immediate development. Kyman entertained questions, concerns and comments from the Council, Staff and surrounding property owners. Eddy Allensworth – Representative of the Oklahoma State Bank of Vinita addressed the floor to report on the past history of this property, and that this was recollected by foreclosure. Allensworth noted that the intentions of the previous owner was to construct duplexes. Allensworth expressed his support for Kyman's intentions for the property. At 6:55 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 Ordinance rezoning a tract of land owned by the Oklahoma State Bank, from R-2, Two Family Residential District to C-3, Highway and Recreational Commercial. Devitt made the motion to approve an Ordinance rezoning the described property of the above-mentioned from R-2 to C-3. Motion died due to a lack of seconded. No further action was taken.

McElhaney made the motion to approve a Resolution adopting the City of Grove's Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve Change Order # 2 for the City Hall Parking Lot Improvement Project as presented by Engineer, Rose & McCrary. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to the appointment of a City Representative to serve on the Economic Development Services Agreement Oversight Committee. Keefer reported that this is part of the agreement that the City recently entered into with the Chamber of Commerce. Trumbull suggested that this appointment be filled by same individual serving in the City of Grove Mayor capacity. Dyer made the motion to appoint the Mayor's position to that committee. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

**CITY MANAGER'S REPORT:**

Keefer reported that he has presented each of the Councilmen a copy of the before and after speed limit modification to Leisure Lane for their review upon recommendation from the Police Chief, Mark Morris.

**WARD REPORTS:**

Trumbull reminded the Council of the upcoming events:

- Special City Council Work Session – Wednesday, August 22<sup>nd</sup>
- Election of the 4/10<sup>th</sup> Sales Tax extension – Tuesday, August 28<sup>th</sup>
- Oklahoma Municipal League Conference – Tuesday & Wednesday – September 11<sup>th</sup> -13<sup>th</sup>

At 7:25 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.