

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 20, 2020
6:00 PM
MINUTES**

The Grove City Council met in regular session on Tuesday, October 20, 2020 at 6:00 PM with Mayor, Ed Trumbull presiding. Members present were Josh McElhaney, Matt Henderson, Marty Dyer and Ivan Devitt. Also present was City Manager, Bill Keefer; Attorney, Darren Cook; City Treasurer, Lisa Allred; Public Works Director, Deric Douthit and City Clerk, Bonnie Buzzard. Assistant City Manager, Debbie Bottoroff was absent.

PUBLIC COMMENT:

Doug Moore with IBTS (Institute for Building Technology & Safety) addressed the floor to report that IBTS has been soliciting photographs from citizens that can be used in the plan documents and that for every picture submitted the owners name was placed in for a drawing for various prizes. Moore presented the drawing to Mayor, Trumbull for selection of the following winners:

- Mike Huggins
- Donnie Crain
- Gary Eckert

Devitt made the motion to approve the minutes from the October 6, 2020 meeting. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

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

At 6:10 PM Devitt made the motion to open a Public Hearing to take public comments regarding an application submitted by Sequoyah Enterprises, Inc. to rezone the following described property from R-3 Multi-Family Residential Zoned District to C-1 Convenience Commercial Zoned District:

LEGAL DESCRIPTION: Honey Creek Part Lots 4, 5, and 6, Block 4, Grove Oklahoma, Delaware County AKA the property located at 303 W. 21st Street, Grove, OK

Proposed buyer, Kaila Foust addressed the Council to report that this facility, if approved, would increase their license facility from 30 to 85 children.

At 6:12 PM Devitt made the motion to close the public hearing. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Ordinance re-zoning the above described property from R-3 Multi Family Residential Zoned District to C-1 Convenience Commercial Zoned District. Devitt made the motion to approve the Ordinance as presented re-zoning the property as described from R-3 Multi Family Residential to C-1 Convenience Commercial. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to review of Resolution #20-024 Declaring a State of Emergency and Implementing Mandatory Emergency Provisions as amended adopting the Governor's Open Up and Recover Safely Plan. Trumbull reported that the City of Grove / Delaware County currently remains at a high risk level with sixty-nine (69) Covid-19 active cases in Grove, Jay has sixty-two (62), and Delaware County as a whole has two hundred, twenty-one (221) active cases. Keefer reported that the City of Grove has three upcoming events that has expressed a concern in regards to the facial covering policy, and the

impact it will have on their event. Therefore they have respectfully inquired about a possible waiver in the “Facial Covering” policy:

- Shannon McDermott – Kiss Scrapbooking addressed the Council to report that she has the Civic Center scheduled for her event. McDermott reported that upon visiting with City Manager, Bill Keefer she has presented the City with her plan of action in order for her event to meet the guidelines set forth by the Council addressing the facial mask wearing and the concern for social distancing. McDermott strongly assured the Council that her event will comply with the guidelines set forth in her email. Keefer commended McDermott on her plan that addresses a number of the recommendations including social distancing and hand sanitizing stations. McDermott added that she has booked the entire Civic Center and that she has cut her registration to only 250 participants. McDermott respectfully requested for a mask exemption during such time each participant is seated at their personal table, seven (7) feet distance from each other. McDermott entertained questions, comments and concerns from the Council and Staff.
- Keefer then presented a situation with the Line Dancers and Pickle Ball Players who utilizes the Community Center facility. The line dancers generally adhere to the policy for the most part, but the Pickle Players appear to have a problem wearing their mask during their activities. The Pickle Players indicated that it is a form of exercise and has requested not to wear the mask while they are playing. Trumbull reported that the plans was implemented to protect the health and safety of our City employees. Dyer indicated that he didn’t have a problem with the participants not wearing a facial covering as long as they are on the floor playing, but when they are seated watching or using the facility in other means they must wear a facial covering. McElhaney and Devitt agreed with that concept.
- Keefer noted that the other events that are tentatively scheduled is the Chamber of Commerce bi-monthly luncheon meeting, the Pet Rescue Annual Breakfast fundraiser breakfast & auction held at the Community Center, and there is a Ducks Unlimited banquet scheduled at the Civic Center. The Council and Staff entertained discussions in regards to these events to be held at the Civic Center where they could better practice social distancing.

Devitt made the motion to approve a onetime facial covering exemption to each of the above mentioned events. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt then made the motion to authorize the City Manager to evaluate facial covering exemption at his discretion on any future event. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to approval of a Resolution approving action taken by the Grove Municipal Services Authority authorizing issuance, sale and delivery of a promissory note of the Authority to the Oklahoma Water Resources Board; ratifying and confirming a Sales Tax Agreement; ratifying and confirming Lease Agreements; and containing other provisions related thereto. Rick Smith – Municipal Finance Services addressed the Council to report on the future financing plan highlights for GMSA that detailed on the following GMSA issuance components for a thirty (30) year term loan for sewer line improvements:

• Estimated Construction Funds:	\$3,860,016.96
• Contingency	\$ 382,703.04
• Engineering	\$ 636,000.00
• Smoke Testing / Televising	\$ 337,080.00
• Bond Counsel Fees & Expenses	\$ 56,000.00
• Local Counsel Fee	\$ 21,700.00
• Financial Advisor Fee & Expenses	\$ 56,000.00
• Trustee Bank Acceptance Fee	<u>\$ 500.00</u>
• Total Note Amount:	\$5,350,000.00

Smith added that the interest rate on the loan will be set approximately ten (10) days before closing. Smith entertained questions, comments and concerns from the Council and Staff. Devitt made the motion to approve a Resolution approving action taken by the Grove Municipal Services Authority authorizing issuance, sale and delivery of a promissory note of the Authority to the Oklahoma Water Resources Board; ratifying and confirming a Sales Tax Agreement; ratifying and confirming Lease Agreements; and containing other provisions related thereto. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to amending the list of streets /scope of work for the 2020 Street Projects. Keefer reported that an issue has arisen with this project year with the sealcoat planned for Harber Road between Leisure and 590 Road, and the warranty work for a seal coat that was laid down last year on Harber Road between Leisure and Main Street. Upon discussion with Project Engineer, Jim Hemphill it was determined that the seal coat material was not made for high traffic application. Hemphill addressed the Council to report that on October 14th a meeting was held with Hutchens Construction Company to discuss the sealcoat performance of last year's work on that described area, and the letter of warrant claim. Hemphill reported that upon driving the existing streets on the project listing, it is his recommendation that those streets be withdrawn from the project, allow the warranty work to Harber Road between Leisure and Main Streets of seal crack and road patching to be done. Hemphill then recommended that the City apply for a Change Order for reorganizing changes in the Scope of Work to close the project out. Hemphill entertained questions, comments and concerns from the Council and Staff. No action was taken from the Council.

Trumbull opened the floor for discussion with respect to approval of Change Order Number Two for the East Taxilane Repair Project at the Grove Regional Airport. Keefer reported that after removing the paving it was determined that there was approximately 200' of subgrade that needed to be replaced. Therefore, a change order in the amount of \$20,519.40 was presented outlining what was encountered and the action taken to correct it. Keefer added that the project engineer has reviewed the change order and has signed off on it. Devitt made the motion to approve the change order as presented and discussed for the East Taxilane Repair Project at the Grove Regional Airport. Seconded by Dyer. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to potential annexation of property into the City of Grove. Keefer reported that approximately four (4) years ago the majority of the Council held discussion on annexation of a section of property located North of Sailboat Bridge and along Highway 59 corridor through Tom Cat Corner. Keefer added that during that meeting discussions included a traffic signal at the intersection of E 250 Road and Highway 59 as part of the reconfiguration of that intersection contingent upon having a governmental entity such as the City of Grove take ownership of the traffic signal as well as assume its ongoing maintenance. Keefer noted that based upon the Council's brief discussion a few weeks ago, there was an interest in looking at annexing certain areas that directly abuts Highway 59 between Sailboat Bridge and the Tom Cat Corner intersection. Keefer noted that if the Council decides to move forward with the process, the City will need to complete the following steps:

- Identify the boundaries of the area to be annexed and the property owners for each parcel
- Set a tentative schedule to include mailing notification and required documents, the public hearing date and publication for the hearing notice in the paper
- Review and approve a service plan for the area
- City Attorney to prepare an annexation ordinance

The Council discussed this project in detail with the Staff and entertained questions and concerns from residents Gerald & Lorraine Thompson who addressed the Council pleading for their assistance in getting signalization at the intersection for safety reasons. Devitt made the motion to authorize the Staff the pursue direction for plan of annexation of the proposed corridor. Seconded by McElhaney AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve the Event Agreement with the Southern Drag Boat Association (SDBA) for races to be held at Wolf Creek Park on October 23-25, 2020. Seconded by Dyer. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Dyer made the motion to approve the Host/Site Agreement with MLFLW, LLC for a Toyota Series FLW fishing tournament to be held at Wolf Creek Park on April 8-10, 2021. Seconded by Devitt. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to appointment(s) to the following Trusts and Boards.

- a) Appointment of two positions on the Convention & Tourism Bureau Board (Hotel and Tourism) - Trumbull reported that the Staff advertised and received two letters of applications. Trumbull made the motion to reappoint Ileta Bray to the Board representing the tourism industry for an additional term. Seconded by Henderson. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Trumbull then made the motion to reappoint Brad Wisdom to the Board representing the hotel industry for an additional term. Seconded by Dyer. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.
- b) Appointment of Trustee to the Planning and Zoning Commission - Trumbull reported that the Staff advertised for this position and received one letter of application. Trumbull made the motion to reappoint Richard Cannon to the P&Z Board for an additional term. Seconded by Dyer. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.
- c) Appointment of two positions to the Zoning Board of Adjustment - Trumbull again announced that the Staff advertised and received two letters of applications. Trumbull made the motion to reappoint Ileta Bray to the Board for an additional term. Seconded by Dyer. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Trumbull then made the motion to reappoint Art Kopp to the Board for an additional term. Seconded by Devitt. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Dyer made the motion to approve a Resolution amending the 2020-2021 City General Fund and Capital Fund Budgets as presented and discussed by Allred. Seconded by Henderson. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

CITY MANAGER'S REPORT:

Keefer gave the Council a status update on the following dilapidated structures since their last appearance before the City Council:

- 1) 301 E 5th Street
 - Blocks laid
 - Water meter installed but not connected
 - House is not secured
- 2) 1023-C S. Cherokee Street
 - Old roof removed and debris hauled away
 - New decking installed and roof tarped
- 3) 609 S Cherokee Street
 - Clean-up continues but still not in compliance with code
- 4) 102 Lennel Street
 - No contact made between owner and City
- 5) 615 S Cherokee
 - No contact made between owner and City

At 7:40 PM Devitt made the motion to adjourn. Seconded by Henderson. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.