

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, FEBRUARY 2, 2021
6:00 PM
MINUTES**

The Grove City Council met in regular session on Tuesday, February 2, 2021 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.

Devitt made the motion to approve the minutes from the January 19, 2021 meeting. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve the purchase order registers as presented. 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. At 6:06 PM Trumbull opened the floor for presentation from the following professionals with a status update on the current state wide data pertaining to Covid-19 virus:

- Ashlyn Wayman – Oklahoma State Department of Health addressed the Council to report on the current numbers of cases with Delaware County, which are trending downwards, and the vaccination coverage for prime doses as of 01-29-21. Wayman also reported on the percentage of cases from the County that was attributed to Grove residents by date of onset.
- Dr. Sam Ratermann – Grove Integris Hospital addressed the Council to report on the 33% percent of bed capacity that the Grove Integris Hospital is currently experiencing. Ratermann announced that one of the nursing homes in Grove is experiencing another large outbreak Ratermann strongly encouraged the Council to continue extend the current mask mandate Ordinance until such time the City of Grove is consistently operating in the Code 'Yellow' zone.
- Dr. Kyle Schauf - Grove Integris Hospital addressed the Council with detail information in regards to the 'Bamlinivimab' Monoclonal infusion that is currently undergoing at Miami Integris Hospital, and the reasoning it being administered at that single location only. Schauf encouraged the Council to continue with their current preventative measures.

All three entertained questions, comments and concerns from the Council, and Staff. Their presentation lasted for approximately 35 minutes.

Dyer made the motion to extend the Resolution until the February 16, 2021 City Council meeting. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull then opened the floor for discussion with respect to extending, amending or terminating the provisions of Ordinance # 795 as it pertains to requirements to wear face coverings/masks.

Keefer reported that the current Ordinance implements a city wide mask mandate with an expiration date of 02-02-21. Keefer asked for directions from the Council to extend the mask mandate deadline or end the mask mandate. Once again McElhaney asked for a status update on the enforcement of the "Mask Mandate" ordinance. Keefer reported that Chief, Morris is addressing the complaints as soon as they are received by the Staff, and that he is constantly reminding the businesses of the current mask mandate ordinance. Henderson reaffirmed his struggles with the mandate Ordinance, and the possibility of issuing citations to business owners due to the strain they already have incurred due to the pandemic. Dyer made the motion to extend the current mask mandate Ordinance deadline to March 2, 2021. Motion died due to lack of second. Keefer respectfully asked the Council to consider extending the deadline to April 6, 2021. Dyer made the motion to approve the April 6, 2021 deadline date. Seconded by Devitt. AYE: Dyer, Devitt and Trumbull. NAY: McElhaney and Henderson. Motion carried.

Keefer acknowledge the fact that he failed to place an action item on the agenda pertaining to the Emergency Clause of said Ordinance, and respectfully requested that the Council entertain a special meeting for consideration of such Emergency Clause. Devitt made the motion to schedule Friday, February 5th @ 4:30 PM. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to annexation of property generally located along Highway 59 between Sail Boat Bridge and Tom Cat Corner. Keefer reported that several months ago, the Council directed Staff to move forward with putting together information that would support the annexation of a tract of land located north of Sailboat Bridge to include a service plan as required by state statute and the Oklahoma Department of Transportation confirmation of their intentions to install a signal light at Tom Cat Corner intersection as part of their future Highway 59 improvements along this corridor. Keefer reported that the Council would need to schedule a public hearing after which the official notice of the public hearing along with a service plan would be published in the newspaper. After taking input at the public hearing, the Council would then consider approval of an ordinance prepared by the City Attorney officially annexing the property into the city limits. Keefer reported that he has attached the following proposed supporting documents in the packet for Council awareness:

- A draft copy of the service plan
- The current ISO ratings that will be maintained with the placement of a fire engine at the Buzzard Fire Sub-Station
- The responsibility of the City Emergency Management services
- Correspondence from Randle White – District Engineer outlining ODOT's intention to include a traffic signal
- City Sales Tax that would be effective for sales by businesses located within the proposed area

Donnie Crain addressed the Council to report that he would be in favor of the annexation due to the fact that the City would be maintaining that entrance area into the City from that intersection. The Council entertained no public comments of opposition. Devitt made the motion to authorize the Staff to proceed with the annexation process of property along Highway 59 between Sail Boat Bridge and Tom Cat Corner. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to the status of the Administrative Orders for the following properties that have been previously designated as dilapidated structures:

609 S. Cherokee Street – Code Enforcement Officer, Calvin Igney addressed the Council to report that he assessed the property site earlier today and found that the property owner has completed all of the necessary requirements to bring the structure into compliance, therefore Igney recommended that this address be removed from the ‘Dilapidated Structure’ list. Property Owner, Steven Donn Nelson was present. No action was taken.

301 E. 5th Street – Igney reported that he assessed this property as well to find that property owner has completed all of the following requirements previously assigned by the Council:

- All blocks has been laid to enclose the bottom of the house
- The structure has been connected to electricity
- The siding has been replaced / repaired, and
- The metal beams has been removed from the property

McElhaney commended Nelson on his work and reported that the property site is looking much better. Keefer encouraged Nelson to continue moving forward on this property, and added that the Staff will continue monitoring it for periodically updates as needed. No action was taken.

505 S. Grand Street – Igney reported that upon assessing this property he noticed very little work has been done since the last City Council’s extension was granted. Property Owner, Brad Daftari addressed the Council to report that he and his crew has been in quarantine due to COVID-19. His quarantine time has expired and anticipates getting back to work on the project. Dyer made the motion to grant a 30 day extension to the Administrative Order for a report back before the City Council March 2, 2021 with a status update. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Engineering Services Agreement with Poe & Associates for the 2021 Street Repair Program. Keefer reported that the City Attorney has reviewed the proposed engineering agreement and has approved the agreement as to form. Keefer announced that he asked Engineer, Jim Hemphill to be present to answer any questions from the Council but apparently had a scheduling conflict. Devitt made the motion to approve the Engineering Service Agreement with Poe & Associates for the 2021 Street Repair Program. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Engineering Services Agreement with Olsson Engineers for Runway Rehabilitation Project at the Grove Regional Airport. Keefer reported that prior to the start of the design for this project, the City will need to apply for a grant from the FAA that will provide 90% of the costs for the scope of work to be completed under this engineering agreement. The total sum fee for the service to be completed under the proposed agreement is in the amount of \$230,500 with the total base bid of \$2,800,000 consisting of:

- ✓ Runway overlay
- ✓ Runway shouldering
- ✓ Runway edge lights, signs, and
- ✓ Circuits

Project Engineer, Kelly Fincannon was present to entertain any questions, comments or concerns from the Council. Devitt made the motion to approve the Engineering Service Agreement with Olsson

Engineers as presented. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve a Resolution amending the 2020-2021 City Capital Budget. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion to a Request for Proposal document soliciting proposals for services to assist with the City Manager recruitment process. Keefer reported that this document outlines the services to be provided through the process. Keefer added that the list of services can be revised prior to publication and can also be negotiated once a firm has been selected as part of the negotiations for a contract and fees to provide the services, plus it does reference the inclusion of city staff, external stakeholders and selected public representatives during specific portions of the process. Keefer entertained questions, comments and concerns from the Council. Dyer made the motion to approve the Request for Proposal document soliciting proposals for services to assist with the City Manager recruitment process. Seconded by Devitt. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve a Sales Tax Incentive application/agreement with Rebecca Bagby dba The Lakehouse in downtown Grove. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to the following annual Field Use Agreements:

Grove Sports, Inc. for the use of the Ball Fields at the Sports Complex for their Baseball and Softball Programs – Devitt made the motion to approve the agreement as presented. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Grand Lake Soccer, dba Grove Soccer Club for use of the Soccer Fields for their Soccer Program – Devitt made the motion to approve the agreement as presented. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Grand Lake Family YMCA for use of the Soccer Fields for their Youth Soccer Program - Devitt made the motion to approve the agreement as presented. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Grand Lake Family YMCA for use of Ball Field # 1 for their Youth Flag football Program - Devitt made the motion to approve the agreement as presented. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve the Resolution amending Section 2-6.9 of the Personnel Policy and Procedures Program as it pertains to the Sick Leave Incentive Program. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull reported that the Staff advertised two separate publications for Letters of Application from anyone interested in serving on the Eastern Oklahoma District Library System Board. At which time no letters were received. Since that time the Staff received a letter of application from Suzanne Boles. Trumbull made the motion to appoint Boles to the EODLS Board. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

CITY MANAGER'S REPORT:

Keefer reported that for several years the Fire Department has requested two additional firefighters as part of their annual budget request, and agreed that there is a need to add full time firefighters as it is becoming more difficult to rely upon volunteers especially during the day when they are working. Keefer noted that the Fire Department is looking into the Assistance to Firefighters Grant Program through FEMA that has a sub program to assist with the costs to hire full time firefighters. McElhaney reported that the Fire Department is equally important as the Police Department so how do you balance the budget between the two entities. Keefer responded by saying that this grant would be great starting source.

WARD REPORTS:

McElhaney reported that he called the Election Board earlier to learn of three (3) resident filings for the Ward II vacant position.

EXECUTIVE SESSION:

At 7:45 PM Devitt made the motion for the Council to recess into Executive Session for the purpose of confidential communications 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 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.4. (Pending Litigation) to include participation from Bill Keefer. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

At 7:50 PM Devitt made the motion to come out of Executive Session with no action taken. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull announced that in regards to discussion with respect to agenda item E.1 above. No action taken.

At 7:51 PM Devitt made the motion to adjourn. Seconded by McElhaney. AYE: McElhaney, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.