

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 4, 2021
6:00 PM
MINUTES**

The Grove City Council met in regular session on Tuesday, May 4, 2021 at 6:00 PM with Mayor, Ed Trumbull presiding. Members present were Steven Thomas, Matt Henderson, 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, Deric Douthit and City Clerk, Bonnie Buzzard

Devitt made the motion to approve the minutes from the April 20, 2021 regular meeting. Seconded by Thomas. AYE: Thomas, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve the purchase order register. Seconded by Henderson. AYE: Thomas, 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. No proposed changes were introduced. Dyer made the motion to extend the Resolution until the May 18, 2021 City Council meeting. Seconded by Henderson. AYE: Thomas, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

At 6:05 PM Devitt made the motion to open a Public Hearing to take public comments on the proposed annexation of several tracts of land located along the U.S. Highway 59 corridor between Sailboat Bridge and the Intersection of U.S. Highway 59 and E 250 Road, (aka Tom Cat Corner) Grove, Oklahoma as identified by the reference map and legally described in Exhibit A. Seconded by Thomas. AYE: Thomas, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried. The Council entertained questions, comments and concerns from the following individuals:

1. Maureen Thompson – expressed in favor of annexation
2. Tammy Ewing – expressed her clients opposition against the annexation
3. Andy Helms – expressed opposition against the annexation
4. Donnie Crain – Grove Chamber of Commerce – expressed in favor of annexation
5. Ronnie Meister – expressed opposition against annexation
6. Jeff Stone – expressed opposition against annexation
7. Derrick Brown – expressed opposition against annexation
8. Craig Eubanks – expressed opposition against annexation
9. Dave Helms – expressed opposition against annexation

At 6:37 PM Thomas made the motion to close the public hearing. Seconded by Devitt. AYE: Thomas, Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull then opened the floor for discussion from the Council with respect to an Ordinance annexing the above-described tract of land as described in Exhibit A. Trumbull addressed each of the residents' concerns in regards to their property annexation which including input from Keefer and Cook. At 6:55 PM Dyer excused himself from the meeting. Henderson made the motion to approve an Ordinance annexing the above-described tract of land as described in Exhibit A as presented and

discussed. Seconded by Devitt. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

At 7:11 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 102 Lennel Drive (building roof) 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 Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried. Code Enforcement Officer, Russ Schmidt reported that this structure was placed on last year's list but was removed due to insufficient notification of newly discovered property owner. The structure is showing decay or partial ruins due to a dilapidated roof condition. The property owner was not present and no public comments were heard.

At 7:14 PM Devitt made the motion to close the public hearing. Seconded by Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order for 102 Lennel Drive (building roof). Thomas made the motion to approve an Administrative Order requiring the property owner to:

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

Seconded by Devitt. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

At 7:15 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 131 S. Cherokee Street (house) 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 Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried. Schmidt reported that this project is basically in a dilapidated concern due to the structure condition and siding. Property owner Valerie Vitro addressed the Council to report that she is working on the project, and respectfully request additional time to bring the project up to code. Vitro entertained questions and concerns from the Council and Staff.

At 7:18 PM Devitt made the motion to close the public hearing. Seconded by Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order for 131 S. Cherokee Street (house). Henderson made the motion to approve an Administrative Order requiring the property owner to:

- Secure the property within fourteen (14) days; and
- Complete the necessary repairs to siding to comply with city code within thirty (30) days

Seconded by Thomas. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

At 7:20 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 215 W. 10th Street (house) 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 Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried. Schmidt reported that the roof on this structure is in a dilapidated condition and is in need of repair. Schmidt added that the property owner resides in Maryland and that upon visiting with him he advised that he has made an arrangement with the tenants that in exchange for rent they would agree

to repair the roof up to city code. Ms. Donna Miller addressed the Council to report that her grandson resides at this resident and she confirmed the agreement made with the landlord. Building Inspector, Calvin Igney reported that a permit has already been pulled for this project. The property owner was not present.

At 7:23 PM Thomas made the motion to close the public hearing. Seconded by Devitt. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order for 215 W. 10th Street (house). Henderson made the motion to approve an Administrative Order requiring the property owner to:

- Obtain the roof permit and complete the necessary repairs within thirty (30) days

Seconded by Thomas. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

At 7:25 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 413 W. 5th 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 Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried. Schmidt reported that a Notice of Violation was mailed to the property owner stating the dilapidated condition of the home and with no response. Neighbors, Joseph & Stephanie Nelson addressed the Council to report that their neighbor, Mr. Anderson has been mowing a portion of this property that lies adjacent to his property, and that they have been doing the same to the portion of property adjacent to theirs. Nelson advised that they have lived next door to this property since 2005, and that this house has never been occupied, plus they have noticed several creatures going in and out of the property through the back fence area. Nelson added that he is somewhat familiar with the property owner from talking to Mr. Anderson, and that they would be glad to share that information with the City. Schmidt recommended moving this project out to a future meeting to allow him sufficient time to attempt contact with the owners. Nelson entertained questions, comments and concerns from the Council and Staff.

At 7:35 PM Devitt made the motion to close the public hearing. Seconded by Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order for 413 W. 5th Street (house). Table for the next meeting. No action taken.

At 7:36 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 1595 Grove Port Circle (mobile home) 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 Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried. No property owner was present. Schmidt reported that he has visited with the property owner and that he indicated to him that it is their intentions to repair the structure. Schmidt added that the structure is showing signs of decay due to the fascia board, windows and siding condition. Schmidt entertained questions and comments from the Council in regards to this structure.

At 7:40 PM Devitt made the motion to close the public hearing. Seconded by Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order for 1595 Grove Port Circle (mobile home). Henderson made the motion to approve an Administrative Order requiring the property owner to:

- Obtain a roof permit and complete the necessary repairs to comply with city code within thirty (30) days.

Seconded by Thomas. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

At 7:41 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether structures located at 10621 & 10627 Wolf Creek Drive (buildings) should be designated as dilapidated structures and detrimental to the health, safety and welfare of the general public and the City of Grove. No property owner was present. Schmidt reported that this project consist of three (3) structures that are in dilapidated condition from the roof, windows and doors. Schmidt added that he has made contact with the property owner and visited with him about the status of his property. The owner had indicated to him that it is his intention to repair the structures. Building Inspector, Calvin Igney reported that he had talked to the contractor of this project and that the permit has been granted. Igney noted that the contractor indicated to him that he needed approximately 60 days to complete the project.

At 7:45 PM Devitt made the motion to close the public hearing. Seconded by Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order for 10621 & 10627 Wolf Creek Drive (buildings). Thomas made the motion to approve an Administrative Order requiring the property owner to:

- Secure the structures within fourteen (14) days; and
- Obtain roof permits and complete the necessary repairs to roof, windows, and doors on all three buildings to comply with city code within sixty (60) days.

Seconded by Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to scheduling a Work Session/Special Meeting to review and discuss the proposed 2021-2022 budget for the City of Grove. The Council entertained all options available to each individual. Henderson made the motion to schedule a Work Session / Special Meeting for the 2021-2022 proposed budget for Tuesday, May 25th @ 1:30 PM. Seconded by Devitt. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull then opened the floor for discussion with respect to an Ordinance amending Chapter 3, Special Use Permit requirements and Chapter 5, Section 5-13, Vacation Rental Homes, of the Zoning Ordinances of the City of Grove, Oklahoma. Bottoroff reported that during the presentation of the most recent Special Use Permit the City Council heard numerous complaints from residents in regards to the high density of VRH in a single subdivision. The Council discussed the notion of limiting the density of vacation rental homes within a single subdivision. Bottoroff mentioned that the current regulations limit the density of vacation rental homes allowed within the City of Grove to 5% of the total households. However, it does not address the concentration of VRH in neighborhoods. Therefore; the proposed Ordinances before the Council this evening creates a distance requirement between existing and new VRH, and provides exceptions when properties are physically separated by certain barriers. Bottoroff added that the strikethrough notations is what the Staff is suggesting to be deleted from the current Ordinance and that the yellow text highlighted sections are the proposed changes to be considered. Henderson strongly suggested that the Council avoid the proposed Ordinance change all together, and to continue following the application process as per the current

Ordinance. Henderson reported that the property owners of each subdivision needs to firmly enforce their Home Owners Association or their Covenants to shield them from this type of situation. Thomas agreed with the statement made by Henderson, Devitt indicated that he understands both side of the parties concerns. Trumbull concurred that the residents of the subdivision has the right to enforce their HOA's / Covenants. The Council also entertained public comments from resident Andy Stewart. No action was taken.

Devitt made the motion to approve a Resolution amending the 2020-2021 Fiscal Year Convention and Tourism Budget. Seconded by Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried.

CITY MANAGER'S REPORT:

Keefer reported that the annexation Ordinance the Council just passed will not officially go into effect until July 1, 2021.

Keefer reported that Engineer, Jim Hemphill of Poe and Associates informed him that the estimated cost for the proposed 2020-2021 Pavement Rehabilitation Plan has come in lower than originally estimated. Therefore, Keefer suggested that another section of street be implemented into the plan. Keefer suggested either of the two following sections be considered:

- Baycrest – from Quail Run to 595 Road, or
- 3rd Street – from approximately Shundi to Ford Road

Keefer strongly suggested that the Baycrest section be considered because that road would then have been completely reconstructed / overlaid in its entirety.

Keefer announced that forthcoming on the next City Council meeting will be two (2) Proclamations:

- National Safe Boating Week, and
- Proclaiming the City of Grove – 'Purple Heart City'

Keefer announced that the Council needs to consider scheduling another meeting with Strategic Government Resources (SGR) to set out the particular procedures for the new City Manager recruitment process.

Keefer reported that the Fire Department will be introducing the new Fire/Tornado Safety House to the public on Saturday, May 15th from 11AM – 2PM @ the Rotary Park. They will be serving free hotdogs.

Keefer then announced that the Municipal Pool will open for the season its regular time Memorial Day weekend. The Staff will start selling pool passes and scheduling pool parties on Monday, May 17th. Keefer added that the Splash Pad will tentatively be opening next week.

WARD REPORTS:

Trumbull suggested that if the Council is in favor of scheduling a special meeting with SGR that the Staff set it up as a phone conference meeting. The Council individually indicated that Monday, May 10th @ 2:00 PM would work for them. Keefer suggested that Andy Stewart, Robert Carter and Donnie Crain all be notified of the meeting as members of the City Manager Recruitment Steering Committee.

EXECUTIVE SESSION:

Trumbull announced that due to the time restraints that the following two Executive Session items be continued over to the next City Council meeting for May 18th:

- Discussion and / or action with respect to an Executive Session for the purpose of discussing negotiations concerning employees and representatives of employees groups, pursuant to Title 25 O.S. Section 307.B.2. (Fraternal Order of Police - Grand Lake Lodge No. 171), and
- Discussion and/ or action with respect to 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. (Interim City Manager)

No action was taken.

At 8:27 PM Devitt made the motion to adjourn. Seconded by Henderson. AYE: Thomas, Henderson, Devitt and Trumbull. NAY: None. Motion carried,