

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 5, 2021
6:00 PM
MINUTES**

The Grove City Council met in regular session on Tuesday, October 5, 2021 at 6:00 PM with Vice-Mayor, Ivan Devitt presiding. Members present were Steven Thomas, Matt Henderson and Marty Dyer. Mayor, Ed Trumbull was absent. Also present was City Manager, Debbie Bottoroff; Attorney, Darren Cook; City Treasurer, Lisa Allred; Public Works Director, Deric Douthit and City Clerk, Bonnie Buzzard.

PUBLIC COMMENT:

Devitt read a Proclamation in its entirety proclaiming October 11, 2021 as 'Grove Native American Day' and the month of October 2021 as 'Native American Heritage' month. The Council entertained presentation from Kristi Collington and Melvina Shotpouch.

Dyer made the motion to approve the minutes from the September 21, 2021 regular meeting. Seconded by Thomas. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.

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

Devitt opened the floor for discussion with respect to an updated Resolution #21-028 acknowledging a State of Emergency continues to exist in the City of Grove and Implementing Mandatory Emergency Provisions to follow the most current Centers for Disease Control and Prevention (CDC) Guidelines. Henderson made the motion that the Council remove Section 2.b as written mandating the face mask wearing inside any city owned facilities and to place the face masking enactment at the discretion of the City Manager and to extend the Resolution to the October 19th City Council meeting. Seconded by Thomas. Bottoroff reported that the Council will continue to entertain the revisions of the Resolution at their regular scheduled meetings as in accordance to Section E of the Resolution. The Council entertained questions and concerns from the Staff. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.

Devitt opened the floor for discussion with respect to authorize Phil's Ornamental Iron, Inc. to refurbish the existing sign located on the North end of Sailboat Bridge. Bottoroff reported that Phil Endicott of Phil's Ornamental Iron was the original creator of the existing sign. The Staff made reached out to Endicott to see if he would be interested in refurbishing the existing sign and to provide a price estimate as such. Endicott submitted an estimated statement to the Staff that included the following:

- ✓ Remove the old sign
- ✓ Retain the existing 6" center post
- ✓ Make new sails, and
- ✓ Use stainless steel material along the top and sides of the sign

for a price not to exceed \$34,000. Bottoroff reported that the city crews will disassemble portions of the existing signs which would lessen the expense some. Mr. Dave Helms addressed the Council to report that he served on the Council at the time of the original creation of this project, and that he strongly expressed his support for the sign refurbishing. Dyer made the motion to authorize Phil's Ornamental Iron to refurbish the existing sign located on the North end of Sailboat Bridge as presented and discussed. Seconded by Thomas. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.

Devitt then opened the floor for discussion with respect to a request for approval to relocate the Rotary Park playground equipment located on the South side of the existing splashpad to the open area located north of the splashpad and restroom facility. Bottoroff reported that this project has been discussed in previous City Managers report with the Council. The crews has built a berm around the area in hopes to detour the water, however the area is so low that water comes from all directions. Bottoroff noted that the property to the North side is at a higher elevation, relocating the playground equipment to that area will alleviate the standing water issues while still providing a safe area for parents to observe their children playing. Building & Grounds Superintendent, Craig Criger was present to entertain questions and comments from the Council. Henderson made the motion to authorize the relocation of the Rotary Park playground equipment as presented and described along the existing splashpad. Seconded by Dyer. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Notion carried.

Devitt opened the floor for discussion with respect to a potential partnership with the Humane Society of Grove and Grand Lake regarding construction of a new Animal Shelter facility. Bottoroff reported that the timing for this project is idea considering the City's existing facility is in bad condition and is not worthy of investing a lot of money for extensive repairs. Bottoroff added that funds are included in the 2021-2022 Capital Outlay budget for the design plan and cost estimates of a new facility to be relocated at the Public Works facility. Michelle Norwood addressed the Council to entertain any questions and comments along with Police Chief, Mark Morris. Henderson made the motion to authorize the Staff to initiate the partnering process with the Humane Society of Grove and Grand Lake, LLC for the construction of a new proposed Animal Control facility. Seconded by Dyer. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Notion carried.

Devitt opened the floor for discussion with respect to approval of the following two (2) Change Orders to the 2021 Grove Street Rehabilitation Plan:

1. Change Order No. 1 – \$5,285.00 – Bottoroff reported that this change order is for a culvert installation along Sumac Road. Thomas made the motion to approve the change order as presented and discussed. Seconded by Henderson. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Notion carried.
2. Change Order No. 2 – \$23,353.75 – Bottoroff reported that this change order is for the subgrade undercut for Sumac Road. Dyer made the motion to approve the change order as presented and discussed. Seconded by Henderson. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Notion carried.

Devitt opened the floor for discussion with respect for two (2) separate Resolutions regarding the Coronavirus Local Fiscal Recovery Funds for Non-Entitlement Units of Government American Recovery Plan Act (ARPA Funds) to:

1. Authorize the acceptance of the funds, agree to comply with all APRA regulations and authorize the Mayor to execute all of the necessary agreements and related documents.
2. Create a Stand-Alone American Rescue Plan Act Fund (ARPA) to track revenues and expenditures in accordance with any and all applicable laws, and regulations that apply.

Thomas made the motion to approve the Resolutions as presented and discussed by Bottoroff and Allred. Seconded by Dyer. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Notion carried.

Dyer made the motion to approve a Resolution approving a budget amendment to the City of Grove Capital and General Fund and establishing a budget for the new American Rescue Plan Act (ARPA) Fund. Seconded by Henderson. Thomas made the motion to approve the Resolution as presented. Seconded by Dyer. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Notion carried.

Devitt opened the floor for discussion with respect to approval of a request from Blue Label Bartending to sell beer at Wolf Creek Park and Boating Facility during the BassPro Shop's Johnny Morris Outdoors Fishing

Tournament. Chamber of Commerce Director, Donnie Crain addressed the Council to report that this event would consist of 250 (2 participants per boat) teams which is equivalent to be 500 people plus spouses and family members that will be needing lodging, restaurants and fuel plus miscellaneous vending. Crain estimated the sales tax impact from event could have would be approximately \$150,000. Sharie Cox – Grove Royal Liquor addressed the Council to report that Blue Label Bartending was tentatively scheduled to cater this event but due to their liquor license restrictions they will not be able to fulfil their obligation. Cox noted that the event coordinator has contacted her to see if she will partner with their event to sell and service the public and the VIP quest. Cox reported that the entire area will be fenced, and that a secondary boundary would be created for the alcohol area as required by the City of Grove policy. Cox added that she is in the process of getting all of the required permits from the Oklahoma State ABLE (Alcoholic Beverage Laws Enforcement) Commission. Cox entertained questions, comments and concerns from the Council and Staff. Police Chief, Mark Morris assured the Council that he would have adequate Staff on hand for this event. Henderson made the motion to approve the request from Sharie Cox – Grove Royal Liquor to sell beer at Wolf Creek Park and Boating Facility during the BassPro Shop’s Johnny Morris Outdoors Fishing Tournament contingent upon all required permits are obtained from the State of Oklahoma ABLE Commission. Seconded by Thomas. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.

Devitt opened the floor for discussion with respect to approval of two (2) separate Resolutions amending the City of Grove Personnel Procedures and Policy Manual and Substance Abuse Policy regarding Post-Accident Testing as follows:

1. Approve Resolution amending the City of Grove Personnel Procedures and Policy Manual Section 2-17.3 Post Accident Testing – Thomas made the motion to approve the Resolution as presented and discussed by Bottoroff. Seconded by Henderson. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.
2. Approve Resolution amending the City of Grove Substance Abuse Policy Section 7.f Post Accident Testing – Dyer made the motion to approve the Resolution as presented and discussed. Seconded by Henderson. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.

Devitt opened the floor for discussion with respect to a Resolution regarding selecting a Bridge Inspector for the April 1, 2022 to March 31, 2024 contract to comply with the National Bridge Inspection Standards for the City of Grove. Bottoroff reported that the City of Grove is responsible for the maintenance, safety and inspection of five (5) bridges located within the corporate limits. ODOT has provided the City with four options regarding the selections of qualified engineering firms for this project. Bottoroff reported that it is Staff recommendation that the City adopt Option 3 and use the same contractor as Delaware County which is Guy Engineering of Tulsa, OK. Thomas made the motion to approve Resolution selecting Guy Engineering as the City of Grove Bridge Inspector in accordance to ODOT. Seconded by Henderson. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.

STAFF REPORT:

Bottoroff reported that as of November 1, 2021, Oklahoma State Bill 838 becomes effective which will allow the City of Grove to create a Public Safety Protection District. The bill will provide an option for municipalities to seek an alternative revenue source for vital service of public safety. The bill requires 60% approval by the voters to create the Public Safety District. If approved, an annual assessment of no greater than five (5) mills will be assessed on the property in the district within municipal boundaries. Bottoroff added that the proceeds can be spent on operation and maintenance of the district, including expenses related to purchasing and maintaining public safety equipment, payment of salaries and benefits of city employees who provide law enforcement and /or fire protection of public safety services within the district, and municipal expenses related to housing prisoners. Bottoroff noted that if the Council was in favor of this project, the Staff would research the process of getting it on the ballot for a City Special Election, and the proposition out for public awareness.

Bottoroff added that the clean-up along the Sailboat Bridge approaches has been re-scheduled for the week of October 18-22 to allow ODOT to complete their ongoing asphaltting projects.

Douthit updated the Council on the following ongoing projects:

- 2021 Street Rehabilitation Project has approximately three (3) weeks before completion.
- Sports and Recreation ballfields drainage construction should be completed by this Friday.
- Continual equipment delivery problems with delays

EXECUTIVE SESSION:

At 7:15 PM Dyer made the motion for the Council to recess into an Executive Session for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or creation of a proposal to entice a business to locate within the jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business, pursuant to Title 25 O.S. Section 307.C.11. (Economic Development Proposal) to include participation from Debbie Bottoroff, Donnie Crain, Teresa Poindexter and Marc Newman. Seconded by Thomas. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.

At 8:39 PM Dyer made the motion for the Council to come out Executive Session with no action taken. Seconded by Thomas. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.

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

At 8:40 PM Thomas made the motion to adjourn. Seconded by Dyer. AYE: Thomas, Henderson, Dyer and Devitt. NAY: None. Motion carried.