

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, AUGUST 2, 2022
6:00 PM
MINUTES**

The Grove City Council met in regular session on Tuesday, August 2, 2022 at 6:00 PM with Mayor, Ed Trumbull presiding. Members present were Steven Thomas, Marty Dyer, and Ivan Devitt. Members Matt Henderson 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.

Devitt made the motion to approval the minutes from the July 19, 2022 regular meeting. Seconded by Thomas. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.

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

Trumbull opened the floor for discussion with respect to granting Public Service Company of Oklahoma (PSO) the right, privilege, and non-exclusive franchise for twenty-five (25) years to build, equip, maintain, extend, own and operate a system for the manufacture, transmission, distribution, sale and control of electricity and communications circuits for itself and others. Public Service Company of Oklahoma (PSO) Michael Gordon – External Affairs Manager addressed the Council with a presentation detailing the power for Grove’s next generation and service to Oklahoma highlighting the following components:

- PSO – Service to Oklahoma the history of and years of service
- Facts – PSO by the numbers of 24,072 of distribution miles and 3,785 transmission miles
- PSO Leadership
- Franchise process, reasoning, and benefits
- Customer satisfaction
- Accountability – rates and service
- Reliability – Outage responses
- Creating the Smart Grid - benefits and advanced technology
- Storm preparedness
- PSO newest wind facility, and
- Partnership – giving back to the community

Gordon introduced and discussed with the Council the proposed Franchise Ordinance that entailed a new funding option for the City of Grove at a cost average of \$2.00 per residential customers/per month:

Section 10 – which states that in addition to the monthly franchise fee provided in the proposed Ordinance, PSO will also pay to the City of Grove a separate community enhancement fee of one percent of PSO gross receipts from the delivery, and if applicable, the sale of electrical energy within the city’s corporate limits, payable at the same time as specified in the Ordinance for the payment of the franchise fees, and

Section 11 – PSO must pay to the City of Grove a community enhancement fee as required by Section of one percent of PSO’s gross receipts received from the delivery, and if applicable, from the retail sales of electric power and energy within the incorporated limits of the City of Grove.

Gordon then reported that the franchise extension will require a vote of the residents, therefore a Special Election will need to be called by the City Council. Gordon respectfully requested that the Council review the proposed 2023 Statutory Election Dates and Deadline calendar with the Delaware County Election Board for consideration of scheduling a date for this event. Gordon respectfully suggested that Tuesday, January 11, 2023 be considered because the franchise agreement would be the only item on the ballot, therefore would eliminate the possibility of a conflict with any possible controversial subject. Gordon assured the Council that PSO will assume all cost associated with the filing and calling of this election. Gordon then opened the floor to entertain questions, comments and concerns from the Council, and Staff. Dyer expressed his opinion against the insertion of Section 10 & Section 11 for it might appear deceiving to the public therefore, he would be in favor of omitting both sections from the proposed Ordinance and entertained discussion from the remaining council members and staff. Trumbull then opened the floor for:

Consider approval of an Ordinance Granting PSO the Franchise – Thomas made the motion to approve the Ordinance to include the omitting of Section 10 and Section 11 as presented and discussed. Seconded by Dyer. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.

Consider approval of a Resolution calling for a Special Election – Thomas made the motion to approve the Resolution calling for a Special Election for an approved scheduled date of Tuesday, January 10, 2023. Seconded by Dyer. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.

Consider approval of a Special Election Proclamation and Notice – Thomas made the motion to approve the Special Election Proclamation and Notice as presented and discussed. Seconded by Dyer. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to a Resolution authorizing the submittal of an application to the Oklahoma Department of Transportation for use of the Transportation Alternatives Program funds for creating the GROVE BIKE/PEDESTRIAN IMPROVEMENT PLAN and authorize the mayor to sign the application and other documents associated with the grant. Bottoroff reported that this is an 80/20 grant with an application deadline of 09-21-2022. Bottoroff added that the Staff is creating a sidewalk / right-of-way inventory to determine the most responsible location for the project. Devitt made the motion to approve the Resolution authorizing the submittal of application to the Oklahoma Department of Transportation as discussed. Seconded by Dyer. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to a Resolution authorizing the submittal of an application to the Oklahoma Department of Commerce for use of the Oklahoma Energy Efficiency Lighting Retrofit Program to retrofit city owned streetlights located North of Leisure Lane on Highway 59 and Sailboat Bridge from sodium vapor to LED and authorize the mayor to sign the application and other documents associated with the grant. Bottoroff reported that PSO provided an energy audit and estimated a savings of 17,063 kwh's per month which is approximately a 50% cost savings. Bottoroff added that the deadline for this application is 08-31-22. Devitt made the motion to approve the Resolution as presented and discussed. Seconded by Thomas. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.

Trumbull the opened the floor for discussion with respect to an Ordinance amending Part 4: Animals, Chapter 1: Animal Regulations particularly Section 4-103 Keeping, Care and Control, Subsection B. of the City of Grove, Oklahoma, Code of Ordinances by adding regulations allowing backyard chickens. Bottoroff reported that with today's economy, the Staff has been receiving numerous inquiries regarding the regulations of allowing laying hens inside the city limits. Staff has researched how other cities and towns regulate the care and control of backyard chickens and incorporated that information into the proposed Ordinance. The Council discussed the meaning of a 'Chicken' as described as 16 weeks of age or older and concluded that it

would be difficult to regulate that restriction. Thomas made the motion to approve the Ordinance as presented with the omitting of:

'Only chickens 16 weeks of age or older are allowed...'

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

Trumbull opened the floor for discussion with respect to an Ordinance repealing and replacing Ordinance No. 814 and amend Chapter 5-5 of the City of Grove Zoning Ordinances by adding regulations and dedicated locations for shipping container hubs. Bottoroff reported that shipping hubs are becoming increasingly popular, and when developed properly can add a unique destination attraction to the community. Bottoroff added that there are no immediate applications for this project, but the Staff wanted to have the language and restrictions in place should there ever be an inquiry. Bottoroff noted that the Planning and Zoning Commission met and approved this upon recommendation to the Mayor and City Council. Devitt made the motion to approve the Ordinance as presented and discussed. Seconded by Dyer. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Ordinance repealing and replacing Ordinance No. 694 known as the Grove Hotel Tax Ordinance adding definitions of individuals and entities that are eligible to be appointed by the mayor and approved by a majority of the Council to serve as members of the Grove Convention Tourism Bureau. Bottoroff reported that the proposed Ordinance expands the eligibility definitions by adding three additional entities to have representation to the Convention Tourism Bureau as follows:

"Professional Development Business" shall mean an individual or an entity that engages in professional business development activities and solicitation of new business prospects.

"Restaurant" shall mean a local business that prepares and serves food and drinks to customers. Meals are generally served and eaten on premises, but many restaurants also offer take-out and food delivery services.

"Tourist Retail Business" shall mean any local business with an inventory of fifty-one percent (51%) or more that caters to lake tourists and visitors. The business offers supplies/services geared toward boating, fishing, hunting, camping, water recreation, lake gear, including but limited to shops, boutiques, ship stores, marinas, etc.

Dyer made the motion to approve the Ordinance as presented and discussed. Seconded by Thomas. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.

EXECUTIVE SESSION:

Trumbull announced that regarding 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). No action needed.

At 7:20 PM Devitt made the motion to adjourn. Seconded by Thomas. AYE: Thomas, Dyer, Devitt, and Trumbull. NAY: None. Motion carried.