**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, MAY 19, 2015**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, May 19, 2015 at 6:00 PM with Vice-Mayor Ed Trumbull presiding. Members present were Don Nielsen, Marty Dyer and Ivan Devitt. Member Marty Follis was absent. Also present was City Manager, Bill Keefer; Attorney, Brandon Watkins; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

Devitt made the motion to approve the minutes from the previous meeting. Seconded by Nielsen. AYE: Nielsen, Devitt and Trumbull. Dyer abstained. NAY: None. Motion carried.

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

At 6:07 PM Dyer made the motion to open a Public Hearing to take input on a proposed permit Ordinance (Non-Exclusive Franchise) for Northeast Rural Services, Inc. d/b/a Bolt Fiber Optic Services authorizing the use of public right-of-ways to construct and maintain a fiber optic system within the City of Grove, Oklahoma. Manager of BOLT Fiber Optic Services – Sheila Allgood addressed the Council to report that Northeast Rural Services, Inc. (NRS) is an Oklahoma corporation and subsidy of Northeast Oklahoma Electric Cooperative, Inc., and Oklahoma Electric Ccooperative. NRS conducts operations through its BOLT Fiber Optic Services division, its RECtec Technology and Communications divisions, and also a right of way division. NRS, through its RECtec division, has been a part of the technology services world for over 15 years. RECtec currently provides dedicated broadband internet service to schools, libraries, hospitals, businesses and enterprise customer along 300 miles of fiber plant in Oklahoma. The RECtec division also manages, engineers, and consults on data networks including Wi-Fi LAN solutions, routing, switching and server integration. RECtec is an authorized Motorola and Kenwood two-way radio dealer specializing in providing the most reliable two-way radio communications and public safety radio services to their customers. NRS, through its BOLT division, is currently expanding its fiber optic network to cover a major portion of the 1,558 square miles of the rural area in northeast Oklahoma. The fiber deployments will pass 31,273 households and 1,133 businesses. BOLT plans to offer ultra-high speed broadband with speeds reaching 1 gigabit to residents and businesses in its service area. The service will be offered through a GPON fiber-to-the-home infrastructure incorporating a 1x32 optical split with dedicated fiber connections as required. Allgood added that NRS plans to operate its fiber optic system primarily within the Oklahoma counties of Craig, Delaware, Mayes, Ottawa, and Rogers. The voice telephony soft switch, internet, and video head end equipment used in NRS’s fiber optic system operations will be located in NRS’s office in Vinita, Oklahoma, collected with the Network Operations Center offering 24x7 technical support. Allgood introduced Operation Supervisor – Alex Mercado who assisting in entertaining questions, comments and concerns from the Council, Staff and participating audience. At 6:24 PM Devitt made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to approval of an Ordinance granting a permit to Northeast Rural Services, Inc. d/b/a Bolt Fiber Optic Services to construct and maintain a Fiber Optic System within the City of Grove, Oklahoma. Keefer reported that the key components of the proposed Ordinance are as follows:

* The term if the permit will run from the date of approval and subsequent publication to September 30, 2021.
* The permits grants a non-exclusive authority to use the right-of-way for their system.
* Outlines compliance with the relevant federal communications laws pertaining to video programming/cable TV.
* Allows for one drop and free basic cable service to each public building if the building is within 150’ of the system.
* Sets forth the construction standards and requirements to repair streets and property.
* Provides that they will maintain their system and be responsive to customers.
* Provides requirements for insurance and indemnifications of the City of Grove, and
* Identifies the permit fee of 3% of grantees annual gross video programming revenues.

Dyer made the motion to approve the Ordinance granting a permit to Northeast Rural Services, Inc. d/b/a Bolt Fiber Optic Services to construct and maintain a Fiber Optic System within the City of Grove, Oklahoma. Seconded by Devitt. AYE: Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to approval of an Ordinance amending Part 8, Health and Safety, Chapter 2, Trash and Weeds of the Code of Ordinances of the City of Grove, Oklahoma. Bottoroff reported that currently the City codes allows for hay harvesting on undeveloped property that is 20 acres more or less. The hay harvesting guidelines were established in 2010. The proposed Ordinance has been revised to read in a manner that is easier for the property owner to understand, and staff to enforce. Keefer reported that the only substance change of the Ordinance affects the hay harvesting regulations by:

* Increasing the distance required for the grass and weeds to be maintained at a maximum height of 12” between the property line and the public right-of-way from 25’ to 40’.
* Decreasing the distance required for the grass and weeds to be maintained at a maximum height of 12” between the property line and the public right-of-way from 25’ to 10’.

Keefer added that the Grove Fire Department spends many hours enforcing this code, and it becomes very difficult when the City of Grove has high weeds and grass to deal with themselves. Keefer added that the GMSA crew has stepped up in helping with that problem. The Council and Staff entertained questions, comments and concerns from Mr. Joe Nowlin of 2501 Baycrest Ave. Dyer reported that the vegetation shall be maintained not to exceed twelve inches (12”) in height within forty-feet (40’) from right-of-way and ten (10) feet adjacent properties. Dyer suggested that the bales of vegetation read the same. The Staff indicated no problem with that. Dyer made the motion to approve the Ordinance amending Part 8, Health and Safety, Chapter 2, Trash and Weeds of the Code of Ordinances of the City of Grove, Oklahoma as presented and discussed to include the amendment to the bales of vegetation as suggested. Seconded by Trumbull. AYE: Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Dyer made the motion to approve the Emergency Clause pertaining to the above-mentioned Ordinance. Seconded by Devitt. AYE: Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to approval of a Resolution adopting a Citizen Participation Plan for the City of Grove, Oklahoma. Trumbull asked that the following amendment be made prior to approval:

Paragraph A: …by low and ~~moderation~~ moderate income…

Dyer made the motion to approve the Resolution as presented and amended. Seconded by Devitt. AYE: Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

**CITY MANAGERS REPORT**:

Keefer reminded the Council of their Budget Work Session scheduled for Thursday, May 28th @ 4:00 PM.

**WARD REPORTS**:

Dyer reported that Grove is a great place to live, and that it displays family togetherness.

**EXECUTIVE SESSION**:

At 6:57 PM Devitt made the motion for the Council to recess into Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of and individual salaried public officer or employee, pursuant to Title 25 O.S. Section 307.B.1; City Manager Bill Keefer to include an invitation to Keefer to participate in the session. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

At 7:32 PM Nielsen made the motion to come out of Executive Session with no action taken. Seconded by Dyer. AYE: Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion regarding Agenda Item E.1 above. Dyer made the motion to extend a one year contract to Bill Keefer as City Manager upon the following amendments:

* Increase the severance pay in such an amount equal to compensation for a period of 8 months from the previous 7 months
* 2% pay increase subject to the budget

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

At 7:37 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.