**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, JUNE 16, 2015**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, June 16, 2015 at 6:00 PM with Mayor Marty Follis presiding. Members present was Ed Trumbull, Don Nielsen, Marty Dyer and Ivan Devitt. 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.

**PUBLIC COMMENTS**:

Jo Martin addressed the Council to remark on the statement made by Debbie Bottoroff during the recent Planning & Zoning meeting that was held on Tuesday, June 9th. Martin noted that Bottoroff indicated that 22 letters were sent out for the Special Use Permit hearing and that 13 of them were noted as “weekenders”. Martin added Bottoroff reported in the meeting that of all the speakers who addressed the P&Z Board, 7 of them were in favor and 7 were against the permit. Martin noted that she obtained a copy of the ‘Sign-In” sheet from the meeting, and she counted 11 that spoke against and 8 was in favor.

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

Trumbull made the motion to approve the minutes from the May 28, 2015 special meeting. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

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

At 6:12 PM Dyer made the motion to open a Public Hearing to take input and comments on a proposed rezoning of a tract of property from C-3, Highway/Recreational Commercial to I-1, Light Industrial; owned by the City of Grove, Oklahoma and located at the Grove Municipal Airport. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Bottoroff reported that per the Oklahoma State Statutes, proper notice was provided to the Public, particularly property owners within a 300’ feet radius of the property under consideration for rezone. A total of fifteen (15) notices were sent with only two (2) property owners responding ‘in-favor’ of the request, no other responses were received. The Planning and Zoning Commission held a Public Hearing regarding the rezoning of this property on June 9, 2015, and after input from the public, the P&Z Commission made a recommendation to the Mayor and City Council to approve the rezoning request.

At 6:15 PM Devitt made the motion to close the Public Hearing with no other public comments to be heard. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an Ordinance rezoning a tract of property owned by the City of Grove, Oklahoma and located at the Grove Municipal Airport, from C-3, Highway/Recreational Commercial to I-1, Light Industrial. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to approval of a Special Use Permit for 1101 Dogwood Drive, Grove, Oklahoma allowing for this property to be used as a Vacation Rental Home (VRH) subject to the issuance of a VRH permit as provided for in Chapter Five of the City of Grove’s Zoning Regulations. Bottoroff reported that the property owners of 1101 S. Dogwood have taken the first step in the process by submitting an application for a Special Use Permit to use 1101 Dogwood, as a VRH. The property owner are not requesting nor will they be allowing to use the property to conduct any type of commercial business at that location. The occupants of the property will have the same rights and be allowed to use the residence in the same manner as all the other residences located within Honey Creek Village. The occupants will use the property for residential accommodations, they will eat, sleep, shower, entertain family and friends, etc. After following the proper notice requirements including publication in the local newspaper, posting of a sign on the property and notifying in writing the property owners within 300’ of the 1101 Dogwood, the Planning and Zoning Commission held a Public Hearing on June 9, 2015, and during the hearing, some neighbors in Honey Creek Village commented that using 1101 Dogwood as a VRH is a commercial venture. Bottoroff added that 22 property owners were notified in writing; five written responses were received indicating 4 in favor and 1 against allowing the property to be used as a VRH. Bottoroff noted that following the public hearing, the P&Z Commission took action to make a recommendation to the Mayor and City Council to approve the Special Use Permit. The Council and Staff entertained questions, comments and concerns from the following individuals:

* Bob Huggins – opposition against the application
* Bob Troppman – opposition against the application
* Tammy Sink – opposition against the application
* Paul Stattel – opposition against the application
* J. P. Martin – opposition against the application
* Tim Chrislip – property owner

After approximately 20 minutes of discussion from the Council, Staff and participating audience, Trumbull made the motion to approve the Special Use Permit for 1101 Dogwood Drive, allowing the property to be used as a VRH subject to the issuance of a VRH permit. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to a Resolution approving the proposed 2015-2016 Fiscal Year Budget. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve a Resolution scheduling a Public Hearing for 6:00 PM on July 7, 2015 to take input and comments on a request to close a portion of a public way located behind 207 E. 9th Street, Grove, Oklahoma. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve an agreement with the Oklahoma State Tax Commission to collect the Hotel Tax that takes effect on July 1, 2015. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to approval of an Ordinance amending Part 5, Chapter 5 of the Code of Ordinances of the City of Grove, Oklahoma, relating to Mobile Storage Containers and Temporary Portable Onsite Storage Containers. Bottoroff reported that the City Council discussed this item in a previous meeting several months ago. The Planning & Zoning Commission discussed this proposed Ordinance at their June 9, 2015 meeting, and approved for recommendation to the Mayor and City Council. Devitt made the motion to approve the Ordinance as presented. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to approve a Resolution amending the 2014/2015 GMSA Capital Fund and the 2014/2015 GMSA Debt Service Fund. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to authorize the Staff to solicit bid proposals for purchasing card services from local banking institutions. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to authorizing the designation of O’Daniel Street between Highway 59 and Main Street as an alternate truck route and for the placement of signage designating the same. Keefer reported that at the last meeting, Councilman Devitt requested that the City look at installing truck route signs to direct truck traffic along O’Daniel Street. Keefer added that the City can’t enforce a designated truck route because of the state highway but in turn would hope that trucks would voluntarily use the alternative route. Keefer noted that the Staff has visited with the Oklahoma Department of Transportation (ODOT) in regards to the signage and whether they would allow the placement of these signs along state highway right-of-way. However; the signs would need to be ‘non-regulatory’ in appearance and would probably be allowed but would need to be approved by the District Engineer along with their locations. The Council and Staff entertained questions, comments and concerns from the following individuals:

* Dr. Larry Stout and
* Robert Plunk

Devitt made the motion to approve the designation of O’Daniel Street between Highway 59 and Main Street as an alternate truck route and for the placement of signage designating the same. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an Agreement with Hance Pyrotechnics for the July 3, 2015 Celebration Fireworks Display. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**CITY MANAGER REPORT**:

Keefer reported that he has visited with State Representative, Doug Cox in regards to possible funding from the Oklahoma Department of Transportation for the Wolf Creek Phase III project. Cox indicated that he would update the Staff on any development.

Keefer added that he anticipates an update from Retail Strategies at the next City Council meeting.

Keefer noted that the Staff has received notification from the Seneca Cayuga’s that they are preparing to place their property adjacent to the Stone Brook Inn along Highway 59 in the Non-Gaming Trust.

Devitt asked about the error from the Delaware County Treasurer offices pertaining to the computation of the Vehicle Tax distribution. Keefer reported that Delaware County will be reimbursing the City of Grove approximately $22,235.93 over a period of 14 months.

**WARD REPORTS**:

Trumbull addressed Police Chief, Mark Morris about the upcoming Police Department – Youth Academy. Morris reported that this program is scheduled for July 13th from 8:00 AM to 3:00 PM. They are hoping to get it advertised on the radio. The program can accommodate up to 20 youths from the ages of 13-18.

Trumbull commented on the nice appearance of the new banners.

**EXECUTIVE SESSION**:

At 7:16 PM Dyer made the motion for the Council to recess into 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 to include an invitation to City Manager, Bill Keefer; Police Chief, Mark Morris and Assistant City Manager, Debbie Bottoroff to participate in the session. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 7:58 PM Nielsen made the motion for the Council to come out of Executive Session with no action taken. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve the contract with the Fraternal Order of Police - Grand Lake Lodge No. 171. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 7:59 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.