**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, JULY 7, 2015**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, July 7, 2015 at 6:00 PM with Mayor Marty Follis presiding. Members present were 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**:

Darrell Mastin addressed the Council to report on the recent July 3rd celebration event, and to express his personal thanks to the following individuals for their help and assistance to make this event a success again this year:

* City Council
* Buildings & Grounds Supervisor, Craig Criger
* Grove Police Department
* Jim Kreed, and
* Bill Liptik

Mastin reported that he had heard that there was about 3,500/4,000 people in attendance. Mastin presented a refund to the City of Grove in the amount of $4.10.

Carol Drake – Business Owner and resident of the City of Grove addressed the Council to respectfully ask if the City had a process of tracking businesses to see if they were paying their sales tax accordingly to the Oklahoma Tax Commission. Keefer reported that the Staff has internet access to that confidentially information, and that they can review information either by the business name and / or their tax identification number possibly. Keefer directed Ms. Drake to visit with City Treasurer, Lisa Allred.

Follis presented a plaque and certificate of appreciation to Jeff Shepherd as Employee of the Quarter.

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.

Nielsen made the motion to approve the minutes from the 06-30-15 special meeting. Seconded by Trumbull. AYE: Trumbull, Nielsen, Devitt and Follis. NAY: None. Dyer abstained. Motion carried.

Follis opened the floor for discussion with respect to approval of the purchase order register. Allred reported that she had one change of name in regards to PO #16-37745 from Liberty Pyrotechnics to Hance Pyrotechnics as per the contract approved by the Council. Devitt made the motion to approve the purchase order register as presented and amended. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:19 Dyer made the motion to open a Public Hearing concerning the advisability of an application to close a portion of a public way (alley) located behind Lot 2, Block 2, Rogers Addition (207 E 9th Street) Grove, Delaware County, Oklahoma. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Keefer reported that when this structure was built, a portion of the home encroached upon the platted public way (alley). The property owner is seeking action by the City of Grove to close only that portion of the public way upon which the encroachment exists. The City has contacted all entities by certified mail that have a franchise or utility permit authorizing them to do business within the City of Grove. Keefer added that the application is being made as part of the process to sell the property located at 207 E 9th Street. Keefer further noted that the only thing that is being closed is an approximate 2 foot by 36 foot portion on which the house was built. As to date, the City has not received any objections from the utility companies, and that the property owners will need to go through the same basic process through District Court. The Council and Staff entertained questions, comments and concerns from Tomi Wheeler. At 6:22 PM Devitt made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve an Ordinance closing a portion of a public way (alley) located behind Lot 2, Block 2, Rogers Addition (207 E 9th Street) Grove, Delaware County, Oklahoma. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the bid(s) received for gasoline/diesel supply for the 2015-2016 fiscal year. Vehicle Maintenance Supervisor, Dale Younger reported via Memo to the Council that the Staff advertised for bids for this item and received only one bid from Lakeland/Cleveland Petroleum of Grove, Oklahoma at $.05 cents per gallon over cost. The bid met all required specifications, and based upon their record of customer service and support, it is Staff recommendation that this bid be accepted. Nielsen made the motion to award the fuel bid to Lakeland Petroleum for the 2015-2016 fiscal year. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis then opened the floor for discussion with respect to the bid(s) received for limestone base rock and other filled material(s) for the 2015-2016 fiscal year. Bower reported that the Staff advertised for sealed bids for this project and received the following bid(s):

1. Kemp Stone – Fairland OK
   * Screenings $ 5.50 per ton
   * ¾ “ crusher run $ 6.40 per ton
   * 1 ½” crusher run $ 6.25 per ton
   * Type ‘A” aggregate base $ 6.95 per ton
   * 6” rip rap $10. 50 per ton
2. APAC – Central, Inc.
   * Screenings $ 6.05 per ton
   * ¾ “ crusher run $ 6.90 per ton
   * 1 ½” crusher run $ 6.90 per ton
   * Type ‘A” aggregate base $ 7.60 per ton
   * 6” rip rap $15. 50 per ton

Bower reported that it is Staff recommendation to award the bid to Kemp Stone of Fairland, OK. Dyer made the motion to award the bid to Kemp Stone for limestone base rock and other filled materials upon recommendation from the Staff. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis then opened the floor for discussion with respect to the bid(s) received for asphaltic materials for the first half of the fiscal year ending on December 31, 2015. Bower reported that the Staff advertised for bids for this supplier and received the following bids:

1. APAC - Central, Inc.:
   1. 1999 ODOT Specifications:
      1. Type A Hot Mix F.O.B. No Bid
      2. Type B Hot Mix F.O.B. $47.75 per ton
      3. Type C Hot Mix $50.00 per ton
2. Longan Construction Company:
   1. 1999 ODOT Specifications:
      1. Type A Hot Mix F.O.B. $51.50 per ton
      2. Type B Hot Mix F.O.B. $57.50 per ton
      3. Type C Hot Mix $62.50 per ton

Bower added that it is Staff recommendation that the Council accept both bids with APAC being the primary supplier of hot mix Type B&C, and the secondary supplier being Longan depending upon availability. Bower entertained questions, comments and concerns from the Council. Devitt made the motion to approve Staff recommendations and accept both bids with APAC being the primary supplier of hot mix Type B&C, and the secondary supplier being Longan depending upon availability. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the bids received for cutting and baling property owned by the City of Grove, Grove Economic Development and Grove Municipal Services Authority. Bottoroff reported that the Staff advertised for this project in May with no response received. A seconded request for bids was re-advertised in June and the following two bids were received:

1. Jack Lu - $300 – Grove Industrial Park
2. Mike Reed - $201 – Grove Industrial Park and North Olympus Cemetery

Bottoroff added that it is Staff recommendation to award the bid to Jack Lu in the amount of $300 for cutting and baling the Grove Industrial Park. Mike Reed was the only interested party that bid on the North Olympus Cemetery with a bid of $201.00, Staff determined the cemetery land is approximately 1/3 of the area that was bid by Reed. Therefore, Staff recommends awarding the bid to Reed in the amount of $67 (1/3 of the $201.00) for cutting and baling the North Olympus Cemetery. Nielsen made the motion to approve the bids for the cutting and baling of the Grove Industrial Park and the North Olympus Cemetery as recommended by the Staff. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the bids received for Employee Uniform Services. Bottoroff reported that the Staff advertised for bids for Employee Uniform Service, and that the following two bid vendors were received:

1. Clean Uniform, and
2. Cintas Corporation.

Bottoroff noted that to determine the best bid, staff created a spreadsheet showing both bids and the amount bid for each item. Bids were calculated the same for both vendors. Both vendors were the low bidder in various categories, the low bidder was determined based on the bid as a whole:

* Annual Rental Charges
* Purchasing T-Shirts
* Annual Miscellaneous Charges
* Set-Up Charge
* Annual Uniform Exchange Charge
* Annual Uniform Loss & Replacement Charge
* Annual Contract Service Charge
* Shop Towels, Mats, Dust Mops, and Soap
* Annual Shop Towels & Mat Replacement Cost

Bottoroff added that after reviewing the bids and comparing the samples provided, staff recommends awarding the bid to Cintas Corporation. Dyer made the motion to award the bid to Cintas Corporation for the Employees Uniform Services. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve a contract with Cintas Corporation for Employee Uniform Services. 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 August 4, 2015 at 6 PM to take input and comments on a request to close a portion of a Public Way (17th Street) as platted in the Elm Branch Addition, Grove, Delaware County, Oklahoma. 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 Project Engineers to move forward with the preparation of the bid documents for the Wolf Creek Project, Phase III. Keefer reported that the clock is running on the timeframe to get started on the Phase III improvements at Wolf Creek and get them completed prior to the Bass Master Classic in March 2016. The City has been working with OWC to get the documents lined up for their grant and are still awaiting word from ODOT on whether we will receive any funding. Staff has visited with Bond Counsel and Finance Advisor on options for financing the funding shortfalls for the project including a temporary construction loan to get the project started. Keefer noted that there has been a number of questions and concerns expressed as we move forward with the Phase III project pertaining to the design of the anchoring system for the new breakwater, tuning fork dock and the mooring dock. Keefer mentioned that if the Council is interested in exploring options for those items, then they could be removed from the rest of the project and bid in a separate bid package at a later date. Those items are not key components to the improvements that the City would like to have completed by March 2016.The Council and staff entertained, questions, comments and concerns from Tim McCrary, PE of Rose & McCrary, P.C. Devitt made the motion to authorize the Project Engineers to move forward with the preparation of the bid documents for the Wolf Creek Project, Phase III as presented and discussed. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve the annual school resource agreement with the Grove Public School District No. II for a one year term. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve the annual field use agreement with the Grove Public School District No. II for the use of Jim Beauchamp Field for a one year term. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve a one year term agreement with DOC Services, Inc. for services related to meal preparation and delivery and outreach programs for Grove senior citizens. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to approve an agreement with Grand Gateway for the Pelivan Transit Services for a one year term. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an agreement with the Community Crisis Center, Inc. for domestic violence and sexual assault programs and services for a one year term. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve a Resolution adopting a Sales Tax Incentive Policy for the General Commercial District (C-2) or the Downtown District. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve a Resolution amending Sections 2-3 pertaining to Employee On-Call Pay and 3-4 pertaining to Employee Work Hours, Overtime and Compensation Time of the City of Grove’s Personnel Policies and Procedures Manual. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor regarding appointment of member(s) to the Convention and Tourism Board. Keefer reported that at the June 2nd City Council meeting the Council appointed members to the new Convention and Tourism board and directed staff to advertise a second time for the two remaining positions representing the hotel industry. The Staff re-advertised and received application from the following individuals:

1. Brad Wisdom – General Manager of the Best Western, and
2. Hitesh Patel – Owner/General Manager of the Stone Brook Inn

The Staff would recommend the appointment of Wisdom to a two year term to the Board; Patel to a one year tem to the Board; and change the term of Wells to a three year term to the Board (from a one year term). Follis made the motion to appoint Brad Wisdom to the Convention and Tourism Board for a two year term. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Follis made the motion to appoint Hitesh Patel to the Convention and Tourism Board for a one year term, and change John Wells term appointment to a three year term. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve the amended Employment Agreement with Lisa Allred as City Treasurer as it pertain to a 2% compensation pay rate. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to notification from the Bureau of Indian Affairs for an application from the Seneca-Cayuga Nation for an “In Trust” designation for a tract of property located within the city limits of Grove. Keefer reported that the City has received notification from the Bureau of Indian affairs (BIA) of an application from the Seneca-Cayuga Nation for an ‘in trust designation’ for a tract of property they own. The tract is located south of the Stone Brook Inn motel along Highway 59. The application is for a ‘non-gaming’ designation. The Council and Staff discussed with item for approximately 15 minutes, and entertained questions, comments and concerns from the following individuals:

* Sheila Stogsdill
* Darrell Mastin

Dyer made the motion to direct the Staff to file for a thirty day extension to allow the Council ample time to fully review the application and the draft letter of response. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**CITY MANAGER**:

Keefer reported that he anticipates having a presentation from Retail Strategies at the August 4th meeting. Keefer suggested a possible workshop session one hour prior to the regular meeting time for this presentation.

Keefer added that the Staff has received notification that the new warning sirens are tentatively due to be delivered on August 22nd and that it would take approximately 10-11 days to get installed.

**WARD REPORTS**:

Follis asked about the status of the Civic Center parking lot repairs for the GLOC event that is scheduled this coming weekend. Criger mentioned that the parking lot light are working and that the Staff has completed some concrete patching work.

Follis asked about the signalization at Highway 10 and Shundi. Keefer reported that the City has placed 4 out of the 5 of the lights that need to be repaired in the budget.

Dyer asked when the Staff anticipates the re-surfacing of the Community Center parking lot. Keefer reported that he has a project budget meeting scheduled for later this week to prioritize each of the budgeted projects. Keefer indicated that he anticipates this project bid letting in late fall.

Dyer asked for a status update on the CNG Station. Keefer reported that he would get a report on the natural gas sales from Cindy by the next meeting. Keefer added that facility is getting great utilization.

At 7:24 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.