**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, AUGUST 4, 2015**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, August 4, 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**:

Mr. Willis Winder addressed the Council to report that recently the Oklahoma Supreme Court ruled that the State constitution expressly disallows any article or system of religion on public property. Winder reported that he has requested several times that the religious symbols be removed from the Grove Senior Citizens Center (Ten Commandments). Winder added that he has made this request to the City Manager and was denied. Therefore; he respectfully request that the Grove City Council direct the City Manager to fully comply with Section 11-5 of the Constitution of the State of Oklahoma and the Constitution of the United States.

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

Nielsen made the motion to approve the minutes from the special meeting of 07-28-15. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

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

At 6:10 PM Dyer made the motion to open a Public Hearing concerning the advisability of an application to close a portion of a public way located in the 1100 Block of West 17th Street as platted in the Elm Branch Addition, Grove, Delaware County, Oklahoma. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Keefer reported that this is part of the process to close a public way or easement, the City must hold a public hearing to take input and comments on the advisability of the application which in this case is to close a portion of the public way. In addition, certified letters were also sent out to all of the property owners located within 300’ of this property notifying them of the public hearing and the opportunity to comment on the application. The Staff also sent out certified letters to holders of franchises and utility permits notifying them of the application, and to date the City has not received any objections from the utility companies on the proposed closure. Keefer added that this process will need to go before the District Court in Jay, OK for final disposition. The Council entertained questions, comments and concerns from the following individuals:

* Pat Hollowell – resident of 1103 W 17th Street
* Attorney, Brandon Johnson – legal representative for the property owners

At 6:15 PM Dyer 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 located in the 1100 Block of West 17th Street as platted in the Elm Branch Addition, Grove, Delaware County, Oklahoma. Seconded by Devitt. 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 a draft letter was provided for review and consideration to the City Council at their July 21st meeting in regards to the Seneca – Cayuga application to place a 30 + acre tract of land in trust. This item was tabled at that meeting to allow for additional information to be provided to the City for inclusion in the letter. As of the preparing of the City Council packets, the City has not received that information. Darrell Mastin addressed the Council and Staff to report that he has received documentation from Plymouth, California spelling out their preliminary comments on an Indian tribal trust application in their location. Mastin outlined the similar issues they expressed as they related to the same issues the City of Grove is facing. Mastin added that additional information is forthcoming to him via US Postal service, and that he should be receiving that information anytime, and once received he will immediately set up a meeting with Keefer to discuss the various points of view for the letter. Mastin entertained questions, comments and concerns from the Council and Staff. Dyer made the motion to fully authorize the City Manager to use his discretion on the various “Points of View” on the information yet to be received from Mastin for inclusion in the response letter to the Bureau of Indian Affairs pertaining to the application from the Seneca –Cayuga Nation for an in-trust designation. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve the retail strategic plan from Retail Strategies as presented and discussed earlier this afternoon during the special City Council session. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve a Field Use Agreement with the Grove Public Schools pertaining to the use of the softball field located at Sports and Recreation Complex. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to approve an Audit Engagement Letter with Ober & Littlefield, CPAs, PLLC for audit services for fiscal year July 1, 2014 through June 30, 2015. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve a Resolution authorizing an application for a Rural Economic Action Plan Grant through Grand Gateway for the siren replacement project. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to appointing two members of the governing body to serve on a committee to review proposals for the position of City Attorney.

* Follis made the motion to appoint Ivan Devitt to the committee. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.
* Dyer made the motion to appoint Marty Follis to the committee. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**CITY MANAGER’S REPORT**:

Keefer confirmed with the Council that they all understood that the upcoming Wolf Creek Phase III project was to bid out in two separate components as land (site) and lake. The site project bid has been released for bid with the opening date of August 20th. Devitt mentioned that he has heard several complaints from residents of people parking and blocking the ramps.

At 7:23 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.