

**GROVE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, OCTOBER 20, 2015  
6:00 PM**

The Grove City Council met in regular session on Tuesday, October 20, 2015 at 6:00 PM with Marty Follis presiding. Members present were Ed Trumbull, Don Nielsen, Marty Dyer and Ivan Devitt. Also present was City Manager, Bill Keefer; Attorney, Darren Cook; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

**PUBLIC COMMENTS:**

Ms. Shirley Allen addressed the Council to report that her and husband recently attended the Pelican Parade and was somewhat disappointed when the Police Department informed them that they could not throw candy out to the parade audience. Allen noted that they asked the Officer if they could just hand the candy out and again was denied. Allen asked the Council if they would consider amending that policy. Follis reported that event is put on by the Grand Lake Association, and that any and all complaints should be addressed to them.

Allen then commended the Staff on the wonderful job they conducting on 16<sup>th</sup> Street. Allen asked for an update on 21<sup>st</sup> Street. Keefer reported that the construction repair would start from Highway 59 to the park entrance area.

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

Follis opened the floor for discussion with respect to appointment of three (3) Trustees to the Grove Economic Development Authority. Keefer reported that the Staff advertised for these vacancies and received letters of application from the following individuals:

- Ivan Devitt
- Ron Lay
- Thomas Clark, and
- Mike Lewandowski

Follis made the motion to re-appoint Ron Lay to the Grove Economic Development Authority Board. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis then made the motion to re-appoint Mike Lewandowski to the Grove Economic Development Authority Board. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis made the motion to appoint Ivan Devitt to the Grove Economic Development Authority Board. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer and Follis. NAY: None. Devitt abstained. Motion carried.

Follis opened the floor for discussion with respect to the Administrative Order for the cleanup and repair or demolition of a dilapidated structure located at 1508 80<sup>th</sup> Street NW. Bottoroff reported that on 08-19-15 an Administrative Order was issued ordering the property owner to pull a permit

within ten days, board and secure the property within fourteen days and complete the clean-up of brush, trees, limbs, etc. Bottoroff added that a remodel permit was issued on 08-31-15, minimal progress has been made on this project. Building Inspector, Calvin Igney addressed the Council to report that he went out to the site to reassess any progress and noted that some work has been completed but substantial more yet to be done. The carport has been secured to keep loiter out. Igney added that a good faith effort has been made on behalf of the property owner. Bottoroff added that Cheryl Moraski has advised the Staff that she does not have the funds to complete the project within the timeframe established by Council, and needs additional time. Bottoroff also added that according to the GMSA utility department there has been no water or gas service to the property since 10-15-2010. Moraski was present to entertain questions, comments and concerns from the Council. Bottoroff suggested to the Council that they consider granting Moraski an additional thirty days for a status update on Tuesday, November 17<sup>th</sup> City Council meeting. Follis made the motion to grant a thirty days to the property owner in order to allow her time to make a substantial code progress to the property located at 1508 80<sup>th</sup> Street NW. 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 4, Chapter 1 of the Code of Ordinances of the City of Grove, Oklahoma. Bottoroff reported that the proposed Ordinance adds/amends definitions of the City Code to comply with the federal regulation, more particularly "Service and Therapy" animals. It also adds wording to comply with the federal regulations determining what type of and when animals are allowed inside city owned buildings. Devitt made the motion to approve the Ordinance as presented and discussed. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

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

Follis opened the floor for discussion with respect to approval of a Finder's Fee Agreement with Tim Wofford for the Wolf Creek Pavilion. Keefer reported that several meetings ago, Mr. Tom Wofford addressed the City Council with a proposal to raise funds to construct a multi-use event pavilion at Wolf Creek Park. The general concept was that in return for raising a pre-determined amount of funds to construct the facility as well as sufficient funds to cover several years of maintenance and upkeep, he would be paid a "finder's fee" that equates to a percentage of the amount of the funds that he is required to raise. The City Attorney prepared an agreement that has been reviewed and amended several times by both parties. Keefer noted that the Council has been supplied with the latest draft that includes the proposed additions from Wofford highlighted in red. His revisions reflect his concerns and position that he has the exclusive authority to solicit sponsorships on behalf of the City, etc. The proposed draft is considered a "take it or leave it" proposal by Wofford. Keefer highlighted on the followings key points of interest of the contract:

- the agreement calls for Wofford to raise \$2.2 million
- fees to be 10% of the principal amount of the funds to be raised
- Wofford will not be paid in full until such time the \$2.2 million is raised
- Wofford is an independent contract therefore he cannot engage in any obligation or liabilities on behalf of the City
- there is an Exhibit "A" disclosure that spells out any parties that the City is currently engaged in a conversation regarding sponsorship of the facility
- the term of the agreement is for two years commencing on November 1, 2015

Mr. Wofford was not present to entertain the questions, comments or concerns from the Council, Staff and participating audience. The Council heard questions, comments and concerns from Chuck Perry. The Council and Staff continued detail discussion on the proposed agreement. The Council strongly expressed their personal concerns with Wofford not being present to answer questions, and

comments pertaining to this agreement. Dyer made the motion to decline the "Finder's Fee" agreement with Tim Wofford as presented and discussed. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to a recommendation from the Grove Municipal Airport Managing Authority selecting Garver Engineering as the Airport Engineer. Keefer reported that the Grove Municipal Airport Authority solicited RFQ's for engineering services. They received the following two responses:

1. Garver Engineering, and
2. Delta Airport Consultants

It is upon their recommendation that the City Council award Garver Engineering the airport engineer contract for the next five years. Engineer, Kelly Fincannon was present to entertain questions, comment and concerns from the Council. Trumbull made the motion to approve the recommendation from the Grove Municipal Airport Managing Authority, and award the Airport Engineering contract to Garver Engineering for an additional five year term. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis then opened the floor for discussion respect to the development of a public swim beach located at the West end of 98<sup>th</sup> Street. Keefer reported that the Staff has had several conversations with GRDA in regards to this project, and has indicated that they are open to working with the City on this project and again identified several requirements that would have to be met for this area to be used for that purpose. This would include a wetland delineation study similar to what the City contracted to have done around the Wolf Creek area as part of the GRDA's Shoreline Management Plan, which would cost an estimated \$7,000 / 8,000. In addition, there will need to be a survey conducted to locate the GRDA taking line, the county road right-of-way, and other property lines in this area along with elevations that identify the boundaries of the flowage easement, etc. Keefer added that the short term game plan would be to clear out the brush and debris as well as thin out small trees and prune the large trees to provide a beach area as well as parking. There would probably be a need to make some improvements to 98<sup>th</sup> Street and the adjacent parking area. The Council and Staff entertained questions, comments and concerns from the following individuals:

- Judith Read
- Craig Criger, and
- Chuck Perry

Trumbull made the motion to authorize the staff to continue tracking this project forward as presented and discussed. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to a request from the Southern Drag Boat Association (SDBA) for the City of Grove to Host a Drag Boat Race at Wolf Creek Park in June 2016. Keefer reported that the City has been approached by representatives of this organization to host this proposed event out at the Wolf Creek Park facility. This event would be over a three days period of time beginning on Friday evening and ending late Sunday afternoon around 5:00 PM. The goal for this first year event is to have 75-100 boats representing several racing categories. SDBA would organize and oversee the event. Their funding would come from entry fee, sponsors and gate fee (parking). They have requested from the City a number of in-kind services to assist with the event that includes:

- clearing brush and vegetation from the shore line to enhance the view of the race track
- provide ongoing security throughout the event including at the gate and periodic overnight patrols of the area
- provide two ambulances or one ambulance, and a fire rescue truck

- trash cans and dumpsters
- oil recycling barrels
- identify options for advertising
- barricades, cones and fencing
- survey on lake to sight in or identify the boundaries of the race tract, and
- a list of food vendor options

They would also like assistance to find a venue for their 'Show and Shine' event on Friday evening, and possible sponsors for that event as well as providing a VIP tent on site during the races. Keefer reported that the Staff is looking for some direction on several issues and a clear understanding of the event:

- the first and foremost will be the noise that is generated by the drag boats
- the second would be in regards to using the North parking lot and maybe some of the large parking lot depending upon the number of boats
- the third issue is the request to allow for consumption of beer in the spectators viewing area

Keefer noted that the Staff has met and reviewed their request for in-kind services and believe that most of them can be handled. The Civic Center could be utilized as a venue place for the Show and Shine but the securing of sponsorship's and the VIP tent would need to be covered by other sources. The Council heard comments and concerns from the following individuals:

- Chuck Perry, and
- Richard Allen

Dyer made the motion to authorize the Staff to proceed forward with the SDBA organization as presented and discussed. Seconded by Devitt. . AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**CITY MANAGER'S REPORT:**

Keefer asked the Council for an update on the laptop computers vs. the notebook packets. He informed the members that should they need additional apparatus to download the packet from their personal computer to their issued laptop to let the Staff know.

Keefer reported that in regards to the Wolf Creek Park – Phase II project, the old docks will need to be removed and / or relocated. Keefer asked the Council to be thinking about if they want to declare them as surplus equipment or relocate them.

At 7:26 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.