**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, SEPTEMBER 21, 2010**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, September 21, 2010 at 6:00 PM with Mayor Gary Trippensee presiding. Members present were Ed Trumbull, Larry Parham and Mike Davenport. Member Marty Follis was absent. Also present was City Manager, Bruce Johnson; Attorney, Dave Jones; Public Works Director, Jack Bower; City Treasurer, Lisa Allred and City Clerk, Bonnie Buzzard. Assistant City Manager, Debbie Bottoroff was absent.

**PUBLIC COMMENTS**:

Mike Yeary addressed the Board to report that during the recent construction of their new building located at the intersection of 260 & 623 Road, he had called in for all of the line locations as required by OKIE, and upon no acknowledgement to him, GMSA had installed a water meter on his lateral lines. Yeary reported that he has been in contact with Public Works Director, Jack Bower in regards to a solution to this problem, with no results. Yeary added that he had also visited with the following City/GMSA individuals in regards to his problem for a possible solution:

* City Manager / General Manager – Bruce Johnson
* City Council Representative – Mike Davenport
* Numerous other GMSA Employees:
  + Steve Brewer
  + Aston York, and
  + Jon Criger

Yeary directed inquiries towards, or sought answers from the Council and Staff in regards to this project. Attorney Jones intervened by strongly suggesting that the Council not respond to the questions due to possible litigation, and respectfully requested Yeary to direct all inquiries to him as the City of Grove Attorney. Yeary remarked to the Council and Staff that all of the phone conversations that were made between he and the above mentioned individuals were recorded.

Trippensee reported that while on vacation in Lincoln, Nebraska, he visited with a family who shared a story of how they lost their father in the Vietnam War. Years later, the daughter married and was unable to have children so she and her husband adopted a Vietnamese child. Trippensee reported that it is good to know that this Country can be so forgiving of others.

Trumbull made the motion to approve the minutes of the previous meeting as corrected. Seconded by Parham. AYE: Trumbull, Parham, and Davenport. NAY: None. Trippensee abstained. Motion carried.

Parham made the motion to approve the purchase order register. Seconded by Davenport. AYE: Trumbull, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding a request of street closings from Grand Lake Association for the ‘Pelican Festival’ event scheduled for Friday, September 24th and Saturday, September 25th. Johnson reported that the Special Event Permit Application for this event has been completed. GLA is requesting barricades to be placed at the following locations:

* Main & Broadway at City Hall site
* 4th & Broadway (East side of 4th)
* 4th & Main (West side of Main)
* 5th & Main (West side of Main)
* 5th & Broadway (East side of 5th)
* Grand & Main (South side of Main)
* Grand & Broadway (South side of Grand)

for Saturday, September 25th by 8:00 AM for the parade route which is starting on Broadway onto 3rd Street turning South on Main Street, and ending at the Civic Center. Davenport made the motion to approve the special event permit application submitted by the Grand Lake Association for the ‘Pelican Festival’ event. Seconded by Trippensee. AYE: Trumbull, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee made the motion to approve the signed agreement between the City of Grove and Barbara and Bill Kidwell pertaining to 21st Street. Seconded by Parham. AYE: Trumbull, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trumbull made the motion to approve a Resolution approving funding of categorical exclusion/exempt from release of funds publications from Grove, CDBG CDBO Housing Revitalization project. Seconded by Davenport. AYE: Trumbull, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Parham made the motion to approve a Resolution authorizing the Mayor of Grove, Oklahoma to sign letter of intent, certifications, contracts, and other miscellaneous documents enabling grant issuance and application for Federal FY 2011 State and Federal Aviation Apportionment Entitlement Funds for the Grove Municipal Airport Taxiway Rehabilitation (construction only) AIP #30-40-0035-015-2011. Seconded by Trumbull. AYE: Trumbull, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion with respect to amendment to Ordinance #603 pertaining to the hunting of whitetail deer with a bow and arrow by persons licensed by the Oklahoma Department of Wildlife Conservation and permitted by the City of Grove, Oklahoma during designated hunting season. Trumbull reported that after the passage of this Ordinance, he went online to research this project with other municipalities to compare similarities. Trumbull presented the following findings he felt were interesting points to be considered for this project:

1. …contiguous shall mean any adjoining property that shares a common property line (or point) with the lot on which the proposed hunt shall occur. Lots separated by streets, common areas, or other public thoroughfares shall not be considered contiguous.
2. Prior to discharging an archery device intended to be used for hunting, it shall be the hunter’s responsibility to permanently mark each arrow or other projectile with his or her City of Grove permit number.
3. It shall be unlawful for any person to discharge any archery device from across any street, sidewalk, road, highway or playground.
4. It shall be unlawful for any person to discharge an archery projectile, at or in the direction of any person, vehicle, dwelling, house, church, school, playground or building.
5. It shall be unlawful for any person to discharge an archery device within two-hundred (200) yards of any church, school, or playground. It shall be unlawful for any person to discharge an archery device within thirty (30) yards of any dwelling, building, structure, or vehicle, unless the hunter has previously received express authority to discharge the archery device within thirty(30) yards from the owner of the dwelling, building, structure, or vehicle. (Trumbull suggested including fifty (50) yards of a golf course)
6. No arrow or other projectile used to hunt deer pursuant to the Deer Control Policy may be discharged or projected at such an angle or distance as to land on public or private property other than the property on which the hunt has been authorized.
7. No arrow or other projectile used to hunt deer pursuant to the Deer Control Policy may be discharged or projected at such an angle or distance as to land within seventy-five (75) feet of any front-yard property line.
8. No arrow or other projectile used to hunt deer pursuant to the Deer Control Policy may be discharged or projected as such an angle or distance as to land within fifty (50) feet of any street or public-right of way.
9. All hunting shall be conducted from an elevated position that is at least ten (10) feet in height and faces the interior of the property. The elevated position (deer stand) shall be located in such a way as to direct arrows towards the interior of the property and to prevent any arrow from landing any closer than twenty-five (25) feet from any side or rear property line.
10. No hunting is authorized on tracts of land under one (1) acre in area, except that adjacent property owner may combine their parcels to satisfy the property line discharge restrictions contained in previous sections. All other provisions of the Deer Control Policy shall apply to combined lots.
11. It shall be unlawful for any person under the age of eighteen (18) years old to hunt within the city limits of Grove.
12. No person shall possess, consume or be under the influence of alcohol or any other controlled substance while engaged in hunting activities within the city limits of Grove.
13. Keep all bows cased to and from stands
14. Check In and Check-Out Procedures:
    1. Prior to occupying a deer stand to begin a hunt, the hunter must call in to the Police Department via the County Dispatcher and report full name, the registered deer stand number and the estimated duration of the hunt.
    2. Upon completion of hunting, the hunter must call the Police Department and report that they have finished hunting for the day.
    3. A hunter shall report the time, date, place and sex of any deer harvested by the hunter to the Police Department during normal working hours and within 72 hours.
15. A person exercising privileges granted pursuant to a City Permit shall there by voluntarily assume full responsibility for any risks of loss, property damages or personal injury, including death, caused or incurred by the hunter and shall indemnify and hold the City of Grove harmless from any such claims.
16. Notwithstanding any other provision contained herein, the City of Grove Police Chief shall retain the absolute discretion, subject to the enabling ordinance, to issue, deny, or revoke a City Deer Hunting Permit, or to limit or condition the same in any manner, for any reason or no reason.
17. Archery Skills Test: The skills test will be administered from a 10-foot elevated platform at a distance of 30 yards from a ground level target consisting of hay bales and a paper target.

Trumbull added that these changes may not necessarily require immediate action from the Council for this hunting season, however, he felt like they are strong points that should be considered as amendment to Ordinance #603 for the future. Davenport expressed opposition against some of the wording(s) as presented by Trumbull, but added that he agrees with several points as mentioned pertaining to:

1. Prior to discharging an archery device intended to be used for hunting, it shall be the hunter’s responsibility to permanently mark each arrow or other projectile with his or her City of Grove permit number.
2. Notwithstanding any other provision contained herein, the City of Grove Police Chief shall retain the absolute discretion, subject to the enabling ordinance, to issue, deny, or revoke a City Deer Hunting Permit, or to limit or condition the same in any manner, for any reason or no reason.
3. Archery Skills Test: The skills test will be administered from a 10-foot elevated platform at a distance of 30 yards from a ground level target consisting of hay bales and a paper target.

The Council discussed this item in detail with the Staff and participating audience. After much discussion, Trumbull made the motion to approve the amendment of Ordinance #603 to include the underlined items number 1-3 as mentioned above. Seconded by Davenport. AYE: Trumbull, Parham, Davenport and Trippensee. NAY: None. Motion carried.

**CITY MANAGERS REPORT**:

Discussion with respect to Oklahoma Department of Transportation awarding the City of Grove the Transportation Enhancement Tree Grant – Johnson reported that the City of Grove has been awarded a $25,000 grant from the Oklahoma Department of Transportation. Johnson reported that he would bring back before the Council a set of plans prior to implementing those funds.

At 7:14 PM Davenport made the motion to adjourn. Seconded by Parham. AYE: Trumbull, Parham, Davenport and Trippensee. NAY: None. Motion carried.