**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, JULY 20, 2010**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, July 20, 2010 at 6:00 PM with Mayor Gary Trippensee presiding. Members present were Ed Trumbull, Marty Follis, Larry Parham and Mike Davenport. Also present was City Manager, Bruce Johnson; Attorney, Dave Jones; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred and City Clerk, Bonnie Buzzard. Public Works Director, Jack Bower was absent.

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

Follis made the motion to approve the minutes of the 06-21-10 special meeting as corrected. Seconded by Trumbull. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

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

Trippensee opened the floor for discussion regarding an Ordinance amending Chapter 5 Special Conditions, Section 5-9.1 Industrial District Standards of the Zoning Regulations upon recommendation from the Planning and Zoning Commission. Bottoroff reported that the P&Z Board met and approved this Ordinance by a vote of 3-0, upon recommendation to the Mayor and City Council. Follis made the motion to approve the Ordinance amending Chapter 5 Special Conditions, Section 5-9.1 Industrial District Standards of the Zoning Regulations. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Follis made the motion to approve the Emergency Clause to the above-mentioned Ordinance. Seconded by Trumbull. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding an Ordinance amending Chapter 3 Uses Permitted in Districts and repealing and replacing the Permitted Use Table of the Zoning Regulations upon recommendation from the Planning and Zoning Commission. Bottoroff reported that the P&Z Board met and approved this Ordinance, by a vote of 3-0, upon recommendation to the Mayor and City Council. P&Z Member Rollie Cornelson addressed the Council to report that he had previously voted in favor of this Ordinance, however after further review of the Ordinance in its entirety, he concluded that the Ordinance as is presented, needs to be reconsidered, and if he had to vote on this item again today, he would vote to deny the Ordinance as to its current form. Judith Read, Chairman of the P&Z Board concurred with the statement made my Cornelson, and strongly suggested that the Council send it back to the P&Z Board for reconsideration. Bottoroff respectfully requested, that should the City Council send this Ordinance back to the P&Z Board, that it be sent back with some strong guidelines attached as to what the Council would like to see accomplished by this Ordinance. The Council also entertained comments and concerns from Business Owner, Larry Hestand. Trippensee made the motion to deny this Ordinance as to its current form, and to send it back to the P&Z Board for further review. Seconded by Davenport. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Discussion with respect to the Emergency Clause to the above-mentioned Ordinance. The Ordinance did not pass, therefore no was action taken.

Davenport made the motion to approve a one (1) year Lease Agreement Contract with DOCS Services Inc. for a said amount of $5,000. Seconded by Trumbull. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding a Resolution of the City Council of the City of Grove, Oklahoma regarding the proposed Delaware County Public Facilities Authority proposed financing plan and funding sources for expanded jail facility. Trippensee read the proposed Resolution in its entirety for public awareness. The Council entertained questions and comments from the following individuals:

* Bill Miller
* Judith Read
* Wayne Crouse

The Council and Staff discussed the proposed Resolution in detail. Parham made the motion to approve the Resolution as presented and discussed. Seconded by Follis. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding a contract for City Attorney services with Logan & Lowry, LLP. Attorney Jones reported that the City Manager has asked for a proposal from Logan & Lowry, LLP to serve the following roles:

1. City Attorney
2. City Prosecutor, and
3. Attorney for all public trusts for which the City is a beneficiary, including GMSA

Jones presented and discussed in detail the following two proposals:

1. Proposal One: To serve as City Attorney on the basis of the previous agreement, modified to include an additional role as City Prosecutor. Jones added that Logan & Lowry, LLP will serve the various roles of the City & GMSA (subject to GMSA approval) for a monthly retainers as described:
	1. City Attorney for a monthly retainer amount of $1,167.00
	2. GMSA Attorney for a monthly retainer amount of $583.00
	3. City Prosecutor for a flat rate of $2,000 per month
2. Proposal Two: For a flat-fee proposal, Logan & Lowry, LLP will charge a flat-rate of $9,000 per month to serve in the following roles:
	1. City Attorney
	2. City Prosecutor, and
	3. Attorney for all City public trusts, subject to approval

Jones added that with proposal two Logan & Lowry, LLP will devote up to thirty (30) hours per week necessary to complete these tasks. The time will not carry over, and any time incurred in addition to the thirty (30) hours per week would be billed at our normal hourly rate. The Council discussed the two proposals options with Attorney Jones and the Staff. Follis made the motion to approve the contract for City Attorney services with Logan & Lowry, LLP as described in proposal number two. Seconded by Trippensee. AYE: Follis and Trippensee. NAY: Trumbull, Parham and Davenport. Motion failed. No other action was taken.

Trippensee opened the floor for discussion regarding the ‘Request for Proposals’ for Solid Waste Collections. Johnson reported that the current sanitation contract will expire in November of this year. He respectfully asked the City Council if it would be their desire to seek ‘Request for Proposals’ for sanitation collection service for the City of Grove customers. Johnson presented and discussed a draft proposal that included the following four alternatives scenarios to the City of Grove contract:

1. Weekly Yard Debris Collection: Separate weekly yard debris collection between the months of April to October.
2. Additional Collection: Increased collection of residential customers from weekly to bi-weekly collections.
3. Automated Collection: Enter the additional or reduced amount per residential customer to provide automated residential collection in the City.
4. Spring Clean-up: Include the cost of labor, equipment, disposal fees and recycling fees/revenues to determine the increase when calculating your proposed rate modification.

The Council entertained questions and comments from the following individuals:

* Judith Read
* Bill Miller, and
* Wayne Crouse

After much discussion between the Council and Staff, Follis made the motion to authorize the Staff to advertise for ‘Request for Proposals’ for the Solid Waste Collections for the City of Grove. Seconded by Davenport. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

**WARD REPORTS**:

Trumbull expressed his concerns with the comments made in the Library Board notes in regards to the problem they are experiencing with Japanese beetles in the rose bushes.

Parham offered his assistance to the Planning and Zoning Board in regards to the modification of the proposed Ordinance to the Highway 59 Corridor revisions.

Davenport reported that since the repairs to Har-Ber Road appears to be complete; he respectfully requested the removal of the limestone surplus from the site. Johnson indicated that he would look into that project.

Trippensee opened the floor for a motion for the Council to enter Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, pursuant to Title 25 O.S. Section 307.B.1; City Attorney upon the advice of Attorney Jones. At 7:23 PM Davenport made the motion for the Council to recess into Executive Session as stated. Seconded by Trumbull. AYE: Trumbull, Parham, Davenport and Trippensee. NAY: None. Follis abstained. Motion carried.

At 8:01 PM Davenport made the motion for the Council to come out of Executive Session with no action taken. Seconded by Trumbull. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Discussion And / Or Action Regarding Agenda Item D.1 concerning the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, pursuant to Title 25 O.S. Section 307.B.1; City Attorney – Davenport made the motion to take no action. Seconded by Follis. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

8:04 PM Follis made the motion to adjourn. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.