**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, JULY 6, 2010**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, July 6, 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, Todd Kolczun; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

**PUBLIC COMMENTS**:

Mr. Ben Hynum addressed the Council to express his appreciation to them for allowing him to organize the entertainment again this year for the City of Grove Annual 4th of July event. Hynum extended his appreciation to all of the City of Grove employees who participated in making this event a success.

Mr. Bill Miller addressed the Council with an update on the recent actions taken from the Delaware County Commissioners in regards to the Jail Authority Sales Tax issue.

Ms. Judith Read addressed the Council to report that the legal description as described in Agenda Item #E-3 is incorrect, and to strongly suggest that the Council consider not recessing into Executive Session for that item as described.

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.

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

Trippensee presented a plaque and a certificate of appreciation to ‘Employee of the Quarter’ Ronnie Sue O’Herin.

Davenport made the motion to approve the FAA Project No. 3-40-0035-012-2008 Airport Master Plan update with the Grove Municipal Airport Grove, Oklahoma. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Davenport made the motion to approve the contract by and between Grand Lake Family YMCA and the City of Grove, Oklahoma as presented and discussed. Seconded by Trumbull. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Davenport made the motion to approve the amendment to the Grove Municipal Pool Policy to include the following change:

* Senior Citizen - $75.00 (65 years of age or older)
* Exception: July 3rd Celebration rental fee is $250 per hour, minimum ~~two~~ four hours.

Seconded by Follis. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding a Traffic Study Report for the City of Grove & Grove Public Schools around Grove Middle School Campus. Johnson reported that he has entered into discussion with Rose & McCrary pertaining to this project, and asked if they would prepare an engineering and land surveying report for this job. Engineer, Tim McCrary addressed the Council to report that this traffic study involves the streets around the Grove Public Schools Campus encompassed by 7th Street, 10th Street, Leisure Lane and Center Street, and involves the following four (4) different campuses in the that area:

* Middle School (MS)
* Upper Elementary (UE)
* Lower Elementary (LE), and
* Early Childhood Center (ECC)

McCrary addressed the Council, Staff and Audience with a power point presentation that detailed the following issues:

* Current conditions of the area
  + Morning drop-off
  + Afternoon pick-up
* Observations
  + Mornings
  + Afternoon
* Recommendations: (Grove Public School responsibilities)
  + School start / end times
  + Improve parking area between Upper Elementary & Middle School
  + Construction of new parking lot at Northeast corner of 8th and Center Street
  + Restrict access to maintenance drive East of Lower Elementary
  + Expand existing parking lot North of Early Childhood Center
* Recommendations: (City of Grove)
  + Change 7th, 10th and Center Street(s) to one-way traffic
  + Provide Signage & Signalization at Pedestrian Cross-Walks
* Recommendation: (Grove Public School & City of Grove)
  + Modifications to 7th Street North of Upper Elementary
  + Center Street improvements
  + Modifications to 10th Street South of Middle School
  + Modifications to 10th Street South of Lower Elementary School
  + Modifications to 10th Street South of the Early Childhood Center
  + Additional signage / striping / pavement removal

McCrary reported that the above recommendations will provide the greatest impact on pedestrian safety and traffic congestions around the school campus. These improvements should be coordinated closely between the Grove Public School(s) and the City of Grove, and that the following is the opinion of Engineer McCrary for probable costs associated with the recommendations as mentioned above:

**DESCRIPTION** **ESTIMATED. COST**:

Improve parking lot area between UE & MS $ 10,000

Construct new parking lot $ 25,000

Restrict access to maintenance drive $ 500

Expand parking lot at ECC $ 25,000

Additional parking changes to ECC $ 500

Change 7th, 10th and Center Streets to one-way $ 35,000

Provide signed, signaled & striped crosswalks $ 20,000

7th Street modifications at UE $ 8,000

Center Street Improvements $ 25,000

10th Street modifications at MS $ 12,000

10th Street modifications at LE $ 9,500

10th Street modifications at ECC $ 4,000

Additional signage / striping / pavement removal $ 8,000

Total Estimated Cost: $182,500

Total Estimated Cost w/contingency: $200,000

Sandy Harper – Superintendent of the Grove Public School addressed the floor to strongly express her appreciation for all of the efforts, and concerns that have been communicated between the Grove Public School and the City of Grove in regards to this project. Harper added that this project is greatly needed and, that she could honestly commit, due to budget restraints, to an estimated $30,000 towards this project. Johnson reported that this unexpected cost came to the city’s attention after the approval of the 2010-2011 fiscal year budget, therefore if any funds are to be depleted towards this project, it would need to be expended from the Capital Improvement Contingency Fund. Trippensee made the motion to approve the traffic study report for the City of Grove & Grove Public School as presented by Rose & McCrary, and to authorize the City Manager to negotiate each recommended cost estimate between the school and city. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Davenport made the motion to approve the Waiver of Conflict of Interest by the City Of Grove and Integris Health, Inc., that would allow Logan & Lowry, LLP to remedy certain claimed title defects on certain property located with the City of Grove pertaining to the vacation of a street or alleyway platted in the Original Town of Grove named ‘Mark Avenue’. Seconded by Trumbull. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

**CITY MANAGER’S REPORT**:

1. Discussion with respect to U.S. Highway 59 Overlay Project – Johnson reported ODOT has completed this project with only minor complaints from the businesses in regards to the parking lot re-striping.
2. Discussion with respect to sanitation and recycling services – Johnson reported that he is not prepared to address this subject at this time.

**WARD REPORTS**

Davenport reported that he has heard concerns in regards to the curbing in front of the Community Center. Suggestion has been made that the City paint them yellow for better visibility.

Trippensee asked for a motion for the Council to recess into Executive Session for the following:

1. Possible Executive Session concerning confidential communications between a public body and its Attorney concerning a pending investigation, claim, or action if the public body, with advice of its Attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, pursuant to Title 25 O.S. Section 307 B.4.; Vernon Boyce vs. The Incorporated City of Grove, Delaware County, Oklahoma, an Oklahoma Municipal Corporation and Bruce L. Johnson; Delaware County District Court. Attorney Kolczun reported that due to the fact that the agenda item states that the Council will be entering into executive session concerning confidential communications between the public body and its Attorney, and that the Attorney retained for this claim against the City of Grove is not currently present, therefore it would be his recommendation that the City not recess in Executive Session for this item. No action was taken.
2. At 7:41 PM Follis made the motion for the Council to recess into 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 Kolczun. Seconded by Davenport. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.
3. In regards to the purchase or appraisal of real property, pursuant to Title 25 O.S. Section 307.B.3.; the West 75 feet of Lot 1, Block 14, Original Town of Grove, Delaware County, Oklahoma and a part of Lot 1, Lot 1, Block 14, Original Town of Grove, Delaware County, Oklahoma, Attorney Kolczun addressed the concerns that were expressed by Ms. Read earlier in the meeting by noting that the agenda item clearly states the reasoning for the Executive Session, and that the added legal description as of the property is simple additional information above and beyond. Therefore Kolczun foresees no problem with the Council recessing in Executive Session as stated on the agenda. At 7:41 PM Follis made the motion for the Council to recess into Executive Session to discuss the purchase or appraisal of real property, pursuant to Title 25 O.S. Section 307.B.3.; the West 75 feet of Lot 1, Block 14, Original Town of Grove, Delaware County, Oklahoma and a part of Lot 1, Lot 1, Block 14, Original Town of Grove, Delaware County, Oklahoma. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

At 9:12 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 E.1 concerning a pending investigation, claim, or action if the public body, with advice of its Attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, pursuant to Title 25 O.S. Section 307 B.4.; Vernon Boyce vs. The Incorporated City of Grove, Delaware County, Oklahoma, an Oklahoma Municipal Corporation and Bruce L. Johnson; Delaware County District Court – Executive Session was not held on this item, therefore no action was taken.

Discussion And / Or Action Regarding Agenda Item E.2 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 – No action taken.

Discussion And / Or Action Regarding Agenda Item E.3 concerning the purchase or appraisal of real property, pursuant to Title 25 O.S. Section 307.B.3.; the West 75 feet of Lot 1, Block 14, Original Town of Grove, Delaware County, Oklahoma and a part of Lot 1, Lot 1, Block 14, Original Town of Grove, Delaware County, Oklahoma . Davenport made the motion to authorize the City Manager to offer the purchase price of $15,000 for the described property contingent upon the title search. Seconded by Follis. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

At 9:14 PM Follis made the motion to adjourn. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.