**GROVE CITY COUNCIL**

**SPECIAL MEETING**

**MONDAY, JUNE 21, 2010**

**5:00 PM**

The Grove City Council met in special session on Tuesday, June 21, 2010 at 5:00 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.

Trippensee opened the floor for discussion regarding a Resolution relating to the incurring of indebtedness by the Trustees of Grove Economic Development Authority to be evidenced by the Authority’s Recovery Zone Facility Bond (Precision Leasing Company, LLC Project), Series 2010 in the amount of not to exceed $8,000,000; waiving competitive bidding and authorizing the sale of the bond at par; and other related provisions. Johnson reported that the Grove Economic Development Authority and the City of Grove recently passed a Resolution authorizing the sale of revenue bonds in the amount not to exceed $4.5 million. The closing of those particular revenue bonds did not take place; therefore the Council passed a Resolution designating the City of Grove as an Economic Development Recovery Zone therefore allowing the City of Grove to tap into additional funding of essential Recovery Zone Bonds. This was advertised for a Public Hearing before the Grove Economic Development Authority, which was held earlier today at their meeting. The Governor has allocated funding from the Recovery Zone Economic Pool in an amount not to exceed $8.0 million, which is to purchase additional equipment for Precision Machine Manufacturing at the same process as discussed in previous City Council meetings. Davenport made the motion to approve the Resolution as presented and discussed. Seconded by Trumbull. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding an Ordinance levying and assessing a Sales Tax of five percent (5%) in addition to present sales taxes upon the gross proceeds or gross receipts derived from rents received from occupancy of hotel rooms, providing for use of tax funds; providing for tax rate; providing exemptions; providing tax to be separately designated on bills; providing for operator’s duties; providing for bond requirements; providing for assessment and determination of tax; providing for refunds; providing for notices; providing for remedies exclusive; providing general powers of the city manager; requiring certificates of registration; making records confidential; providing for criminal penalties; providing for civil remedies; requiring approval of Ordinance by majority of registered voters voting at an election held for such purpose as provided by law; fixing effective dates; providing for severability; and containing other provisions related thereto. Trippensee reported that this is the same Ordinance that was deferred from the last City Council meeting, which Trippensee felt like still needs some work before final passage by the City. The City Council entertained questions, comments and concerns from the following Lou Ann Ford – Manager of the Best Western. Discussion was made between the Council, Staff and Audience, which lasted approximately 17 minutes, after which, Trippensee made the motion to table this item. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding a Resolution authorizing the calling and holding of an election in the City of Grove, State of Oklahoma, for the purpose of submitting to the registered qualified electors of said City the question of approval or rejection of an Ordinance of the City relating to a five percent (5.0%) Excise Tax (sales tax), in addition to all present City, County and State Excise Taxes, upon the gross receipts derived from rents received from occupancy of hotel or motel rooms to provide revenues for: tourism and economic development, as more specifically set out in said ordinance of said City; and containing other provisions relating thereto. Trippensee reported that with the recent action taken from the Council on the proposed Ordinance, he felt like the Ordinance needs to be considered prior to this Resolution. Davenport made the motion to table this item. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding a contract by and between Grand Lake Family YMCA and the City of Grove, Oklahoma. Mr. Bill Skea addressed the Council in regards to the previous action taken by the City Council at their last meeting. Skea presented to the Council his research work on a few of the concerns that were expressed to him from several of the Council members and resident of the City of Grove particularly the two different set of fees as described in the proposed contract. Skea discussed the proposed contract in detail with the Council and Staff. Davenport reported that the only problem he has is that the YMCA is getting the pool free of charge from the City, and if the YMCA gets it free than why not anyone else who wants to do the same type of service to the City of Grove, and another issue of concerns he expressed is with the difference in fee charges for members and non-members of the YMCA. Johnson reported that if the City Council desires to charge various organizations for the use of the pool, than it should be set out as a ‘Lease Agreement Fee’ schedule for all organizations. Discussions were heard between the Council, Staff and Audience that lasted for approximately 20 minutes. Parham made the motion to table this item. Seconded by Davenport. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding the bids received for the supply of limestone base rock for the 2010-2011 Fiscal Year. Bower reported that the Staff advertised for seal bids for this item, and that the following bids were received:

* **Kemp Stone – Fairland OK**
  + Screenings $5.35 per ton
  + ¾ “ crusher run $5.75 per ton
  + 1 ½” crusher run $5.75 per ton
  + Type ‘A” aggregate base $6.35 per ton
  + 6” rip rap $9.25 per ton
* **APAC-Central, Inc. – Vinita, OK**
  + Screenings (F.O.B.) $ 4.75 per ton
  + ¾ “ crusher run $ 6.40 per ton
  + 1 ½” crusher run $ 6.40 per ton
  + Type ‘A” aggregate base $ 7.10 per ton
  + 6” rip rap $10.70 per ton

Bower reported that upon reviewing the bids, it would be his recommendation to award the limestone / base rock bid to Kemp Stone for the 2010-2011 Fiscal Year as presented. Davenport made the motion to award the limestone / base rock bid to Kemp as presented. Seconded by Trumbull. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding the bids received for the supply of gasoline and diesel fuel for the 2010-2011 Fiscal Year. Bower reported that the Staff advertised for this item, and received only one bid from:

* **ARKANSAS VALLEY PETROLEUM/LAKELAND PETROLEUM:** 
  + Unleaded gasoline and diesel - a margin of profit of $.08 per gallon above the actual Phillip FOB delivered price from Coffeyville or Tulsa terminals

Bower reported that Dale Younger, Vehicle Maintenance Supervisor has review the bid submitted by Arkansas Valley Petroleum, and that the bid has met all of the specified requirements, and it is his recommendation that this bid be accepted, based upon not the price offered, and their record of customer service and support. Follis made the motion to award the gasoline / diesel bid to Arkansas Valley Petroleum as presented. Seconded by Trippensee. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

Trippensee opened the floor for discussion regarding the bids received for the supply of asphaltic materials for the 2010-2011 Fiscal Year. Bower reported that this item was advertised by the Staff, and that the following bids were received:

1. **APAC – OKLAHOMA, INC. – FAIRLAND PLANT**:
   1. **1999 ODOT Specifications**:
      1. Type A Hot Mix F.O.B. $43.06 per ton
      2. Type B Hot Mix F.O.B. $46.05 per ton
      3. Type C Hot Mix $49.13 per ton
   2. **2009 ODOT Specifications**:
      1. Type S-3 F.O.B. $43.90 per ton
      2. Type S-4 F.O.B. $43.14 per ton
      3. Type S-5 F.O.B. $49.13 per ton
2. **APAC – OKLAHOMA, INC – VINITA PLANT**:
   1. **1999 ODOT Specifications**:
      1. Type A Hot Mix F.O.B. $43.63 per ton
      2. Type B Hot Mix F.O.B. $44.64 per ton (bid withdrawn)
      3. Type C Hot Mix $46.14 per ton (bid withdrawn)
   2. **2009 ODOT Specifications**:
      1. Type S-3 F.O.B. $44.38 per ton
      2. Type S-4 F.O.B. $44.64 per ton
      3. Type S-5 F.O.B. $46.89 per ton
3. **LONGAN CONSTRUCTION CO**.:
   1. **1999 ODOT Specifications**:
      1. Type A Hot Mix F.O.B. $48.45 per ton
      2. Type B Hot Mix F.O.B. $51.45 per ton
      3. Type C Hot Mix $55.95 per ton
   2. **2009 ODOT Specifications**:
      1. Type S-3 F.O.B. No Bid per ton
      2. Type S-4 F.O.B. $52.45 per ton
      3. Type S-5 F.O.B. $56.95 per ton
   3. **Pro-Line Cold Mix Asphalt**
      1. Bulk $92.50 per ton
      2. 35# bags $12.50 per bag

Bower reported that upon the opening of the bids, Robin Lewis of APAC – Central has submitted a letter to the City of Grove expressing their desire to withdraw their Vinita Plant asphalt bid for the 1999 ODOT specification that consist of Type B & C prices from the Vinita Plant only. Lewis added that due to the inconvenience of their withdrawal they would waiver the 500 ton minimum order needed to run out of the Fairland Plant. Bower discussed with the Council and Staff the City’s desire for various asphaltic materials (1999 ODOT standard specifications vs. 2009 ODOT standard specifications) for first half of the fiscal year. Follis made the motion to award the primary asphaltic material bid as follows:

1. APAC – Central - awarded all bids as presented pertaining to the 2009 ODOT Specifications to Type S-3, Type S-4 and Type S-5, and
2. Longan Construction Company – awarded the bid as presented to Type B only.

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

Trippensee opened the floor for discussion regarding an amendment to the Grove City Pool Policy. Ms. Ivy Woodard addressed the Council to express her thanks to the City of Grove for the wonderful pool facility. She respectfully asked if the Council would possible consider adjusting the fee schedule in order to allow for a discount for senior citizens, and their grandchildren who stay with them during the summer months. Woodard also noted that she noticed a couple of ladies who were not able to climb down the ladders to entry into the pool. She again respectfully asked the Council to look into that problem. Trippensee noted that the pool has a zero entry that may be utilized for the senior citizens that has any type of handicap that may keep them from entering into the pool by use of the ladders. Trippensee added that he would like to see the Staff address the senior citizen discount issue. Davenport reported that he has no problem with setting a discount fee for the Senior Citizens, however he expressed his concerns lowering the $4.00 fee (per day) for children. The Council discussed this contract in detail with the Staff and audience which addressed the concerns with the fee schedule for the ‘Pool Rental Fee’ and ‘Pool Closing’ due to inclement weather. After no more discussion, Trippensee made the motion to table this item at this time in order to allow the Staff time to make additional adjustments. Seconded by Follis. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.

At 6:39 PM Follis made the motion to adjourn. Seconded by Parham. AYE: Trumbull, Follis, Parham, Davenport and Trippensee. NAY: None. Motion carried.