GROVE CITY COUNCIL

REGULAR MEETING

TUESDAY, MARCH 2, 2010

6:00 PM

The Grove City Council met in regular session on Tuesday, March 2, 2010 at 6:00 PM with Mayor Gary Bishop presiding. Members present were Marty Follis, Larry Parham, and Gary Trippensee. Member Mike Davenport was absent. Also present was City Manager, Bruce Johnson; Attorney, Dave Jones; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

At 6:07 PM Bishop opened the floor for a Public Hearing with respect to an ‘Urban Deer Hunt’ allowing 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. The Council heard comments of concern, and entertained questions from the following individual(s):

* Judith Read – Resident
* Shane Berry – Resident
* Scott Cox – Oklahoma Department Wildlife
* Mark Morris – Grove Chief of Police
* Jim Littlefield – Oklahoma Department Wildlife
* Frank Whinery – President of the National Wildlife Turkey Foundation
* Kenneth Smith – Resident
* Jim Ford – Resident
* David Adzigian – Resident
* Harley David – Resident
* Kerry Bradley – Business Owner / Resident
* Marvin Henderson – Resident

At 6:37 PM Trippensee made the motion to close the Public Hearing to the subject of ‘Urban Deer Hunting’. Seconded by Follis. AYE: Follis, Parham, Trippensee and Bishop. NAY: None. Motion carried.

At 6:37 PM Bishop opened the floor for a Public Hearing with respect to the City of Grove, Oklahoma Civic Center policy Section 14: Alcoholic Beverages, ‘*The use of alcoholic beverages on the grounds or in the facilities of the Grove Civic Center is prohibited*’. The Council heard comments of concern, and entertained questions from the following individual(s):

* Bill Skea – Grove Rotary
* Larry Hestand – Business Owner / Resident
* David Adzigian – GEDA (GIDA)Trustee / Resident
* Mike Lynch – Resident
* Rick Craven – Business Owner / Resident
* Andy Stewart – Business Owner / Resident
* Carol Fortner – Delaware County Clerk

At 6:50 PM Follis made the motion to close the Public Hearing with respect to Civic Center policy Section 14: Use of Alcoholic Beverages. Seconded by Parham. AYE: Follis, Parham, Trippensee and Bishop. NAY: None. Motion carried.

At 6:51 PM Bishop opened the floor for a Public Hearing with respect to 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. Johnson opened the discussion by announcing the past history made from the Council, Staff and Audience participation during previous public comments. Johnson noted that during those discussions several questions were raised in respect to:

1. What to do with the revenues, and
2. What would they be used for.

The Council heard comments of concern, and entertained questions from the following individual(s):

* Lisa Friden – President Grove Area Chamber of Commerce
* Lou Ann Ford – Business Owner
* Larry Hestand – Business Owner / Resident
* David Adzigian – Resident
* Jaime Zellow – Member Grove Area Chamber of Commerce / Resident
* Andy Stewart – Business Owner / Resident
* Kelly Rice – District Manager AEP/PSO – President of the Vinita Chamber of Commerce
* Ed Hamilton – President First National Bank/Chairman GEDA (GIDA)/Member Grove Area Chamber of Commerce

At 7:20 PM Follis made the motion to close the Public Hearing in regards to an Ordinance levying and assessing a 5% Sales Tax for Hotel / Motel occupancy. Seconded by Trippensee. AYE: Follis, Parham, Trippensee and Bishop. NAY: None. Motion carried.

Bishop made the motion to approve the minutes of the previous meeting. Seconded by Follis. AYE: Follis, Parham and Bishop. NAY: None. Trippensee abstained. Motion carried.

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

Bishop opened the floor for a presentation of Grove Police Department’s 2009 annual report. Chief of Police, Mark Morris addressed the floor in regards to a power point presentation of the Police Department’s 2009 annual report. The presentation detailed on the organizational command and graphical data over the last 1- 5 year(s) of the following topics:

* Mission Statement
* Department Staff
* Calls for Service
* Statistical Data for the Police Department
* DUI’s Arrest(s)
* Drug Related Reports
* Emergency Detention Orders
* Shoplifting Arrest(s)
* Larceny / Theft Reports
* Misdemeanor / Felony Warrants
* Public Intoxication Arrest(s)
* Accidents Investigations
* Patrol / Detective / Animal Control Division
* Grove Emergency Dispatch

The presentation lasted for approximately 15-20 minutes. No action was taken.

Bishop opened the floor for discussion with respect to a Memorandum of Understanding between Grand Lake Watershed Alliance Foundation, Inc. and the City of Grove, Oklahoma. Johnson reported that in March 2009 the Grand Lake Watershed Alliance Foundation, LLC submitted a proposal for the City of Grove to prepare a Grand Lake Water Improvement Plan at no cost to the City. The communications between the Foundation and the City Staff has resulted in this Memorandum of Understanding detailing the City’s obligations of this project:

* Grove Watershed Plan
* Amendment to the Plan
* Scope of the Plan
* Citizen Group
* Purpose of the Plan
* Storm Water Run-Off, and
* The Grove Water Improvement Plan Process

Parham made the motion to approve the Memorandum of Understanding between the Grand Lake Watershed Alliance Foundation, Inc. and the City of Grove. Seconded by Trippensee. AYE: Follis, Parham, Trippensee and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion regarding an Ordinance amending Part 8, Health and Sanitation, Chapter 2, Trash and Weeds, Section 8-202.A Definitions, Exceptions to the tall weeds nuisance for the purpose of hay production by permit. Johnson reported that Councilman Follis has indicated that the existing hay permitting Ordinance does not allow for only a single harvest during times of little to no rain and has asked that additional language be added to the existing Ordinance that would allow for a single harvest. Johnson suggested that the following language be added:

Section 8-202.A.3.c: Criteria

1. Hay will be harvested at least twice per calendar year. First harvest shall be prior to June 30th and second harvest shall not be later than September 15. However, if the State of Oklahoma officially declares a drought which included the City limits of Grove, such permitee will only be obligated to harvest hay one time, annually, during the term of such official drought.

Follis made the motion to approve the Ordinance amending Part 8, Health and Sanitation, Chapter 2, Trash and Weeds, Section 8-202.A as presented and discussed. Seconded by Trippensee. AYE: Follis, Parham, Trippensee and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion regarding an Agreement for Planning Services for a Multi-Hazard Mitigation Plan between the City of Grove, Oklahoma and Flanagan & Associates, LLC. Johnson reported that the City of Grove has received a grant from the Oklahoma Emergency Management Department in the amount of $30,184 to create a Multi-Hazard Mitigation Plan. The City of Grove has also requested qualifications for these services, and has selected Flanagan & Associates, LLC. Johnson reported that the City of Grove has received an Agreement for Planning Services for a Multi-Hazard Mitigation Plan between the City of Grove and Flanagan & Associates, LLC, and upon further review from our Attorney Dave Jones, it is his recommendation that the following changes be made:

* The agreement is made and entered into this *2nd* day of *March 2010*
* Section 10.0: Termination of Agreement (line 6) …Attachment D, Compensation *up to the date of such termination.*
* Section 11.0: Notice …To City: *Dave Jones – City Attorney – P O Box 452469 – Grove, OK 74344*
* Attachment D.D.1: TOTAL LUMP SUM $30,182.00 …*In no event shall City be obligated to pay Planner a cumulative total amount that exceeds the foregoing ‘Total Lump Sum’ amount*

Parham made the motion to approve the Agreement for Planning Services for a Multi-Hazard Plan between the City of Grove and Flanagan & Associates, LLC as presented and amended by Johnson. Seconded by Follis. AYE: Follis, Parham, Trippensee and Bishop. NAY: None. Motion carried.

CITY MANAGERS REPORT:

* Discussion respect to a Resolution of the Grove Economic Development Authority approving a project for Precision Aerospace, Inc. and certain of its affiliates and determining the official intent of the authority to issue its Industrial Development Revenue Bonds in a principal amount not to exceed $5,000,000 to finance the costs of such project; and containing other provisions thereto. Johnson reported that the GEDA met and approved this Resolution as described. Johnson added that Loren E. Zook – Controller for Precision Machine & Manufacturing was present at the meeting to report that the $5.0 million project will consist of a manufacturing plant, including equipment and machinery to be utilized for precision machining of parts to be used in the aircraft, aerospace and petroleum industries. More particularly it will include the manufacturing of a new piece of equipment for the F-35. Johnson noted that Zook went on to describe this project in detail, and the long range plans for the future.
* Discussion with respect to sale of real estate between Grove Economic Development Authority and Applied Products, LLC. – Johnson reported that GEDA (GIDA) authorized the sale of the last (6) acres remaining at the Industrial Park to Joe Nowlin of Applied Products for possible Industrial Storage.
* Discussion with respect to the purchase of approximately 42.11 acres East of the Grove Industrial Park, owner Robert Husong – Johnson reported that with the last of the Industrial Park land sold to Nowlin, GEDA has not more land to sale inside the existing Industrial Park, therefore GEDA has authorized the City Staff to seek an offer from property owner Robert Husong for written approval for the Board to expand the Grove Industrial Park.

WARD REPORTS:

Gary Bishop read the following letter:

*For nearly five (5) years it has been my honor and privilege to serve the wonderful people of Grove and in an effect to meet the progressive needs of our community, and after prayerful consideration I tender my resignation for the Grove City Council effective at the conclusion of this month, March 2010. The list of people to thank that has afforded me this honor is too long to share at this time. So I will simply say thank-you.*

At 7:55 PM Follis made the motion to adjourn. Seconded by Parham. AYE: Follis, Parham, Trippensee and Bishop. NAY: None. Motion carried.