**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, FEBRUARY 7, 2012**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, February 7, 2012 at 6:00 PM with Mayor Marty Follis presiding. Members present were Ed Trumbull, Ileta Bray, Marty Dyer and Berwin Kock. Also present was City Manager, Bruce Johnson; Attorney, Brandon Watkins; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

**PUBLIC COMMENTS**:

Ms. Suzynne Fowler addressed the Council to report that the discussions are still being heard from concerned citizens in regards to the Open Burning Ordinance that was presented and discussed by the City Council several months ago. Fowler understood that the Council elected to table the Ordinance with no official action taken. However, she strongly suggested that the Council place this item back upon their agenda, and that the City publicize it for public awareness.

At 6:04 PM Kock made the motion to open the floor for a Public Hearing with respect to an Ordinance amending Part 7, Chapter 2, Section 7-220 of the Code of Ordinances of the City of Grove, Oklahoma pertaining to payments to the remittance of sales tax to the Oklahoma Tax Commission and City of Grove Business’ Licenses. Seconded by Dyer. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried. Johnson reported that in accordance to the most recent sales tax remittance reports from the Oklahoma Tax Commission, the City of Grove has approximately 6 businesses that are currently delinquent on their sales tax remittance, which amounts to an approximate $20,000 - $40,000 lost. Johnson reported that currently the City of Grove has no Ordinance in effect that would authorize the Staff to collect delinquent sales tax payments due to the City of Grove or to legitimately close that individual business down from operation. Johnson noted that there are only two other cities in the State of Oklahoma, Muskogee and Bartlesville, that has endorsed an Ordinance which enable them to ensue with suitable actions against each individual business owners. Johnson entertained questions and comments from the Council. At 6:14 PM Follis made the motion to close the Public Hearing pertaining to an Ordinance amending Part 7, Chapter 2, Section 7-220 of the Code of Ordinances of the City of Grove, Oklahoma pertaining to payments to the remittance of sales tax to the Oklahoma Tax Commission and City of Grove Business’ Licenses. Seconded by Bray. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

At 6:15 PM Dyer made the motion to open the floor for a Public Hearing with respect to an Ordinance amending Part 9 – Licenses and Business Regulations by adding Chapter 9 – Haunted Houses and Haunted Walk/Field. Seconded by Trumbull. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried. Johnson reported that last year the City of Grove has inquiries in regards to the requirement for operating a haunted house inside the corporate city limits of Grove. Johnson reported that the City of Grove currently has no set rules or requirements for this particular type of business / operation. Johnson added that the Staff researched other cities and town in the surrounding area, and discovered that for the most part there are not a lot of cities that has this concern. However, should the city get in the inquiries than he would like to have documentation indicating the regulations / requirements for that particular business / operation. Johnson entertained questions and comments from the Council and participating audience. At 6:24 PM Dyer made the motion to close the Public Hearing pertaining to an Ordinance amending Part 9 – Licenses and Business Regulations by adding Chapter 9 – Haunted Houses and Haunted Walk/Field. Seconded by Bray. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Kock made the motion to approve the minutes of the previous meeting as corrected. Seconded by Dyer. AYE: Trumbull, Dyer, Kock and Follis. NAY: None. Bray abstained. Motion carried.

Trumbull made the motion to approve the purchase order register. Seconded by Follis. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Dyer made the motion to approve a contract between Grand Lake Festivals, Inc. and the City of Grove, Oklahoma for tourism promotion and development for a period from February 7, 2012 through September 31, 2012 for the sum of $15,000. Seconded by Trumbull. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Bray made the motion to approve a contract between Grove Area Merchants Association and the City of Grove, Oklahoma for retail development for a period from July 1, 2011 through June 30, 2012 for the sum of $3,142. Seconded by Dyer. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the bids received for Hosted 911 Service, T1 Services, Database Services, and 911 Network Services. Johnson reported that that Staff advertised for bids for this project, and received the following bid:

AT&T $190,000 over a 60 month period

Johnson added that this project is a budgeted line item. Police Chief, Mark Morris has reviewed the bid in its entirety, and it is his recommendation that the Council award the bid as received by AT&T. Johnson respectfully requested that the motion for approval includes authorization for the Mayor to execute any and all documents pertaining to this contract accordingly. Kock made the motion to award the bid received for the Hosted 911 Service, T1 Services, Database Services, and 911 Network Services to AT&T as presented and discussed, and to authorize the Mayor to execute any and all documents accordingly. Seconded by Trumbull. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to a Resolution establishing and nominating candidates to be members of Grove Community Watershed Improvement Task Force. Johnson reported that the City received a written request from the Grand Lake O’ The Cherokees Watershed Alliance Foundation Inc. respectfully asking that the City establish a local task force to create a community watershed improvement plan. Johnson added that the local task force will consist of five (5) members to be appointed by the City Council. The Council discussed the appointment process with Johnson, and strongly suggested that it advertised for public awareness. Johnson indicated that he would advertise for letters of application from anyone interested in serving on this task force. Kock suggested that the following changes be made to the Resolution prior to approval:

Paragraph 8 Section (c) & (e) … ~~Board of Supervisors~~ Grove City Council

Trumbull made the motion to approve the Resolution as presented and amended. Seconded by Bray. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Kock made the motion to appoint City Manager, Bruce Johnson as City of Grove representative to the Grand Gateway Economic Development Association Board of Directors to serve for a period of one (1) year, beginning on February 1, 2012. Seconded by Bray. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Dyer made the motion to approve the City of Grove Tobacco Use Policy as presented and discussed by the Staff. Seconded by Bray. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to appointment of negotiating representative on and for the behalf of the City of Grove, Oklahoma with respect to Fire and Police Arbitration Act 11 O.S. 51-101 et seq. as amended. Johnson reported that he has received notification from the Grand Lake Lodge #171 – Fraternal Order of Police expressing their intent to exercise their collective bargaining right for the contract fiscal year of 2012-2013. Johnson reported that he served that capacity last year, and that he is willing to serve as the City of Grove representative again this year. Dyer made the motion to appoint City Manager, Bruce Johnson as the negotiating representative on and for the behalf of the City of Grove with respect to Police Arbitration. Seconded by Kock. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

Kock made the motion to approve a Resolution amending Fiscal Year 2011-2012 budget. Seconded by Trumbull. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.

**WARD REPORTS**:

Bray reported that she too has received inquiries about placing the proposed burn Ordinance back upon the agenda, and strongly suggested that it be placed on the agenda for public hearing.

At 6:55 PM Kock made the motion to adjourn. Seconded by Bray. AYE: Trumbull, Bray, Dyer, Kock and Follis. NAY: None. Motion carried.