

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 19, 2016
6:00 PM**

The Grove City Council met in regular session on Tuesday, April 19, 2016 at 6:00 PM with Mayor Marty Follis presiding. Members present were Ed Trumbull, Don Nielsen, Marty Dyer and Ivan Devitt. Also present was City Manager, Bill Keefer; Attorney, Darren Cook; Assistance City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

Nielsen made the motion to approve the minutes from the previous meeting. Seconded by Trumbull. AYE: Trumbull, Nielsen, Devitt and Follis. Dyer abstained. NAY: None. Motion carried.

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

At 6:04 PM Devitt made the motion to open the floor for a final Public Hearing to receive public comments in respect to non-compliance from property owner on Administrative Order issued on August 8, 2015, to repair or demolish dilapidated structure located at 1508 80th Street NW. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Property owner was not present for comments. Attorney, Cook reported that he has offered assistance to the property owner with negative results. The Council discussed their options with the Staff. At 6:07 PM Devitt made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Administrative Order for 1508 80th Street NW. Devitt made the motion to grant a 30 day extension to allow the property owner sufficient time to demolish the property, and remove the debris. If no action is taken from the property owner then the city will demolish the structures in accordance to the Dilapidated Building policy. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:11 PM Devitt made the motion to open the floor for a Public Hearing to receive public comments to determine whether a structure located at 2020 S. Main Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Property owner, Jerry Craig addressed the Council to report that he has completed a substantial amount of clean-up on the property site, and that he still making progress. Craig added that the structure does have minimal roof damage but the water intake isn't enough to cause structural damage because this is a concrete block building, with concrete flooring. Igney reported that he has assessed the property, and agreed that some progress has been made on the site. Keefer suggested that the Building Inspector go back out to the site to inspect the roof for classification, and to make sure the structure is secured. At 6:16 PM Devitt made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 2020 S. Main Street. Dyer made the motion to allow time for the Building Inspector to inspect the roof structure to determine if this property may be removed from the

dilapidated structure list. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:18 PM Devitt made the motion to open the floor for a Public Hearing to receive public comments to determine whether a structure located at 1532 Keller Road should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. No property owner was present for comments. Bottoroff reported that a certified letter was sent and the required notice was posted on the property site. Igney reported that he has assessed the property and that the structures appear to be vacant. At 6:22 Devitt made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 1532 Keller Road. Devitt made the motion to declare the mobile home and house structure as dilapidated, and require the property owner to obtain a demolition permit within 10 days from the date of Administrative Order to remove both structures and debris from the property, fill and level the ground in a manner that is adequate for mowing within 90 days of date of Administrative Order. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:23 PM Devitt made the motion to open the floor for a Public Hearing to receive public comments to determine whether a structure located at 726 S. Cherokee Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Property owner, Ericka Piland was present to request from the Council additional time to start the project. Piland entertained questions, comments and concerns from the Council. At 6:25 PM Devitt made the motion to close the Public Hearing. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis then opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 726 S. Cherokee Street. Nielsen made the motion to allow the property owner ten (10) days to obtain a remodel / repair permit from the date of Administrative Order, and that the property owner shall repair the carport in manner that is complaint to the city codes within 60 days of the date of the Administrative Order. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:27 PM Devitt made the motion to open the floor for a Public Hearing to receive public comments to determine whether a structure located at 608 W. 5th Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. No property owner was present. Bottoroff reported that no action has been taken on this project since the notice was sent and posted. Igney reported that he has assessed this property from the inside, and upon visiting with the property owner they indicated that they would like to tear the structure down. At 6:30 PM Devitt made the motion to close the Public Hearing. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 608 W. 5th Street. Trumbull made the motion to require the property owner to obtain a demolition permit within ten (10) days from the date of the Administrative Order, and to

remove the out building and debris from the property, fill and level the ground in a manner that is adequate for mowing within thirty (30) days from the date of the Administrative Order. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:31 PM Devitt made the motion to open the floor for a Public Hearing to receive public comments to determine whether a structure located at 8009 Jackson Lane should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Property owner, Tammy Glenn-Records addressed the Council to report that this was her mom & dad's property, and that they have passed, and since then her son was working on the roof of the storage structure, and he was just recently killed in an automobile accident. Records indicated that she is not mentally or physically ready to go back onto the property, and go through the personal items left by her son at this time. Records added that she's unsure if she is even financially prepared to bring the property up to code complaint. Records then presented the Council pictures of the property indicating Jackson Lane as a private drive and that the closest neighbor is at the top of the drive along 80th Street. Records noted that the proposed structure is located in behind the property with a privacy fence along the back of it. The property is not visible from the street. Records entertained questions, comments and concerns from the Council and Staff. At 6:38 PM Devitt made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis then opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 8009 Jackson Lane. Trumbull made the motion to table any action on this item for 90 days to allow the property owner time to prepare a status report back before the Council on July 19, 2016. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:39 PM Devitt made the motion to open the floor for a Public Hearing to receive public comments to determine whether a structure located at 416 S. Spring Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. The renter of this property addressed the Council to say that the property owner resides in Oregon, and that he is in the negotiation process of purchasing the property. The renter indicated that once he obtains possession of the property it would be his intention to remove the structure but there is a large tree that has grown into the structure that needs to be removed first, and that project would take some time. The renter entertained questions, comments and concerns from the Council and Staff. At 6:45 PM Devitt made the motion to close the Public Hearing. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 416 S. Spring Street. Trumbull made the motion to table any action on this item for 30 days to allow the property owner time to prepare a status report back before the Council on May 17, 2016. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:47 PM Devitt made the motion to open the floor for a Public Hearing to receive public comments to determine whether a structure located at 1227 Red Bud Drive should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Bottoroff reported that the property owner was not able to attend the meeting tonight due to some health reason. Igney reported that he has assessed the property and that owner has started

the removal process on the outbuildings, and it appears that some work has been done on the structures. At 6:51 PM Devitt made the motion to close the Public Hearing. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis then opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 1227 Red Bud Drive. Dyer made the motion to require the property owner to remove the carport within thirty (30) days from the date of the Administrative Order, and appear before the Council at its regular scheduled meeting for May 17, 2016 with a plan of action on the other two (2) structures. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 6:53 PM Devitt made the motion to open the floor for a Public Hearing to receive public comments to determine whether a structure located at 1654 Charles Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Property owner, Dorothy Hinkle addressed the Council to report that she understood the City's position regarding her property, and that she is attempting to resolve the matter. Hinkle entertained questions, comments and concerns from the Council and Staff. At 6:56 PM Devitt made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis again opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 1654 Charles Street. Dyer made the motion to require the property owner to remove the outbuilding (well house) and debris from the property, fill and level the ground in a manner that is adequate for mowing within 30 days from the date of the Administrative Order. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve the scheduling of a budget work session for 6 PM on Wednesday, May 25, 2016 to review and discuss the proposed 2016-2017 Budget. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to approval of an Ordinance amending Chapter 1, Section 6 (interpretation of words and terms); amending Chapter 5, Section 5-5.3 (designated location of commercial vehicles); and repealing and replacing Chapter 5, Section 5-12.14 (screening of open storage); all of the Zoning Ordinance of the City of Grove, Oklahoma. Bottoroff reported that the proposed Ordinance addresses three (3) different matters in the current Zoning Ordinance:

1. Heavy Equipment in residential districts – Bottoroff reported that the Staff continues to receive complaints regarding heavy equipment being parked and stored in residential districts throughout Grove. The proposed Ordinance is a results of research and reviewing how other cities deal with these types of issues. Bottoroff added that the proposed Ordinance is to clarify that heavy equipment shall not be parked or stored in residential districts
2. Location of junk yards – Bottoroff noted that the proposed Ordinance clarifies that junk yards are only permitted in Industrial Zoned Districts. In addition, it refers to Section 5-12.14 screening of open storage instead of listing it separately.
3. Screening of open storages – Bottoroff noted that the proposed Ordinance lessens the requirements of fencing in an Industrial Zoned district if the property is not abutting residential district.

Bottoroff then added that the Planning and Zoning Commission approved the proposed Ordinance upon recommendation to the Mayor and City Council. Mr. Kelly Nuckolls of 1010 South Broadway Street respectfully addressed the Council to report that he has resided at this address for 45 years, and that this is the first he has ever heard of anyone complaining about heavy equipment being stored or parked in a residential area. Nuckolls added that he owns the whole city block, and that he parks his equipment behind his resident along Spring Street (which is a dead end street), and that his equipment is hardly visible from Broadway Street. Nuckolls added that he has several neighbors and that not one of them has ever come to him expressing their concerns about his heavy equipment. Nuckolls noted that he highly respects his neighbor's privacy, and that he never operates his equipment during late or early morning hours. Nuckolls entertained questions, comments and concerns from the Council and Staff. Nuckolls then indicated that he would strongly consider the placement of a privacy fence along the back section of his property if that would ease the City's concerns. Devitt made the motion for the Council to table any consideration on the proposed Ordinance in order to allow the Staff time to re-examine the situation. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

CITY MANAGER'S REPORT:

Keefer reported that he has received a request to study the placement of a stop sign on southbound Shundi at its intersection with 18th Street. There is a consensus from the Chief of Police and the Public Works Director that the placement of a stop sign at this location would enhance traffic safety at this intersection. Unless the Council directs otherwise, the City will proceed with the installation of the stop sign.

Keefer then reported that several weeks ago he met with the Southern Drag Boat Association to discuss their event in detail. One item that was discussed at length was the sale of beer. Originally the goal was to secure a vendor to sell beer within a controlled beer garden setting. Staff visited with SDBA on other options on this issue and what is in place at their other race venues. It appears the most common practice is to allow the attendees to bring in their own coolers and be allowed to drink beer along the shoreline. Their staff will be charging admission at two gate locations as vehicles enter the large parking lot. At the gates each person will be issued a color "bracelet" one of which will identify individuals who are underage to consume alcohol. Signage and handouts will be prepared to notify those in attendance that only low-point canned beer can be brought onto the premises and only consumed in designated areas which will be in the ramp area, along the shoreline and new parking lot. No open containers would be allowed outside that area.

Keefer added that the tub grinder contractor for PSO recently performed their last clean up at the tree limb dump located at the GMSA / Public Works facility site. As previously reported, the City and GMSA had a verbal agreement that allowed PSO to use the facility to dispose of tree trimmings and brush that they cleaned from their easements and right-of-ways. In return, PSO would periodically hire a contractor with a tub grinder to come in and mulch/chip all of the material which we also use for the sludge composting process. Keefer mentioned that PSO is now mulching the limbs on site, and that they will no longer be hiring a tub grinder to chip our dump site. Because the dump site is not manned and in essence is open to the public whenever the gate is open, we are experiencing a growing problem with individuals dumping household trash and other debris at this site as well as dumping brush wherever it is convenient thus causing different problems for the facility. Since the City / GMSA does not have the equipment or resources to maintain this facility it would be Staff recommendation to close the facility to the public for a possible dump site. It will be proposed in the upcoming FY budget to place some fencing and an automated gate approximately 100' from Cherokee

Street to eliminate public access to the site which will also provide additional security for the WWTP and our facilities.

WARD REPORTS:

Trumbull reported that there are street lights out along Honey Creek Bridge. Bower added that the City is waiting for PSO to conduct some repair work in that area.

At 7:29 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.