

**GROVE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, AUGUST 7, 2018  
6:00 PM  
MINUTES**

The Grove City Council met in regular session on Tuesday, August 7, 2018 at 6:00 PM with Mayor, Ed Trumbull presiding. Members present were Josh McElhaney, Don Nielsen, Marty Dyer and Ivan Devitt. Also present was City Manager, Bill Keefer; Attorney, Darren Cook; Assistant 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 McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

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

At 6:07 PM Dyer made the motion to conduct a final hearing for Failure to Comply with an Administrative Order for 131 S. Cherokee Street issued by the City of Grove on 04-17-18. Seconded by McElhaney. Bottoroff reported that the property owner failed to comply with the previous Administrative Order from the Council, therefore a letter was mailed certified and notice was posted on the property informing the property owner of a "Final Hearing" will be heard before the City Council on Tuesday, August 7, 2018. Property Owner, Valerie Vitro addressed the Council to report that she is in the process of getting her social security disability, and respectfully requested a two month extension. Vitro indicated that she should be able to get the roof repair within that time. Vitro entertained questions, comments and concerns from the Council and Staff. At 6:08 PM Devitt made the motion to close the hearing. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 131 S. Cherokee Street. Nielsen made the motion to grant the property owner until Tuesday, November 6<sup>th</sup> to have all of the trash, junk and debris removed from the property, and repair structure in a manner that is compliant with City Codes. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

At 6:10 PM McElhaney made the motion to open a Public Hearing to take input, comments and questions on the proposed draft of the City of Grove's ADA Self-Evaluation and Transition Plan. Bottoroff reported that in 2012, the Mayor and City Council adopted the following:

- ADA Grievance Procedures Policy
- ADA Notice of Non-Discrimination
- ADA Employment Reasonable Accommodations Policy

Bottoroff mentioned that in order to continue this commitment, representatives from each city and GMSA department performed a self-evaluation and summary of findings regarding any ADA barriers that may be present, plus each department recommended action to be taken to remove the barriers. Bottoroff added that a Notice of Public Hearing along with a copy of the draft Self-Evaluation and Transition Plan was placed on the City's website to provide the public an opportunity to review and

be prepared to make comments and suggestions at the Public Hearing. Bottoroff noted that the Staff is currently working on the following projects for 2018:

- Additional website accessibility improvements.
- Re-constructing the South parking lot of City Hall crating a safe ADA accessibility, and

New projects for the 2018-2019 Fiscal Year:

- Installation of a one-bay wheelchair swing in Veterans Park.
- Installation of an ADA complaint push-button automatic door opener to the North side entrance of the Senior Citizens Center.
- Construct sidewalks and install two accessible pedestrian crosswalks with push-button signals along Leisure Lane near the Early Childhood Development Center, contingent on City being awarded a Safe Routes to School grant from ODOT.

No public comments were heard. At 6:14 PM Devitt made the motion to close the Public Hearing. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve the submittal of an application for FAA Supplemental Discretionary Appropriation Grant Funds to be used to complete the Taxilane AIP Project. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to replacement options for the Street Sweeper. Keefer reported that the street sweeper was involved in a vehicle accident, and that the owner and operator of the vehicle that struck the rear end of the sweeper did not have insurance. The chassis of the sweeper was heavily damaged and is considered to be a total loss and will need to be replaced. Whereas the bed (sweeper component) was slightly damaged and is able to be repaired (subject to any unknown damage). The City's insurance company has made a settlement offer of \$97,000 with an option to buy back the sweeper for \$15,000. Keefer noted that it is Staff recommendation to purchase a new sweeper through the state contract for an estimated cost of \$212,500. After the down payment of the insurance settlement, the City would owe \$115,500. Keefer added this option would likely require the City to use a lease-purchase to finance the balance for the purchase of this piece of equipment through the bidding process. Dyer made the motion to authorize the Staff to proceed with the replacement option for the Street Sweeper upon Staff recommendation. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to the following Fishing Tournament Agreements. Keefer reported that funding for these tournaments were included in the 2018-2019 budget approved by the Council, and that the FLW tournament is a three party agreement with the Convention and Tourism Bureau:

- a) An agreement with Nichols Marine Tournament Series for their four (4) trail tournaments – Devitt made the motion to approve. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.
- b) An Agreement with Midwest Fish Tournaments for their Annual Big Bass Bash Tournament – Dyer made the motion to approve. Seconded by Devitt. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.
- c) An Agreement with FLW, LLC, for an FLW Tour Qualifier Tournament – Devitt made the motion to approve. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve an Agreement with the Grove School District for School Resource Officer (SRO) Services. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Dyer made the motion to approve a Resolution amending the City's 2018-2019 Capital Fund Budget. Seconded by Devitt. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor with respect to the fireworks regulations for the City of Grove. Keefer reported that the fireworks regulations was a topic of general discussion during the Ward Reports at a previous meeting. Upon direction from the governing body, the staff researched other cities regulations on fireworks, and the following results were reported:

- Bartlesville allows anything that makes noise or shoots in the air is prohibited in city limits
- Dewey allows discharging of fireworks w/permit only from July 3-4 / 3-11PM
- Disney allows discharging of fireworks from June 15-July 10 / 9 AM to Midnight, and December 15 – January 2 / 9AM to Midnight
- Fairland allows discharging of fireworks from June 20 – July 5 / All day – 10 PM
- Miami allows discharging of fireworks from July 1 – 3 / 11 AM – 9 PM, July 4<sup>th</sup> / 10 AM to Midnight, and December 31 – January 1 / 11 AM to 12:30 AM
- Pryor allows discharging of fireworks w/permit only from July 3-4 / from 9 AM to 11:59 PM
- Seneca, Missouri allows discharging of fireworks from June 24 – July 4 / 8 AM to midnight
- Wyandotte allows discharging of fireworks the day, the day of and the day after a National Holiday from 8 AM to midnight & 1 AM

The Council and Staff discussed the various options from other cities and town with no action taken.

Dyer made the motion to approve the 2018-2019 Agreement with the Fraternal Order of Police, Grand Lake Lodge No. 171. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to scheduling a special meeting/work session to review and discuss policies and ordinances related to medical marijuana and alcoholic liquor. Keefer reported that the Staff would request a work session with the City Council to review and discuss the provisions of state legislative petitions pertaining to medical marijuana and alcohol beverages. The Council discussed the schedules with the Staff, and after much consideration Dyer made the motion to schedule Wednesday, August 22<sup>nd</sup> @ 4:00 PM for a Special City Council workshop session. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

#### **CITY MANAGERS REPORT:**

Keefer updated the Council on the following ongoing projects:

- City Hall South parking lot project will be opened to the public tomorrow morning to include the GMSA drive-in window. The contract still has a few small items to detail.

- At the time the City advertises for financing on the street sweeper, they will also include financing for a new dump truck for the Street Department and a new brush truck for the Fire Department.
- Chamber of Commerce Director – Donnie Crain is diligently working on a game plan for the upcoming City of Grove 4/10<sup>th</sup> Sales Tax election.
- Crossland is winding down on the current Street Rehabilitation project.
- Due to the recent reconstruction of the South City Hall parking lot, Rose & McCrary suggested that the City of Grove take a look at reconfiguring the parking along the South side of 4<sup>th</sup> Street (front of the Christian Church) to allow for additional Community Center parking. Keefer reported that the City will be consulting with the Church, and suggested feedback from the Council.
- The Staff is preparing to advertise for Trustees positions coming up on the Airport, CTB and GMSA Board.

#### **WARD REPORT:**

Devitt reported that he was asked why ODOT placed the pylons along the West bound lane of 13<sup>th</sup> and Main but not the East bound lane. Keefer & Bower responded by saying there wasn't enough room for the large semi-trucks to make that turn southbound where on the east bound lanes they have sufficient room to make that turn.

#### **EXECUTIVE SESSION:**

At 7:40 PM Devitt made the motion for the Council to recess into Executive Session for the purpose of confidential communications between a public body and its Attorney concerning a pending investigation, claim, or action if the public body, with the 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. (Pending Litigation) to include participation from Bill Keefer and Debbie Bottoroff. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

At 7:45 PM Nielsen made the motion for the Council to come out of Executive Session with no action taken. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull announced that in regards to agenda item E.1 above. No action taken.

At 7:45 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.