

**GROVE CITY COUNCIL  
REGULAR MEETING  
TUESDAY, NOVEMBER 17, 2020  
6:00 PM  
MINUTES**

The Grove City Council met in regular session on Tuesday, November 17, 2020 at 6:00 PM with Mayor, Ed Trumbull presiding. Members present were Matt Henderson, Marty Dyer and Ivan Devitt. Member Josh McElhaney was absent. Also present was City Manager, Bill Keefer; Attorney, Darren Cook; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred and City Clerk, Bonnie Buzzard. Public Works Director, Deric Douthit was absent.

**PUBLIC COMMENT:**

Mr. Will Johnson addressed the Council to report that he has a Science degree, and that he has been monitoring the Coronavirus data. Johnson reported to the Council and Staff on the most recent data from over 6000 Scientists, and Doctors who all has signed a “Anti-lockdown Petition” against the coronavirus lockdown measures, urging that those not in a risk category should be able to get on with their lives as normal, and that lockdown rules in both the US and UK are causing irreparable damage. Johnson presented that Council with his reporting data sheet.

Devitt made the motion to approve the minutes from the November 3, 2020 meeting. Seconded by Henderson. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

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

Trumbull opened the floor for discussion with respect to review of Resolution #20-024 Declaring a State of Emergency and Implementing Mandatory Emergency Provisions as amended adopting the Governor’s Open Up and Recover Safely Plan. Trumbull reported that earlier today he received an unsolicited call from Doctor, George Monks of the Oklahoma State Medical Association in regards to the Covid-19 Pandemic, and the steady concerns for recurrent Code Red status from Grove and Delaware County. Monks then reported to Trumbull that the Governors Chief of Staff, Von Payne has requested to visit with him to address these concerns. Trumbull noted that Payne had indicated to him that Governor Stitt will not implement a statewide mandatory mask wearing, but that he will strongly support and encourages all citizens to comply with their local government orders and mandates. At 6:06 PM Trumbull announced that Councilman, Josh McElhaney will listening to the meeting via cell phone but will not be participating in any way, and therefore, opened the floor to the following physicians with an update on the current state wide conditions of the Covid-19 pandemic:

- Dr. Sam Ratermann
- Dr. Kyle Schauf

Dr. Ratermann addressed the Council to detail on the delay of care due to area hospital capacities, the supply in demand, and the challenging situations the hospital(s) are facing. Dr. Schauf concurred with statements presented by Dr. Ratermann, and emphasized on the importance of facial mask coverings and social

distancing. The Physicians entertained questions, comments and concerns from the Council, Staff and following individuals:

1. Will Johnson
2. Jim Paisley, and
3. Dr. Robert Thomas

Their presentation lasted for approximately 25 minutes.

Trumbull then opened the floor discussion from the Council for consideration of amending the current Resolution. Devitt reported that there are several groups and organizations in the Community that are trying to become pro-active with this pandemic by purchasing mask for their employees and members of their organizations to wear during contact. Devitt then made a motion to implement a mandatory mask wearing effective immediately, and to authorize the scheduling of a Special City Council Meeting to finalize the conditions and exemptions by City Ordinance. The Council then entered into further discussions in regards to the mandatory mask wearing, and the elements it would have on enforcement. The Council entertained the legal aspect of the mandatory face wearing from Attorney Darren Cook, and scheduled a Special City Council meeting for Friday, November 20, 2020 @ 10:00 AM for presentation of Ordinance by Cook outlining the conditions of the mandate. Dyer seconded the motion. AYE: Dyer, Devitt and Trumbull. NAY: Henderson. Motion carried.

At 7:10 PM Dyer made the motion to open a Public Hearing to take Public Comments on the compliance or non-compliance of the Administrative Order issued August 4, 2020 and the amended Administrative Order issued on September 15, 2020 for a dilapidated structure located at 102 Lennel Street. Seconded by Devitt. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Code Enforcement Officer, Calvin Igney reported that a citation was issued to the property owner via certified mail, on the day of the court date, the certified mail was returned unopened and marked by the USPS as "undeliverable". Since that time Staff has discovered that the store has re-opened and Staff was able to make contact with the property owner. Igney reported that the property owner has made contact with the Court in regards to his citation(s), and has been visiting with the Staff about bringing the property into code compliance. The property owners was not present for comments.

At 7:12 PM Devitt made the motion to close the Public Hearing. Seconded by Dyer. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order for 102 Lennel Street. Dyer made the motion to issue a final Administrative Order requiring the property owner to complete the following by December 17, 2020:

1. Obtain roof permit and complete roof repairs in a manner that is compliant with City Code. All repairs must be made no later than December 17, 2020.
2. Failure to comply may cause the roof to be boarded and secured in accordance with the Oklahoma State Statutes. If the roof is boarded and secured by the City the property owner will be responsible for the actual cost for material and labor plus an Administrative Fee of \$225.

Seconded by Devitt. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to the status review of the Administrative Orders for the following properties located in Grove, Oklahoma:

- Dilapidated Structure located at 615 S. Cherokee Street – Property owner, Ricky Farmer was not present. Igney reported that he has several attempts to contact Farmer via phone with no response. Dyer made the motion to authorize the Staff to schedule a final Public Hearing for January 5, 2021 to determine if the damaged roof remains dilapidated and creates a safety hazard, and to continue issuing citations until repairs are complete or until the final hearing. Seconded by Devitt. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.
- Dilapidated Structure located at 1023-C S. Cherokee Street – Igney reported that he visited this site and noticed substantial completion on the project. Property owner, Helen Bergman addressed the Council to report that the project is currently in weather delay. Bergman added that her son had tarped the roof, and has started painting on the structure. Igney added that he will continue to monitor the property and will update the Council and Staff with any status changes. Bergman indicated that her son will be back on the project as soon as weather permitting.
- Dilapidated Structure located at 505 S. Grand Street – Igney reported that the property owner is still making progress on this project and presented pictures as such. Property owner, Brad Daftari was present to entertain any questions from the Council or Staff. Devitt made the motion to extend the Administration Order 30 days for the property owner to appear back before the Council on December 17, 2020 with a status update. Seconded by Henderson. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.
- Dilapidated Structure located at 609 S. Cherokee Street – Igney reported that some progress has been made since that last City Council meeting. The property owner has made a couple of Municipal Court appearance on the citations issued, and has disposed of them in accordance to the Judge's ordered by removing all of the trash and debris. Property Owner, Steve Nelson was present to entertain questions from the Council and Staff. Devitt made the motion to authorize the Staff to schedule a final Public Hearing for January 5, 2021 to determine if the two-story house remains in a dilapidated conditions creating a safety hazard, and to continue issuing citations until repairs are complete or until the final hearing. Seconded by Dyer. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.
- Dilapidated Structure located at 301 E 5<sup>th</sup> Street – Igney reported that he had visited the site today to find that the blocks has been laid, the house is on the foundation but still sitting on the steal I-beams. Igney added that the utility meters has been installed and appears to be ready for hook-up. Property Owner, Steve Nelson was present to entertain any questions, comments or concerns from the Council. Devitt made the motion to extend the current Administrative Order to the December 17, 2020 City Council meeting for a status of condition update Seconded by Dyer. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to approval of a Resolution adopting the Future Land Use Map as part of the City Comprehensive Plan Update. Doug Moore with IBTS (Institute for Building Technology & Safety) addressed the floor to report that IBTS vision is to help identify the building blocks and later framework to help guide the municipality growth and development. The visions will help direct concerted efforts involving both public and private partnerships to shape and mold the City of Grove as the community progresses into the future. Moore added that the visions represents and helps to describe the community's values, and ensuring character. Moore then outlined the details that was previously presented to the Council in an earlier meeting. Moore then entertained questions, comment and concerns from the Council with no public comments heard. Moore reported that this Future Lane Use map is just one element

to the final adoption of the overall Comprehensive Plan, and that he anticipates the final adoption of this project to be around April 2021. Dyer made the motion to approve the Resolution adopting the Future land Use Map as part of the City's Comprehensive Plan update. Seconded by Devitt. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to authorize the processing of a one-time salary adjustment for full-time employees that are not eligible for longevity pay. Seconded by Henderson. AYE: Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to bids received for one 50 KW Multi Voltage Portable Diesel Generator. Keefer reported that the bids for this new equipment were opened on Monday, November 16, 2020 at 10:00 AM and that two (2) bids were received. Keefer reported that Emergency Management Director, Frank Close reviewed the bids, and found that the bid from LarMar Power was non-receptive bid to the fact that they did not provide the bid on the forms that were provided, and that their non-collision affidavit was not attached to their bid. Keefer added that the other bid was from Clifford Power Systems which included two (2) bid options.

1. MMG 55 DF4 – 44 KW generator \$36,678.00
2. MDG 75 DF4 – 60 KW generator \$47,235.00

Keefer noted that the 44 KW generator did not meet the specifications, therefore, it is Staff recommendation that the Council award the bid to Clifford Power Systems for the purchase of the 60 KW generator. It is a larger unit and will run the pumps in the lift stations with greater ease. Keefer added that this is a \$44,000 line item from the CARES ACT budget funding, so there will be a difference of \$3,235. Devitt made the motion to award the bid to Clifford Power Systems for the MDG 75 DF4 – 60 KW generator in the amount of \$47,235. Seconded by Henderson. AYE: Henderson, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve the notice of posting of the regular scheduled meetings for 2021 calendar year. Seconded by Henderson. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to a Resolution implementing a policy pertaining to the installation of city utilities as part of the development of a new subdivision. Keefer reported that the purpose of the policy is to provide economic incentives for development of new residential subdivisions within the corporate limits of the City of Grove. The policy provides provisions for the extension of utilities, application process, a developer's agreement and impact fee. Keefer added that the GMSA Board met earlier this afternoon and approved the policy as was presented. Devitt made the motion to approve the Resolution approving the GMSA water & gas utilities extension policy. Seconded by Henderson. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve a Resolution amending the 2020-2021 FY City General Fund Budget. Seconded by Dyer. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to the approval of the following Host Site Agreement for Fishing Tournaments:

- a) Host Site Agreement with MLFLW, Inc. for a Phoenix Bass Fishing League (BFL) event to be held on September 18-19, 2021 at Wolf Creek Park – Keefer reported that this agreement includes a \$3,500 host fee from the City that will have to be appropriated in the 2021-2022 budget. Keefer added that this agreement has been reviewed and approved by the City Attorney. Devitt made the motion to approve

the Host Site Agreement as presented subject to appropriation in the 2021-2022 FY budget. Seconded by Henderson. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

- b) Host Site Agreement with BASS, LLC for a Bassmaster Open Series event to be held on October 21-23, 2021 at Wolf Creek Park – Keefer reported that the host fee for this event will be based upon the number of anglers registered with a maximum of \$15,000, and that it is a three party agreement that includes the Convention Tourism Bureau as there is a request for room sponsorship for 50 rooms not to exceed \$5,000 that will have to be appropriated for in the 2021-2022 budget. Keefer added that this agreement has been reviewed and approved by the City Attorney. Devitt made the motion to approve the Host Site Agreement as presented subject to appropriation in the 2021-2022 FY budget. Seconded by Dyer. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve the denial of Claim #208778-1-HW from Claimant Horace Bridgewater upon recommendation from the Oklahoma Municipal Assurance Group (OMAG). Seconded by Dyer. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

**CITY MANAGER'S REPORT:**

Keefer reported that the City has tentatively scheduled the installation of the swim beach cable and buoys for the first week of December with the assistance from GRDA, weather permitting. Keefer added that GRDA has also agreed to assist the City with the cleanup of debris and driftwood along the north side of Sailboat Bridge the first part of January.

Dyer asked if the City would re-visit the boat ramp condition at the end of Buffalo Shores South. Keefer announced that project is not inside the corporate limits of Grove, and that the surrounding property owners once had an interest in repairing that project.

At 8:08 PM Devitt made the motion to adjourn. Seconded by Henderson. AYE: Henderson, Dyer, Devitt and Trumbull. NAY: None. Motion carried.