**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, OCTOBER 16, 2012**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, October 16, 2012 at 6:00 PM with Mayor Marty Follis presiding. Members present were Ed Trumbull, Ileta Bray and Marty Dyer. Member Berwin Kock was absent. Also present was Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard. Attorney, Brandon Watkins was absent.

**Public Comments**:

Mr. Paul Dalke addressed the City Council with concerns with the recent publicity on the City Manager, Bruce Johnson. Dalke noted that with the latest scandal from the Delaware County Sheriff’s office, he was wondering if there was any criminal activity from the office of the City Manager that the citizens of Grove needs to be concerned about? Follis assured Mr. Dalke that there was no criminal activity involved with the City Managers office, and strongly indicated that if there was the District Attorney’s office would have been instantaneously involved.

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

Trumbull made the motion to approve the minutes of the 10-09-12 special meeting. Seconded by Bray. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

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

Follis opened the floor for discussion with respect to a Quit Claim Deed by and between the City (Town) of Grove and Joyce Irene Cox. Bottoroff reported that this is a correction Quit Claim deed for the sole and only purpose of correcting the call “*East of the SW corner of Lot 2’ to ‘East of the SW corner of the SE 10 acres of Lot 2*” in that certain deed dated April 28, 1978 in Book 371 at page 869 in the office the County Clerk of Delaware County, Oklahoma. Trumbull made the motion to approve the Quit Claim deed by and between the City (Town) of Grove and Joyce Irene Cox as presented and discussed. Seconded by Bray. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

Bray made the motion to approve Change Order No. 3 for Engineering Services for the Wolf Creek Park Expansion for the construction materials testing and onsite inspection services per proposal from Grubbs, Hoskyn, Barton and Wyatt, Inc. for the estimated amount of $30,000. Seconded by Dyer. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion regarding accepting and awarding of bids on the Wolf Creek Park Expansion Phase I project. Engineer Tim McCrary addressed the Council to report that the City opened bids Friday, October 12th at 2:00 PM and received six (6) bids for the project. Two bids were found to be unresponsive:

1. Bru-Con, LLC failed to submit a Tabulation of Subcontractors and Bidder Qualifications Statement in accordance with Item C-6 of the Bid Section of the Contract Documents.
2. Cherokee Builders, Inc. failed to submit a Tabulation of Subcontractors in accordance with Item C-6 of the Bid Section of Part 1 of the Contract Documents

Therefore it is our recommendation that the bids from Bru-Con, LLC and Cherokee Builders, Inc. be returned. McCrary added that the apparent low bidder on the project is Crossland Heavy Contractors for $1,799,100.00 and that we have determined that their bid is responsive and contains all required documentation, and recommend that the contract be awarded to Crossland Heavy Contractors as received. The Council, Staff and Engineer Tim McCrary entertained questions, comments and concerns from the following individuals:

* Glenna Harris
* Bill Miller
* Clifford Harris, and
* Judith Read

McCrary noted that a large portion of funding for this project is being received from the Oklahoma Department of Wildlife Conservation therefore any consideration for awarding of bid would need to be contingent upon approval from the Oklahoma Department of Wildlife Conservation. Dyer made the motion to award the bid on the Wolf Creek Park Expansion Phase I project to Crossland Heavy Contractors as presented, and upon recommendation from Engineer, Tim McCrary contingent upon approval from the Oklahoma Department of Wildlife Conservation. Seconded by Trumbull. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to filling the position of City Manager. Bottoroff reported that in the past the City advertised for this position with the following news media:

* Tulsa World
* Daily Oklahoman
* Oklahoma Municipal League – OK Cities and Town
* International City Manager’s Association

Bottoroff indicated that another source for the Council to consider utilizing for this position is a Consulting Firm. Bottoroff added that there are firms out there that specialize in providing consulting services to local governments that offer a one-stop-shop for Municipal Professionals of all levels, and that are staffed with professionals that have extensive experience in local government management. Bottoroff discussed with the Council on the possibility of starting the hiring process until after the first of the year because of the number of Municipal Officials seats that are due up the upcoming General Election ballot in April 2013. Bottoroff added that the Council will have a better insight on that outcome after the election filing period around the first week of February. The Council agreed. No action was taken.

Follis opened the floor for discussion with respect to adopting a Resolution approving an Economic Development Agreement with the Grand Lake Family YMCA. Becky Rutter – Representative of the local Grand Lake Family YMCA addressed the Council to discuss in detail a proposed project of the YMCA to raise an estimated $4.0 million dollars to purchase a new larger facility located on 11TH Street (Fitness 4 Life building) out by the Sports Complex. Rutter reported that the City of Grove / GMSA is currently subsidizing the YMCA approximately $33,000 per year by paying the utilities on the current facility, and only charging the YMCA $200 per/month for rent where they could get a substantial more per month. Rutter discussed the total membership of the current YMCA and its collective dues per individual/family. Rutter respectfully requested from the Council consideration of contribution of funds from the Council to assist the YMCA in relocating, expansion, equipping and operations of said facility in the amount of $50,000.00 per year. The Council also entertained discussions from Kevin Brown, President of the local YMCA, and Butch Christy – Branch Director of the YMCA. Follis described the Economic Development Agreement for the Grand Lake Family YMCA by stating that the City will contribute to the YMCA $50,000 per year payable by December 31th of that year. Dyer made the motion to approve the Resolution authorizing an Economic Development Agreement with the Grand Lake Family YMCA as presented and discussed. Seconded by Trumbull. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

Dyer made a motion to approve an Ordinance amending Part 5, Building Regulations and Codes, of the Code of Ordinance of the City of Grove, Oklahoma, more particularly, repealing and replacing all of Chapter 3 – Building Codes; all of Chapter 4 – Plumbing and Mechanical Codes; part of Chapter 5, Section 5-501 – Electrical Code; part of Chapter 6, Section 5-602 – Fuel Gas Code; all of Chapter 7 – Liquefied Petroleum Gas Code; all of Chapter 10 – Mobile Homes and Trailers, all of Chapter 11 – Penalty; and Declaring An Emergency. Seconded by Trumbull. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve the Emergency Clause to the above-mentioned Ordinance. Seconded by Bray. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an Ordinance amending and renumbering the Animal Regulations, of the Code of Ordinances of the City of Grove, Oklahoma more particularly Part 4, Chapter 1, Sections 4-101, 4-108, 4-109, 4-110, 4-111 and 4-112. Seconded by Bray. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

**Ward Reports**:

Follis reported that in light of the recent events with the City Manager, he assured the citizens that the City will move forward due to the great Staff of City employees. Follis encouraged all citizens to come visit with them in regards to any rumors they hear. Dyer concurred with the statement made by Follis.

**Executive Session**:

At 7:33 PM Bray made the motion for the Council to recess into Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, pursuant to Title 25 O.S. Section 307.B.1; Acting City Manager – Debbie Bottoroff. Seconded by Dyer. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

At 8:16 PM Dyer made the motion for the Council to come out of Executive Session with no action taken. Seconded by Bray. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to Agenda Item D. 1 from Executive Session. Trumbull made the motion to approve an Employment Contract with Debbie Bottoroff as Acting City Manager with the following amendment:

Section Two – Term of Contract:

Paragraph 1) …has employed a ~~full time permanent~~ replacement City Manager for said City.

Seconded by Dyer. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.

At 8:16 PM Dyer made the motion to adjourn. Seconded by Bray. AYE: Trumbull, Bray, Dyer and Follis. NAY: None. Motion carried.