**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, JULY 16, 2013**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, July 16, 2013 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, Brandon Watkins; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

**PUBLIC COMMENTS**:

Mr. Ben Hynum addressed the Council to express his appreciation to them for allowing him to organize the entertainment again this year for the City of Grove Annual 4th of July event. Hynum extended his appreciation to all of the following individual groups and organizations who participated in making this event a success:

* City of Grove Staff & employees
* KGVE Radio Station
* Grove Fire Department
* Grove Police Department/ Sergeant Bohannan & VIPS
* Dr. John Swartz for the fly-over event, and
* To all of the local newspaper media

Hynum then presented a refund check to the City of Grove in the amount of $53.00. Follis expressed thanks to Wayne Crouse for his barge used to launch the fireworks. Hynum asked if it would be the Council intentions for him to organize this event again next year. The Council expressed their appreciation to Hynum and tentatively assigned him to organize this event again next year.

Mr. Bill Miller addressed the Council to express his appreciation to the City for the 4th of July celebration event. Miller indicated that he and his wife donated the use of their RV for the entertainers to change in, and he received a check from Mr. Hynum in the amount of $50 for that service. Miller presented that check back to the City of Grove.

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

Follis opened the floor for discussion with respect to approval of the purchase order register. Allred reported that she has placed additional purchase orders before the Council for possible consideration. Devitt made the motion to approve the purchase order registers as presented and upon amendments. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an Ordinance Amending Section 13-111 of the Code of Ordinances of the City of Grove, Oklahoma pertaining to open burning; burn permits; and the burn permit regulations. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve the Emergency Clause within the proposed Ordinance amending Section 13-111 of the Code of Ordinances of the City of Grove, Oklahoma pertaining to open burning; burn permits; and the burn permit regulations. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an Ordinance amending the Animal Regulations of the Code of Ordinances of the City of Grove, Oklahoma, more specifically Part 4, Chapter 1; pertaining to rabies vaccination requirements. 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 a contract with Blue Energy Fuels, LLC for the purpose of construction and operation of a CNG Vehicle Fueling Station. Bottoroff reported the following change(s) to the contract prior to consideration:

ARTICLE 2: RESPONSIBILITIES OF BEF

2.1 Capital requirements of CNG Equipment - …BEF will pay for MEP engineering…

ARTICLE 3: CITY’S RESPONSIBITITIES

3.0 Capital requirements of the CNG Infrastructure - …and signage to the station as well as civil engineering.

3.6 …defined as three (3) business days…

ARTICLE 4: TERM AND TERMINATION

4.2 Material Breach - …affect a cure to the other party within the ~~thirty (30)~~ ninety (90) day period…

Devitt made the motion to approve the contract with Blue Energy Fuels LLC as presented and upon amendment. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to authorizing a letter from the City of Grove to the Delaware County Commission and the Grand Gateway Economic Development Association pertaining to the distribution of 911 Emergency Wireless Telephone Fees. Keefer reported that as per the provisions of the Oklahoma 911 Wireless Emergency Number Act, public agencies that have the capabilities of providing 911 wireless telephone services are to receive a proportionate amount of the funds collected within that county based upon a census of wireless users for that service area. The sub-state planning district (Grand Gateway Economic Development Association for our area) is the official depository for the funds that are collected from the 911 wireless fees. This Act also provides that the sub-state planning district is responsible for the distribution of these funds “to each public agency that has 911 wireless telephone services”. Basically the letter is requesting three (3) actions:

* 1. That Delaware County relinquishes 911 wireless calls made from within the City of Grove’s wireless emergency service area to our Public Safety Answering Point (PSAP).
  2. That the Grand Gateway Economic Development Association begins allocating the proportionate amount of 911 emergency wireless telephone fees directly to the City of Grove
  3. That Delaware County returns the proportionate amount of 911 wireless telephone fees that they have received which should have been distributed to the City of Grove per provisions of the Act.

Keefer added that discussions on this issue have been ongoing for some time between Staff and representatives from several agencies with little or no progress. It is believed that there is a need for the Council to take action to begin a formal discussion on this issue. Devitt made the motion to authorize a letter from the City of Grove to the Delaware County Commission and the Grand Gateway Economic Development Association pertaining to the distribution of 911 emergency wireless telephone fees. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to declare the scrolling marquee at the Civic Center as surplus property and authorize the Staff to advertise for sealed bids for its removal. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to scheduling a special meeting for the purpose of holding a Public Forum to take input on proposed revisions to the City of Grove’s Zoning Regulations pertaining to mobile home parks. Keefer reported that the Staff would recommend scheduling a special meeting on Tuesday, July 30th at 6:00 PM in Room #6 for the purpose of holding a Public Forum to take input on proposed revisions to the City of Grove’s Zoning Regulations pertaining to the placement of mobile homes within the corporate limits. Dyer made the motion to approve the scheduling a special meeting for the purpose of holding a Public Forum as discussed. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve an Ordinance officially naming the street that parallels the South parking lot of the Wolf Creek Park between 16th and 21st Streets as “Wolf Creek Parkway”. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to authorize the Staff to solicit bids for new uniforms for the Police Department. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the bid received for the gasoline & diesel fuel usage for the 2013-2014 Fiscal Year. Vehicle Maintenance Supervisor, Dale Younger reported via Memo to the council that the Staff advertised for bids for this item and received only one bid from Lakeland Petroleum of Grove, Oklahoma at $.05 cents per gallon over cost. The bid met all required specifications, and based upon their record of customer service and support, it is Staff recommendation that this bid be accepted. Nielsen made the motion to award the fuel bid to Lakeland Petroleum as presented and discussed. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the bids received for a supplier of asphaltic material for the first half of the fiscal year ending December 31, 2013. Bower reported that the Staff advertised for bids for this supplier and received the following bids:

1. APAC – Oklahoma, Inc – Vinita Plant:
   1. 1999 ODOT Specifications:
      1. Type A Hot Mix F.O.B. $No Bid per ton
      2. Type B Hot Mix F.O.B. $54.00 per ton
      3. Type C Hot Mix $56.00 per ton
2. Longan Construction Company:
   1. 1999 ODOT Specifications:
      1. Type A Hot Mix F.O.B. $49.95 per ton
      2. Type B Hot Mix F.O.B. $52.95 per ton
      3. Type C Hot Mix $54.95 per ton
   2. Pro-Line Cold Mix Asphalt
      1. Bulk $98.50 per ton
      2. 10# bags $12.50 per bag

Bower added that it is Staff recommendation that the Council accept both bids with Longan being the primary supplier of hot mix Type B&C, and the secondary supplier being APAC depending upon availability. Bower entertained questions, comments and concerns from the Council. Trumbull made the motion to approve Staff recommendations and accept both bids with Longan being the primary supplier of hot mix Type B&C, and the secondary supplier being APAC depending upon availability. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the bids received for the limestone base rock & other filled materials for the 2013-2014 Fiscal Year. Bower reported that the Staff advertised for sealed bids for this project and received the following bid(s):

1. Kemp Stone – Fairland OK
   * Screenings $5.50 per ton
   * ¾ “ crusher run $6.25 per ton
   * 1 ½” crusher run $6.00 per ton
   * Type ‘A” aggregate base $6.50 per ton
   * 6” rip rap $9.95 per ton
2. APAC Central, Inc. – Vinita OK
   * Screenings $5.00 per ton
   * ¾ “ crusher run $6.00 per ton
   * 1 ½” crusher run $6.00 per ton
   * Type ‘A” aggregate base $6.25 per ton
   * 6” rip rap $15.50 per ton

Bower reported that based upon availability it is Staff recommendation to award the bid to Kemp Stone of Fairland, OK as the primary supplier, and APAC Central, Inc of Vinita, OK as the secondary. Nielsen made the motion to award the bid for limestone base rock and other filled materials to Kemp Stone and APAC Central, Inc as per recommendation from the Staff. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to authorizing a Goal Setting Retreat with the GMSA Board and Staff and directing Staff to bring back an agreement for review and consideration. Keefer reported that on several occasions during his first month in office, he mentioned an interest in having a planning retreat with the Council, GMSA Board and Staff to review and discuss where we have been, where we are today, and where we want to go in the future. In addition to goal setting, the retreat would also include some team building and good guidance training. The end results would be a set of reasonable and achievable goals for the next 3-5 years and hopefully a positive learning experience for all participants. Keefer added that he has taken the initiative to contact a long time acquaintance who believed would make an excellent facilitator for a retreat. Mike Conduff, President and CEO of the Elim Group have many years of experience facilitating programs and providing training for local governments. Conduff has provided Staff a draft agreement and noted a cost of $6,500 for the retreat for up to 20 participants. The retreat would be held this fall and start on a Friday evening to accommodate work schedules with a full day on Saturday. Devitt made the motion to authorize a goal setting retreat with the GMSA Board and direct the Staff to bring back an agreement for review and consideration. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**CITY MANAGERS REPORT**:

Keefer reported that he has placed in the Council’s packet two recent articles from the Tulsa World regarding the Governors recent announcement of an executive order to form a task force to study the GRDA and their operations. It will be important for the City of Grove as well as the whole Grand Lake Community to follow the task force proceedings as the outcome may have significant long-term ramifications for this area. At some point, the City of Grove may be asked or may need to provide input into this discussion. Staff will continue to monitor this and provide feedback to the Council.

Keefer also reported that the City of Grove has received notice of receipt of the following grant awards:

1. Notice from the Oklahoma Department of Wildlife Conservation of the grant to provide up to $202,500 for the design, planning and coordination for the Phase II and Phase III portions of the “Boating Access Project @ Grand Lake” aka Wolf Creek Park.
2. Notice from the Oklahoma Tourism and Recreation Department of a grant in the amount of $160,000 for the trail project connecting Wolf Creek Park with Grove Springs Park.

Keefer also mentioned that the Staff met recently as a follow up to the 4th of July celebration at Wolf Creek Park to review and critique the event including parking, as well as ingress and egress after the event. As the Council is probable aware, the great attendance and success of the event was somewhat overshadowed by traffic congestion and traffic flow problems when exiting the area onto Highway 59 North after the event. Staff will be working on developing a traffic/parking plan that can be used for future large events at this facility as well as our 4th of July celebration. This will include but not limited to identifying additional parking areas and limiting parking in strategic locations necessary for ingress/egress for emergency vehicles, etc.; developing an orderly plan for moving vehicles away from the park; a plan that coordinates the movement of vehicles from the side streets onto Highway 59 that also includes keeping traffic moving along Highway 59; and identifying alternate transportation options to access the park (i.e. shuttles).

**WARD REPORTS**:

Trumbull congratulated all involved in the 4th of July event because his cell phone lit up immediately after the fireworks display was over from individuals saying what a great show it was.

Follis asked if the Staff has been contacted by Dr. Bryan Sheehan in regards to his parking lot at the Grove Business Park. Keefer indicated that he did receive a call from Dr. Sheehan and that Bower is looking into finding a solution that would possibly clean-up the tack oil marks.

Devitt asked for an update on the ‘Dog Park’. Bottoroff reported that the sign of rules has been posted; however the waste station and water station needs to be installed. The Staff is hoping to conclude that project by this fall.

Devitt asked about the rip-rap along South Main Street. Bower reported that the Oklahoma Department of Transportation assisted the City with that project. Buildings and Grounds requested it to help with weed control.

Devitt reported that an individual was monitoring the Street Maintenance crew doing some patching along Harbor and Quail Run along one side and did nothing along the other side.

At 7:15 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.