**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, JUNE 18, 2013**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, June 18, 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**:

Mayor Follis presented a ‘Certificate of Appreciation’ to the City of Grove on behalf of the 2013 Wal-Mart FLW Tour & Expo Event.

Mr. Rick Miller addressed the floor to strongly express his personal thanks to the City of Grove for the wonderful facility they constructed known as Wolf Creek Park. Miller reported that he recently participated in the ‘Thunder on Wolf Creek’ event, and it was a huge success. Miller expressed thanks to the following entities that assisted in making this event possible:

* City of Grove
* Grove Fire Department
* Grove Police Department
* EMS Group
* Quapaw Tribe
* Monkey Island Fire Department
* Grand River Dam Authority
* Coast Guard Auxiliary
* Ivan Devitt – Car Show event

Miller also expressed thanks to the local merchants whom contributed over $7,000 worth of merchandise that was auctioned off by ticket sales. Miller indicated that he heard great reviews in regards to the facility from the contestants and spectators. Mr. Larry Hestand reported that the Airport received service from the event from a family that flew in from Minneapolis, Minnesota on Saturday and Sunday. Miller indicated that they will host this race again next year.

Mr. Wayne Crouse – Bernice Sanitation presented the City of Grove a check in the amount of $15,000 to be used at their discretion for public access.

**PUBLIC HEARING**:

At 6:23 PM Dyer made the motion to open the Public Hearing to provide the Public an opportunity to review, comment and provide input on the Wolf Creek/Grove Springs Park Master Trail Plan. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Keith Franklin – Landplan Consultants addressed the floor with a presentation of the Wolf Creek / Grove Springs Park Master Plan that detailed on the project descriptions by phase:

* 1. Main Asphalt Spine Trail
  2. Disc Golf Course
  3. Nature Trails
  4. Grove Springs Site Restoration
  5. Observation Deck & Birding Blind
  6. Rain Garden
  7. Boardwalk and Wetland Observation
  8. Playground, Bouldering, Restrooms & Parking
  9. Fitness Stations
  10. Low Ropes Course
  11. East Bank Nature Trails

Franklin reported a total development cost for this project to be $2,267,040.73. Franklin entertained questions, comments and concerns from the Council, Staff and the following audience participants:

1. Carl Metcalf
2. Dr. Larry Stout
3. Imogene Davis
4. Larry Hestand
5. Ben Hynum
6. Judith Read
7. Robert Plunk
8. Brian Elder
9. Suzanne Fowler
10. Anita Osborne, and
11. Ward Miller

Franklin’s presentation lasted for approximately 55 minutes. At 7:15 PM Dyer made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve the Wolf Creek/Grove Springs Park Master Plan as presented and discussed. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, and Follis. NAY: Devitt. Motion carried.

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

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

Follis opened the floor for discussion with respect to a Resolution approving action taken by the Grove Municipal Services Authority authorizing issuance, sale and delivery of a promissory note of the authority to the Oklahoma Water Resources Board; approving and authorizing the execution of a sales tax agreement by and between the City Of Grove, Oklahoma and the Grove Municipal Services Authority pertaining to a year-to-year pledge of certain sales tax revenue; ratifying and confirming lease agreements; and containing other provisions related thereto. Rick Smith – Municipal Finance Services addressed the Board to report that the lender for this project is the Oklahoma Water Resources Board through the Drinking Water SRF loan program with an interest rate of 2.75%. The estimated cost of this project is $8,765,000. Smith discussed in detail with the Council the ‘Summary of DWSRF Loan Transaction’, and on the following:

**Estimated Debt Service Requirements**:

Weighted average interest rate: 2.75%

Weighted Average Maturity: 19.5 years

Average Annual Payment: $583,737.00

**Estimated Issuance Components**:

Actual Construction Bid $7,858,000.00

Add Alternates $ 23,000.00

Project contingency (5%) $ 393,875.00

Engineering during Construction $ 150,000.00

Resident Inspection Fee $ 115,000.00

Bond Counsel Fee/Expenses $ 112,062.50

Financial Advisor Fee/Expenses $ 112,562.50

Trustee Bank Fee $ 500.00

Total Note Amount $8,765,000.00

Smith entertained questions, comments and concerns from the Council, Staff and participating audience. Dyer made the motion to approve the Resolution approving the incurrence of indebtedness by the Grove Municipal Services Authority for the Water Treatment Plant expansion. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to amendment to the Bernice Sanitation contract pertaining to sanitation rates and the annual Spring Clean-Up. Keefer reported that Wayne Crouse of Bernice Sanitation has submitted a proposal to the City of Grove for consideration to an amendment to the original contact with Bernice Sanitation of the following attachment(s):

**Attachment B**:

The original agreement provided for an increase in the monthly residential rate in year three from $11.60 to $12.01. This agreement will leave the current rate of $11.60 per month in place for year three.

**Attachment C**:

This amendment will add provisions for Bernice Sanitation to take over the city’s annual residential curbside spring clean-up. Bernice Sanitation will conduct the clean up event in April and provide the necessary equipment and manpower to pick up and dispose of the refuse for $17,400 plus disposal fees. Staff estimates a cost savings of approximately $4,000 which does not include labor.

Devitt made the motion to approve the amendment to the Bernice Sanitation contract pertaining to sanitation rates and the annual spring clean up. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to a Resolution approving the 2013-2014 Fiscal Year Budget. Mr. Gary Trippensee addressed the Council to respectfully ask about the Grove Municipal Airport Five (5) Year Capital Improvement project amount. Allred reported that the budget reflects a total amount of $3,409,000 in the City Capital – Airport fund for the following projects:

1. 2012-2013 Non Primary Grant $2,429.000
2. Terminal Grant $ 730,000
3. Airport Road Improvements $ 250,000

Devitt questioned the reasoning for remodeling the terminal vs. relocating the terminal. Airport Manager, Lisa Jewett responded by saying that moving the terminal from the East side to the West would enhance the community development along that side of the Airport. Allred reported that the budget reflect a merit increase / step increase for all full time employees that has received a positive evaluation in the previous year. Keefer reported that he has heard a lot of complaints from the residents of Grove in regards to the poor streets conditions, and that he greatly appreciates those concerns. Keefer indicated that he has driven all of the city streets, and is fully aware of their conditions that that he would like to visit with the Staff to prioritize the streets, and to strongly entertain options for funding those streets in the future. Devitt expressed his appreciations to Keefer for his concerns with the city streets upkeep and maintenance because it is important to the resident of Grove. Dyer made the motion to authorize a Resolution approving the 2013-2014 Fiscal Year budget. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an agreement with Grove Municipal Airport Managing Authority regarding a loan to construct an 8-Bay Nested T-Hangar. Keefer reported that this item was removed from the June 4th City Council meeting at the request of the Grove Municipal Airport Managing Authority. Since that meeting the Staff reviewed the agreement and made a few minor changes in regards to the date of monthly payments due as well as the addition of a default paragraph. The provisions were added to the document and reviewed by the GMAMA at their June 10th meeting which was approved by the Board. Nielsen made the motion to approve the agreement with the Grove Municipal Airport Managing Authority regarding a loan to construct an 8-Bay Nested T-Hangar. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis made the motion to approve a renewal participation agreement with the Oklahoma Municipal Assurance Group for the 2013-2014 Workers Compensation Plan to include the use of Escrow Credit payment in the amount of $1,531.79 to reduce the premium for renewal of participation. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to denial of Claim No. 33509-ME – Claimant Dianna Whitney upon recommendation from the Oklahoma Municipal Assurance Group. Ms. Dianna Whitney addressed the Board to report that she called GMSA and talked to Jack Bower upon the first occurrence of this problem, and Bower told her that he would get the crew out there to fix the problem, and he never did. Whitney indicated that she had her brother, who is a licensed plumber, to come out assess the situation. Whitney noted that she never heard back from the City/GMSA until she read the agenda in the newspaper. Watkins reported that it is upon recommendation from the Insurance Company to deny the claim, therefore; he strongly suggested that the Council not respond to the statements made my Whitney at this time, and accept the denial of claim as presented. Dyer made the motion to deny the claim as presented by Whitney upon recommendation from the Oklahoma Municipal Assurance Group. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve a Resolution amending the City of Grove Personnel Policies and Procedures Manual Compensation Plan. Seconded by Follis. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve a contract for legal services between the City of Grove and Richard D. James, Attorney at Law for the duties of City Judge. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to approve a contract for legal services between the City of Grove and Brandon Watkins, Attorney at Law for the duties of City Attorney, and other related services. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**CITY MANAGERS REPORT**:

Keefer reported that he will be placing in the packet a report called ‘Informational Memorandum’ for the purpose to provide information and updates to the Council on various city activities, issues and projects; provide follow up information that may have been requested at a previous meeting; identify upcoming agenda items; provide monthly or annual departmental reports; as well as copies of minutes from other city boards and committees, newsletters and correspondence.

Keeper updated the Council to the discussion at the last meeting regarding Open Burning and the permit process. Staff has reviewed the current ordinances and believes that it needs to be amended to reference the requirements or policy regulations that are part of the burn permit issued by the City. Without reference to the permit regulations/requirements within the ordinance, there is a question on whether the city has authority to enforce them. This will be an agenda item in the near future.

Keefer also mentioned that it is his intent to contact each Council member prior to the meeting on Tuesday to check if there are any questions on the agenda or if we need to provide additional information at the meeting.

**WARD REPORTS**:

Trumbull reported that it is always nice hear compliments on the various projects the City of Grove spent money on from the people coming into Grove for the different events and how great the volunteers work together at each event.

Follis asked for an update on the lights out at Wolf Creek Park. Bottoroff reported that they hope to have them completed by the end of the month.

Follis reported that the Rotarians are putting the final touches on the new ‘Rotary Park aka Kiwanis Park’ and that they are planning a dedication for Thursday, June 27th @ 5:30 PM.

Nielsen reported that he went out to the ‘Thunder on Wolf Creek’ event this past weekend and was impressed with the event turnout.

Dyer asked if there are any plans for any type of concerts out at Wolf Creek. Bottoroff indicated that the City of Grove is planning their annual ‘4th of July’ entertainment at that site on Wednesday, July 3rd.

Devitt expressed thanks to the participating audience.

Devitt also mentioned the ‘Thunder on Wolf Creek’ racing event by saying that he received a lot of interest from residents of Grove and surrounding communities.

At 8:24 PM Nielsen 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.; City Treasurer – Lisa Allred. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 8:44 PM Dyer made the motion for the Council to come out of Executive Session with no action taken. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Trumbull made the motion to approve an employment contract with Lisa Allred for the duties of City Treasurer for a one year term beginning on the first day of July 2013 and ending on the last day of June 2014. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 8:45 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.