**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, MAY 21, 2013**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, May 21, 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 Acting City Manager, Debbie Bottoroff; Attorney, Brandon Watkins; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

**PUBLIC HEARING**:

At 6:50 PM Devitt made the motion to open a Public Hearing to providing the public an opportunity for input and comments on the Fiscal Year 2013-2014 budget. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. The Council entertained questions, comments and concerns from the following individuals:

1. Margaret Miller – addressed the Council to strongly express her concerns with the placement of additional funding for reconstruction / resurfacing of city streets. Miller noted that the budget reflects $500,000 for street construction, and that is earmarked for Harbor Road only.
2. David Adzigian – addressed the Council to report that the Grove Economic Development Authority (GEDA) met and reviewed their 2013-2014 FY budget. Adzigian noted that GEDA is responsible for fostering the economic development and enhancing the economic health of the Grove community. GEDA understands the budgetary constraints the City is facing and that the coming fiscal year is one of its most difficult budgeting year due in part to the city’s many on-going projects and debt service obligations. In its regular meeting on May 20, 2013 GEDA approved its draft budget as presented by City Staff contingent upon:
   1. City Council increase the GEDA revenue budget by $49,500 to $90,000
3. Bill Miller – addressed the Council to strongly express his concerns with:
   1. Fire runs
   2. Animal Fees
   3. Street Lighting Fee
   4. DARE Grant Reimbursements
   5. Lease Revenue
   6. Community Promotion
   7. Electric – street lights
4. Councilman Devitt asked for clarification of the following line items of the budget which Bottoroff and Allred responded:
   1. Contract Services – Delaware County Emergency Management
   2. Training Center – Replace AC Unit
   3. Automated Meter Reading

At 7:44 PM Trumbull made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

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

Nielsen 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 approval of a Memorandum of Understanding between the City of Grove and Blue Energy Fuels, LLC. Mr. Tom Sewell – President Tulsa Gas Technologies, Inc & Blue Energy Fuels, LLC addressed the Council for the purpose of providing detail information and intent regarding the construction of the CNG fueling station in Grove. Sewell reported on the following topic of the contract:

* Scope of Agreement and Definitions
* Responsibilities of Blue Energy Fuel
* City ‘s Responsibilities
* Term and Termination
* Purchase of CNG Sewell indicated that he will obtain their fuel for this project from Constellation of Tulsa, OK. Bottoroff reported that a gas sales contract between Blue Energy Fuels, LLC and GMSA.
* Excise, Sales and Use Taxes

Sewell entertained public comments from:

* Bill Miller

Sewell’s presentation lasted for approximately 45 minutes. Dyer made the motion to approve the Memorandum of Understanding between the City of Grove and Blue Energy Fuels, LLC 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 an agreement with Rose and McCrary, Engineering and Land Surveying for engineering services for Phase II of Wolf Creek Park, site work. Bottoroff reported that this agreement is for engineering services for the Phase II site work at Wolf Creek Park. Bottoroff indicated that upon visiting with Gene Gilliland of the Oklahoma Department of Wildlife Conservation (OWDC) he advised that it will be more cost effective and will make the construction phase more attractive for grant funding if we have all of Phase II engineering completed at the same time. After the first of July there will be OWDC funding available to pay 75% of the engineering costs, and 50% matching funds for the construction. Bottoroff added that the proposed 2013-2014 budget allows for the funding all of the Phase II engineering and construction of the pavilion, the remainder of the site construction is proposed for the 2014-2015 budget year. Engineer Tim McCrary was present to address any questions, comments and concerns from the Council and Staff. Trumbull made the motion to approve the agreement with Rose and McCrary, Engineering and Land Surveying for engineering services for Phase II of Wolf Creek Park, site work. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the approval of the State-Local Disaster Assistance Agreement FEMA-4064-DR-OK (HMGP) Individual Safe Room Project #004. Bottoroff reported that the City of Grove has been approved for FEMA grant funding for individuals safe room through the Hazard Mitigation Grant program. The grant allows for residents within the City of Grove whose application has been submitted and approved to construct an individual safe room with 75% of the cost being funded by FEMA and 25% funded by the applicant. Dyer made the motion to approve the State-Local Disaster Assistance Agreement FEMA-4064-DR-OK (HMGP) Individual Safe Room Project #004. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to approve the 2013-2014 agreement with the Fraternal Order of Police Grand Lake Lodge No. 171. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Automatic Aid Agreement between the City of Grove and Butler Fire Department. Fire Chief, Mike Reed was present to address any questions, and concerns from the Council. Dyer made the motion to approve the Automatic Aid Agreement between the City of Grove and Butler Fire Department. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to approve an Ordinance amending Part 13, Chapter 2 – Fire Department and Services, more particularly Section 13-214.B Fee for Service of the Code of Ordinances of the City of Grove and adding Section 13-214.D as presented and amended. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve a contract with Rescue Revenue for providing billing and collection services to insurance companies for services provided by the Fire Department. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect for authorization to solicit bids for the purchase of one truck for the Grove Fire Department fleet from the Delaware County Fire Department fund. Fire Chief, Mike Reed addressed the Council to report that he is seeking authorization to solicit bids for the purchase of a Ford F550 Brush Unit for his fleet. The estimated cost for this unit is approximately $109,000 to be purchased from the Delaware County Fire Department Fund. Dyer made the motion to authorize the Staff to solicit bids for a brush unit for the Fire Department to be purchased from the Delaware County Fire Department Fund. Dyer made the motion to authorize the Staff to solicit bids for the purchase of one truck for the Grove Fire Department fleet from the Delaware County Fire Department Fund. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion to amend Chapter 4 District Regulations, Section 4.1.2 Minimum Exterior Construction Standards of the Zoning Regulations. Bottoroff reported that the Planning and Zoning Commission met and approve the amendment of the Zoning Regulations regarding the Minimum Exterior Construction Standards for buildings along highway corridor to correct the wording to the original intent of the regulations. The amendments refer to structures in existence prior to the date of the Ordinance was approved, which are considered non-conforming structures. The intent of the Ordinance was to require the non-conforming structures to comply with the non-conforming uses of the Planning and Zoning regulations. The Council and Staff entertained questions, comments and concerns from the following individuals:

* Dave Claggett
* Bill Miller, and
* Judith Read

Trumbull made the motion to approve the Ordinance amending Chapter 4 District Regulations, Section 4.1.2 Minimum Exterior Construction Standards of the Zoning Regulations. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**ACTING CITY MANAGERS REPORT**:

Bottoroff reported that the Staff received bids for the Water Treatment Plant expansion, and that the bid was higher than the proposed engineers estimate. Therefore, GMSA Chairman Jim Ford and Trustee Kenneth Fitch went back before the Oklahoma Water Resource Board to renegotiate an increase in the loan amount to cover the higher amount required. OWRB met earlier this afternoon, and according to Ford approved GMSA a revised loan amount of $8,675,000. GMSA & the City Council will have the loan documents at their 06-18-13 regular scheduled meeting of for consideration, and that Financial Advisor Rick Smith will be attending that meeting.

Bottoroff reminded the Council that on June 6, 2013 @ 12:00 Noon there will be a web-conference with ICMA.

Bottoroff announced that City Manager, Bill Keefer will be settling into his office next week.

**WARD REPORTS**:

Trumbull & Dyer reported that the recent budget session with Bottoroff and Allred were very informative, and that he expressed thanks to them for a job well done.

Follis reported that he has noticed bag worms already forming in the trees. He asked if Buildings and Grounds has already sprayed. Bottoroff reported that she would visit with Craig Criger and would report back.

Dyer reported that Rotary Park (aka Kiwanis Park) is now complete, and looks great.

Devitt remarked on the Rotary Park, and expressed thanks to the following individuals who volunteered their time and equipment for this project:

* Dave Helms
* Harold Chandler
* Bob Plunk
* Matt Walters
* Chad Bruening, and
* AEP/PSO crews

Devitt also expressed thanks to all of the participating audience for coming to the meeting.

At 8:37 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.