**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, FEBRUARY 16, 2010**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, February 16, 2010 at 6:00 PM with Mayor Gary Bishop presiding. Members present were Marty Follis, Larry Parham and Mike Davenport. Member Gary Trippensee was absent. Also present was City Manager, Bruce Johnson; Attorney, Dave Jones; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

**PUBLIC HEARING**

At 6:03 PM Bishop opened the floor for a Public Hearing regarding the application submitted by Randall Fidler to re-zone the following legally described property from R-1 to R-2 for construction of Duplex units:

LEGAL DESCRIPTION:

Lot 3, 4, 5, 6, 7, 8, 9, & 10, Block 1, Sequoyah Addition to the Town of Grove AKA Lots 3-10 on the East side of Broadway between 10th and 11th Street.

Bishop reported that before opening the application for discussion, he wanted to announce that the City of Grove has received a letter from the property owner, Randall Fidler respectfully requesting that the Planning and Zoning Commission/City Council consider no action on this application at this time, and that he be allowed to present his application in the future upon request. Bottoroff reported that the applicant certainly has this option, however since the Public Hearing was legally published to the public, the hearing shall proceed with no action taken at this time. If the property owner desires to proceed with his application, then the City of Grove Staff would again notify all of the property owners within the necessary boundaries of the rezoning request. The Council heard no comments of concerns and / or oppositions from the public. At 6:04 PM Davenport made the motion to close the Public Hearing in regards to the rezoning application submitted by Randall Fidler. Seconded by Parham. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

At 6:04 PM Bishop opened the floor for a Public Hearing regarding an application submitted by Albrey Wheatley to rezone the following legally described property from C-4 to C-1 for operation of Day Care Center:

LEGAL DESCRIPTION:

 Lot 5, Block 53 Original Town of Grove AKA 119 W. 7th, Grove, OK

Bottoroff reported that in January 1998 the City Council passed an Ordinance rezoning this property located at 119 W 7th Street from R-1 to C-4, which she assumed was upon recommendation from the Planning and Zoning Commission. Bottoroff added that this property was recently purchased by Wheatley, therefore with the transfer of new ownership, the new owners would be required to comply with the current ‘Permitted Uses’ index that allows Childcare Facility, Commercial to be zoned as C-1. Bottoroff noted that this is just a simple house cleaning item from the P&Z Board upon recommendation to the Mayor and City Council. The Council heard no concerns or comments from the public in regards to this item. At 6:05 PM Parham made the motion to close the Public Hearing pertaining to the rezoning application submitted by Albrey Wheatley. Seconded by Davenport. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

At 6:05 PM Bishop opened the floor for a Public Hearing pursuant to the rules, regulations and policies of the United States Department of Housing and Urban Development and the Oklahoma Department Of Commerce/Division of Community Affairs and Development of the following items, at a minimum, will be discussed during this Public Hearing:

* Community Development Needs
* Community Development Block Grant Program Purpose
* Development Of Proposed Activities
* Citizen Comments, Observations, Proposals And Questions

EDA / CDBG Director – Tami McKeon addressed the Council to report that the City of Grove is considering applying to the Oklahoma Department of Commerce’s Community Development Block Grant program (CDBG) for funding assistance. The State of Oklahoma has funds available to units of government to undertake viable activities that primarily benefit persons defined as low and moderate income. This project has been identified as a community priority need and a tentative decision has been made to seek funding from the Oklahoma Department of Commerce for $25,000 in CDBG funding to construct storm water infrastructure to assist with flooding in neighborhoods located on the east side of the city. The City of Grove through Grand Gateway Economic Development Association REAP program will provide a match of $25,000 in REAP funding, with a total construction project of $50,000. No public comments were heard. At 6:07 PM Follis made the motion to close the Public Hearing. Seconded by Davenport. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

Follis made the motion to approve the minutes of the previous meeting. Seconded by Parham. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

Follis made the motion to approve the purchase order register. Seconded by Parham. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion regarding a presentation from Troy Helms for a Proclamation proclaiming March 19, 2010 as ‘Arbor Day’. Troy Helms addressed the City Council to request the approval of the Proclamation proclaiming Friday, March 19, 2010 as ‘Arbor Day’ and authorize the planting of trees at the North Olympus Cemetery. Bishop read the Proclamation proclaiming March 19th as Arbor Day and urged all citizens to participate in the planting of trees. No action was taken.

Bishop opened the floor for a presentation from the Grove Area Merchants Association regarding a request for an Educational Shop Local Campaign. Sherri Lybarger – President of the Grove Area Merchants Association addressed the Council to respectfully request that the City Council consider allocating additional funding to their existing contract. Lybarger noted that they would like to launch a ‘Shop Local, Shop Grove’ campaign. Lybarger reported that they would like to raise an estimated amount of $6,000 with the City contributing one-third (⅓) of that amount, and the remaining coming from area merchants. Lybarger reported that this organization is not limited to just the downtown merchants only, but every merchant inside the corporate limits of Grove has an open invitation to participate in this campaign. Davenport reported that he would like to see this organization work in conjunction with the Grand Lake Association and the Grove Area Chamber of Commerce for the betterment of Grove. Lybarger entertained questions and comments from the Council, Staff and Audience in regards to this project. The Council discussed various options with Lybarger in accomplishing with this funding. Attorney Jones strongly suggested that the Council set-out the particulars of this funding in the Grove Area Merchants Association contract. No action was taken from the Council.

Bishop read a Proclamation declaring the month of February 2010 as ‘Fair Housing’ month. No action was taken from the Council.

Bishop opened the floor regarding the approval of submitting the 2009 CDBG/REAP application and related documents pertaining to the Stormwater Drainage Infrastructure Improvements, and authorizing the Mayor’s signature as required. Related documents pertaining to the Stormwater Drainage Infrastructure Improvements include but are not limited to:

* Application Resolution
* Citizen Participation Plan
* Residential Anti-Displacement And Relocation Assistance Plan
* Commitment Of Matching Funds Resolution

Davenport made the motion to approve the documents as presented above, and to authorize the Mayor’s signature as required. Seconded by Follis. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

Davenport made the motion to approve an Ordinance rezoning the following described property for applicant Albrey Wheatley from C-4 to C-1 for a ‘Day Care’ Center:

LEGAL DESCRIPTION:

Lot 5, Block 53 Original Town of Grove aka 119 W 7th Street – Grove, Ok 74344

Seconded by Parham. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

Item # C-8: Discussion and / or action with respect to the Emergency Clause to the above-mentioned Ordinance. No action was taken.

Bishop opened the floor for discussion regarding the ‘Request for Qualifications’ received for the City of Grove Multi-Mitigation Plan. Bottoroff reported that the City of Grove advertised for ‘Request for Qualifications’ to develop, write and submit an approvable Multi-Hazard Mitigation Plan for the City of Grove as an update to the Delaware County Multi-Jurisdictional Hazard Mitigation Plan. The following Consultants submitted RFQ’s for the plan:

* Hazard Mitigation Specials – Eufaula, OK
* Brakes & Associates – Manhattan, KS
* Flanagan & Associates – Tulsa, OK

Robert Real – Delaware County Emergency Management Director has reviewed the submittals and recommends Flanagan & Associates, be selected by the City to create and submit the Hazard Mitigation Plan. Parham made the motion to award the ‘Request for Qualification’ for the City of Grove Multi-Hazard Mitigation Plan to Flanagan & Associates. Seconded by Follis. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

Follis made the motion to approve a Resolution approving finding of Categorical Exclusion / Exempt from release of funds publications from Grove, CDBG CDBO Housing Revitalization project. Seconded by Davenport. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

Bishop opened the floor for discussion in regards to an amended contract between the Grove Area Merchants Associates and the City of Grove. Johnson asked for clarification from the Council of their intentions in regards to the following amendment(s) to the Grove Area Merchants Associates contract:

* *the Association shall advertise and promote an educational shop local campaign*
* *the City, upon the initiation of the services agreed to be performed by Association, shall as consideration of this contract, pay to the Association the annual sum of seven thousand four hundred dollars ($7,400)….in no event will the payment exceed $7,400 annually*
* *as the Association incurs expenses for the educational shop local campaign, it shall request reimbursement of one-third of such expenses from the City upon presentation of receipts verifying the Association’s expenses. Such reimbursement shall not exceed $2,000 ending June 30, 2010.*

Johnson further mentioned that there is an outstanding invoice from the GAMA in the amount of $1,400 that has yet to be paid from the contract amount of $5,000. Follis made the motion to approve the amended contract between the Grove Area Merchants Associates and the City of Grove as discussed with the total amount not to exceed an additional $2,000. Seconded by Bishop. AYE: Follis, Davenport and Bishop. NAY: None. Parham abstained. Motion carried.

Bishop opened the floor for discussion regarding a Policy Statement for the City of Grove Disadvantaged Business Enterprise Program. Johnson respectfully requested that the Council table this item at this time due to proposed changes forthcoming.

Parham made the motion to approve a Resolution amending the 2009-2010 Fiscal Year Budget. Seconded by Davenport. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

Davenport made the motion to authorize the Staff to solicit bids for the sale of one surplus IHC 1086 Farm Tractor. Seconded by Follis. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.

**CITY MANAGERS REPORT**:

* Discussion with respect to the City of Grove Pool Project – Johnson reported that the city has received a composite drawing of this project from Designer Engineer Paddock Enterprises, and presented each of the Council Member with a copy of that drawing along with a work schedule for this project up to the week ending 03-07-10 from Project Engineer Tim McCrary.
* Discussion with respect to the Waste Water Treatment Plant project – Johnson reported that the entire concrete portion has been poured for this project which includes the composting pad. Gibe and Sears is doing an excellent job in the composting training. The Staff has started utilizing the sludge box, and even with the high volume of water, and the weather conditions, they are still able to cure the compost. Johnson added that the City of Grove has received official notification from the Oklahoma Water Resource Board that the principal forgiveness at the end of the project, which is $1.9 million, has increased from 20% to nearly 31%, and that would be a substantial savings to the citizens of Grove.
* Discussion with respect to the City of Grove transportation infrastructure - Johnson reported that the City of Grove – Street Department budget will be looking at some major construction cost in the upcoming season in order to repair the severe street deterioration. Johnson noted that their possibly might be some Federal funding available to assist the City with this project.
* Discussion with respect to motor vehicle gasoline prices with the corporate limits of Grove, Oklahoma – Johnson reported that the Staff surveyed several convenience stores with the city limits regarding the gasoline prices, and the majority of them indicated that the prices are based upon the free market, competition, and supple in demand. The merchants indicated that it is illegal for them to discuss the price of gasoline with their competitors, but each one indicated they are required to visually look at their competitor’s prices several times a day, and when one goes up or down all the others follow suite to remain competitive.
* Discussion with respect to Grand Lake O’ The Cherokee Watershed Alliance Foundation – Johnson reported that the City of Grove would strongly need to consider implementing storm water run Ordinance for this project.
* Discussion with respect to Grove Fire Department’s Firefighting Apparatuses – Johnson reported that Fire Chief, Lee Dollarhide, and a Members from the Vehicle Maintenance will be traveling to Mississippi to purchase a new ‘Ladder Truck’ for the Fire Department to replace the ladder truck was involved in a motor vehicle accident.
* Discussion with respect to ‘Urban Deer Hunting’ – Johnson reported that he has been contacted by an organization in regards to the deer overcrowding. This organization has respectfully requested to address the City Council at their next meeting, in regards to eliminating some of the deer population inside the corporate city limits of Grove.

**WARD REPORTS**:

Parham reported that the Oklahoma Tax Commission reports have increased 10%.

At 7:14 PM Follis made the motion to adjourn. Seconded by Parham. AYE: Follis, Parham, Davenport and Bishop. NAY: None. Motion carried.