

MINUTES

CITY COUNCIL MEETING

December 13, 2016

The Regular Session of the Glenpool City Council was held at Glenpool City Hall, 3rd Floor, 12205 S. Yukon Ave, Glenpool, Oklahoma. Councilors present: Patricia Agee, Councilor; Brandon Kearns, Councilor; and Timothy Fox, Mayor. Momodou Ceesay, Vice Mayor and Jacqueline Triplett-Lund, Councilor were absent.

Staff present: Roger Kolman, City Manager; Lowell Peterson, City Attorney; Susan White, City Clerk; Julie Casteen, Finance Director; Lynn Burrow, Community Development Director; Rick Malone, City Planner; and Dennis Waller, Police Chief.

Also present were Rev. Jason Yarbrough, First Baptist Church; Glenpool PD recruits: Anthony Wind, Tyson Fuqua, Elizabeth Andrews, Daniel Pollet, Jordan Weygand, and Wesley Johnson; Master Patrol Officer Jeremy Plane; Master Patrol Officer Robert Glasby; Master Patrol Officer Matt Graves; Master Patrol Officer William L. Odom, Retired; Adam Moura; Ryan McCarty, Select Design; Brian Doyle and Lonnie Shackle with K & S Development; and Alan Woodcock.

- A) Mayor Fox called the meeting to order at 6:30 p.m.**
- B) Susan White, City Clerk called the roll. Mayor Fox declared a quorum present.**
- C) Jason Yarbrough, First Baptist Church offered the Invocation.**
- D) Mayor Fox led the Pledge of Allegiance.**
- E) Community Development Report – Lynn Burrow, Community Development Director**
 - Lynn Burrow offered a status update on the progress of various private and public construction projects throughout the city; the status of the ODOT grant project; provided the number of residential and commercial building permits issued in November; as well as information concerning activities in the Planning, Building, and Code Enforcement Departments.
- F) Treasurers Report – Julie Casteen, Finance Director**
 - Mrs. Casteen presented a comprehensive report for October revenues and expenditures in all Funds.
- G) City Manager Report – Roger Kolman, City Manager**
 - Mr. Kolman thanked Mayor Fox and Councilors Agee and Lund for participating in the 2016 Christmas parade.
 - He reported on the ribbon cutting ceremony at Whataburger on December 9. He commented that Whataburger is a great addition to the community.
 - Mr. Kolman reminded the Council that the Annual Christmas Chamber luncheon will be hosted by the Glenpool High School. The meal and entertainment will be provided by the students.
- H) Mayor Report – Timothy Fox, Mayor**

- Mayor Fox agreed with Mr. Kolman's favorable comments regarding the Christmas parade.
- He reported that he enjoyed attending the tenth annual King of Kings live nativity and recommended it to others next year.
- He reported on the Whataburger grand opening festivities noting that an ensemble from the Glenpool H.S. Band was invited to perform at the restaurant.
- Mayor Fox reported that he attended the FOP food drive on Saturday morning. He read a statement expressing his appreciation to the Police Department for their contribution to the community.

I) Council Comments

- None.

J) Public Comments

- None.

K) Recognize Master Patrol Officer William L. Odom for 21 Years of Service

- Master Patrol Officer Odom was recognized by the Mayor for his service and presented with a plaque.

L) Police Officer Swearing-In Ceremony – George Miles, Municipal Judge

- Six new recruits were administered the oath.
- Chief Waller also recognized officers whom had recently received promotions or obtained specialized instructor certifications.

M) Employee of the Month Recognition

- Adam Moura, Payroll Specialist/Accounts Receivable Clerk was recognized as the November Employee of the Month

N) Scheduled Business

1) Discussion and possible action to approve minutes from October 25, November 15, November 22, and November 28, 2016 meetings.

MOTION: Councilor Agee moved, second by Councilor Kearns to approve minutes as presented.

FOR: Mayor Fox; Councilor Agee; Councilor Kearns

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion carried.

2) Discussion and possible action to approve and adopt Ordinance No. 726, An Ordinance That: (A) Levies And Assesses An Excise (Use) Tax Of Twenty-Six Hundredths Of One Percent (0.26%) Of The Purchase Price Upon The

Storage, Use Or Consumption Of Tangible Personal Property That Is Purchased Outside The State Of Oklahoma And Used, Stored Or Otherwise Consumed Within The City Of Glenpool, In Addition To And At A Rate Equivalent To Sales Taxes Levied And Assessed In Accordance With City Of Glenpool Ordinance No. 716, As Adopted By The City Of Glenpool City Council On March 7, 2016, And Approved By A Majority Of The Registered, Qualified Voters Of The City Of Glenpool At A Special Election Held For That Purpose In The City Of Glenpool On April 5, 2016; (B) Establishes Purposes For Which Revenues Collected Under This Ordinance May Be Expended; (C) Provides For Such Use Tax To Commence On January 1, 2017; (D) Provides For The Duration Of Such Use Tax To Be Until The Sales Tax Levied And Assessed In Accordance With Said Ordinance No. 716 Shall Be Amended Or Repealed By The Voters Of The City; (E) Provides For Exemptions Thereto; (F) Provides For Collection Of Tax By Retailer Or Vendor Maintaining A Place Of Business Within The State Of Oklahoma Or Both Within And Without The State Of Oklahoma; (G) Prescribes Procedures For The Collection And Remittance Of Such Use Tax And Penalties For The Failure To Do So; (H) Includes Such Other Provisions, Terms And Conditions As Necessary For The Effective Implementation And Enforcement Of Said Ordinance; And Declares An Emergency.

MOTION: Councilor Kearns moved, second by Councilor Agee to approve Ordinance No. 726 as presented.

FOR: Councilor Agee; Councilor Kearns; Mayor Fox

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion carried.

- 3) Discussion and possible action to approve Emergency Clause, WHEREAS, the immediate operation of the provisions of Ordinance No. 726 is necessary for the preservation of the peace, health, welfare and best interests of the City of Glenpool and the citizens thereof, and to ensure that they received the benefits of taxes levied and collected thereunder on its effective date of January 1, 2017, an emergency is hereby declared to exist and the Ordinance shall take effect and be in full force from and after its passage as provided by law.**

Lowell Peterson, City Attorney recommended approval of the Emergency Clause because the effective date of the sales tax increase is less than thirty days away and the use tax must match the sales tax.

MOTION: Councilor Agee moved, second by Councilor Kearns to approve Emergency Clause on Ordinance No. 726 as presented.

FOR: Councilor Kearns; Mayor Fox; Councilor Agee

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion unanimously in favor.

- 4) Discussion and possible action to adopt Ordinance No. 727, An Ordinance That: (A) Levies And Assesses An Excise (Use) Tax Of Twenty-Nine**

Hundredths Of One Percent (0.29%) Of The Purchase Price Upon The Storage, Use Or Consumption Of Tangible Personal Property That Is Purchased Outside The State Of Oklahoma And Used, Stored Or Otherwise Consumed Within The City Of Glenpool, In Addition To And At A Rate Equivalent To Sales Taxes Levied And Assessed In Accordance With City Of Glenpool Ordinance No. 715, As Adopted By The City Of Glenpool City Council On March 7, 2016, And Approved By A Majority Of The Registered, Qualified Voters Of The City Of Glenpool At A Special Election Held For That Purpose In The City Of Glenpool On April 5, 2016; (B) Establishes Purposes For Which Revenues Collected Under This Ordinance May Be Expended; (C) Provides For Such Use Tax To Commence On January 1, 2017; (D) Provides For The Duration Of Such Use Tax To Be Until The Sales Tax Levied And Assessed In Accordance With Said Ordinance No. 715 Shall Be Amended Or Repealed By The Voters Of The City; (E) Provides For Exemptions Thereto; (F) Provides For Collection Of Tax By Retailer Or Vendor Maintaining A Place Of Business Within The State Of Oklahoma Or Both Within And Without The State Of Oklahoma; (G) Prescribes Procedures For The Collection And Remittance Of Such Use Tax And Penalties For The Failure To Do So; (H) Includes Such Other Provisions, Terms And Conditions As Necessary For The Effective Implementation And Enforcement Of Said Ordinance; And (I) Declares An Emergency.

MOTION: Councilor Agee moved, second by Councilor Kearns to approve Ordinance No. 727 as presented.

FOR: Mayor Fox; Councilor Agee; Councilor Kearns;

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion carried.

- 5) **Discussion and possible action to approve Emergency Clause, WHEREAS, the immediate operation of the provisions of Ordinance No. 727 is necessary for the preservation of the peace, health, welfare and best interests of the City of Glenpool and the citizens thereof, and to ensure that they received the benefits of taxes levied and collected thereunder on its effective date of January 1, 2017, an emergency is hereby declared to exist and the Ordinance shall take effect and be in full force from and after its passage as provided by law.**

Lowell Peterson, City Attorney recommended approval for the same reason as stated in Item 3.

MOTION: Councilor Agee moved, second by Councilor Kearns to approve Emergency Clause on Ordinance No. 726 as presented.

FOR: Councilor Agee; Councilor Kearns; Mayor Fox

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion unanimously in favor.

6) Discussion and possible action to approve Change Order Request No. 3 from Goins Enterprises decreasing the contract price by \$8,979.00.

Mr. Lynn Burrow, Community Development Director submitted Change Order Request No. 3 for approval. He explained that the final project accounting on the water tower construction resulted in a series of credits as delineated in the Change Order. Council approval will result in a reduction to the retainage owed for the final payment of contract costs.

MOTION: Councilor Kearns moved, second by Councilor Agee to approve Change Order No. 3 as presented.

FOR: Councilor Kearns; Mayor Fox; Councilor Agee

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion carried.

7) Discussion and possible action to approve the Second Amended Interlocal Agreement among the Indian Nations Council Of Governments (INCOG), acting as the statutory Regional 9-1-1 Board for administration of the 9-1-1 Master Service Agreement with AT&T Oklahoma, and its member municipal governments for the purposes of including Broken Arrow as a member and to make certain changes to the cost allocation formula recognizing Broken Arrow's proportionate share in the cost of the 9-1-1 network.

MOTION: Councilor Agee moved, second by Councilor Kearns to approve the Second Amended Interlocal Agreement as presented.

FOR: Mayor Fox; Councilor Agee; Councilor Kearns

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion carried.

8) Discussion and possible action to approve the Capital Improvements Agreement between the City of Glenpool and the Tulsa County Board of County Commissioners with respect to funding, in accordance with the July 1, 2015, Vision Authority Resolution, in the amount of \$978,762.00, the construction of competition-rated soccer fields and related improvements on property leased from the South County Recreational Center, authorize the Mayor to execute three originals of such Capital Improvements Agreement, and direct staff to proceed with its implementation.

Lynn Burrow, Community Development Director presented the CIA and recommended approval.

MOTION: Councilor Kearns moved, second by Councilor Agee to approve the Capital Improvements Agreement as presented.

FOR: Councilor Agee; Councilor Kearns; Mayor Fox

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion carried.

- 9) Discussion and possible action to adopt Ordinance No. 728, “An Ordinance Amending Ordinance No. 458, By Rezoning Certain Property Described Herein From Residential Single Family High Density District (RS-3), Office Low Intensity District (OL) And Commercial Shopping Center District (CS) To Residential Single-Family Highest Density District (RS-4), As Recommended By The Planning Commission Under Application GZ-256; And Repealing All Ordinances Or Parts Of Ordinances In Conflict Herewith.”**

Rick Malone, City Planner presented Ordinance No. 728, a rezoning ordinance representing a change to RS-4 zoning on the property generally located west of the northwest corner of 141st Street and Peoria Ave., recommended for approval by the Planning Commission. A power point presentation was administered by Ryan McCarty from Select Designs, as well as Brian Doyle and Lonnie Shackle with K & S Development. Alan Woodcock spoke in opposition to the proposed zoning change.

MOTION: Councilor Kearns moved, second by Councilor Agee to approve Ordinance No. 728 as presented.

FOR: Councilor Kearns; Mayor Fox; Councilor Agee

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion carried.

- 10) Discussion and possible action to adopt Ordinance No. 729, “An Ordinance Amending Ordinance No. 458, Approving Planned Unit Development (PUD) Number 34 Zoning District Designation For Single Family Residential Uses; And Repealing All Ordinances Or Parts Of Ordinances In Conflict Herewith.”**

The proposed ordinance represented approval to PUD No. 34, and is part of the same project discussed in Item 9 (above).

MOTION: Councilor Kearns moved, second by Councilor Agee to approve Ordinance 729 as presented.

FOR: Mayor Fox; Councilor Agee; Councilor Kearns

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay

Motion carried.

- 11) Discussion and possible action to approve a recommendation from the Glenpool Planning Commission and Technical Advisory Committee for a Plat Waiver submitted by Cowan Group on behalf of PVA Construction on a 50,000 sf tract of land, located south of the SE corner of 121st Street and US 75 Hwy, Phillips Corner Addition.**

Rick Malone, City Planner recommended approval of the Plat Waiver, informing the Council that each the Technical Advisory Committee and the Planning Commission recommended City Council approval.

MOTION: Councilor Kearns moved, second by Councilor Agee to approve the Plat Waiver submitted on behalf of PVA Construction as presented.

FOR: Councilor Agee; Councilor Kearns; Mayor Fox

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay
Motion carried.

12) Discussion and possible action to appoint representative and alternate to the INCOG General Assembly for a two-year term commencing the first day of January.

MOTION: Councilor Kearns moved, second by Councilor Agee to appoint Mayor Fox as the Glenpool representative to the INCOG General Assembly and to appoint Roger Kolman, City Manager and Lowell Peterson, City Attorney as alternates.

FOR: Councilor Kearns; Mayor Fox; Councilor Agee

AGAINST: None

ABSENT: Councilor Lund; Vice-Mayor Ceesay
Motion carried.

O) Adjournment.

- Meeting was adjourned at 8:14 p.m.

Date

Mayor

ATTEST:

City Clerk