

MINUTES

CITY COUNCIL MEETING

April 7, 2009

The regular meeting of the fifty-ninth City Council of Guthrie, Oklahoma, was posted on Friday, April 3, 2009 and held April 7, 2009 in the Guthrie City Hall Council Chambers.

Invocation was given by Rev. Don Riepe, Guthrie Christian Church.

Pledge of Allegiance was led by Mayor Chuck Burtcher.

Mayor Chuck Burtcher called the meeting to order at 7:03 p.m.

Members Present:	Chuck Burtcher	Doug Hehn	Mary Coffin
	Trey Ayers	Ellen Gomes	Evelyn Nephew
	Charles Lamb		

Members Absent: None

Staff Present:	Melody Kellogg	Randel Shadid	Wanda Calvert
	Lance Crenshaw	Jim Ahlgren	Maxine Pruitt
	Lester Branch	Damon Devereaux	Jim Hanke

Mayor Burtcher declared a quorum with all (7) Councilmembers in attendance.

**Public Comments.** Ms. Patty Hazlewood addressed the City Council concerning road conditions.

Ms. Karen Schandorf addressed the City Council concerning several items.

**Consent Agenda:** Motion by Vice Mayor Hehn, seconded by Councilmember Nephew, moved approval of the Consent Agenda as follows:

- A. Consider approval of the minutes for the Special City Council/Street Committee Meeting held on March 13, 2009.
- B. Consider approval of the minutes for the Regular City Council Meeting held on March 17, 2009.
- C. Consider approval of the Claims:

General Fund:	Regular Claims	\$ 57,875.28
Hotel/Motel Tax Fund:	Regular Claims	\$ 980.00
GIDA Fund:	Regular Claims	\$ 1,041.67

Capital Projects Fund:	Regular Claims	\$ 2,515.01
Grants Fund:	Regular Claims	\$ 10,909.14
Miscellaneous Funds:	Early Pays	\$ 42,804.01
TOTAL CLAIMS:		\$116,125.11

- D. Consider approval of declaring four (4) police units as surplus property and dispose in a manner that is most beneficial to the City.
- E. Consider approval of subscription with Recorded Books, L.L.C. for a downloadable audio books program and authorize the Library Director to sign the subscription form.

Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Consider approval of a Special Use Permit to allow a Bed & Breakfast in an R-1 Residential Zone (Single Family Homes) at 624 North Elm Street.** The applicant, Susan L. Dill appeared before the Planning Commission on March 12, 2009 to request a Special Use Permit to allow for a Bed and Breakfast use for her home at 624 North Elm. Notice was published in the Guthrie News Leader and forty-two (42) letters were mailed to adjacent property owners. Four citizens spoke in opposition to the request, including one neighbor who presented a petition opposing the application signed by eleven (11) local property owners. Considerable discussion was held about the issues of traffic, noise and ownership. Ms. Dill indicated she will market her Bed and Breakfast as a "Scrap-Booking Club" which will draw predominantly from women's groups and church groups. Consequently, most visitors will probably arrive by church van or carpool. She also stated the house will be her primary residence, and will only operate on the weekends. Staff inspected the site; the subject property is located on a corner lot and has ample on-street parking, without imposing upon the parking of adjacent residences. Staff recommended approval of the Special Use Permit. A motion for approval was made by Planning Commissioner Thomas but died for lack of a second. The item is being presented to Council for final disposition. A public hearing was held for the purpose of soliciting public comments concerning a Special Use Permit to allow a Bed & Breakfast in an R-1 Residential Zone at 624 North Elm. The Appearance List Form had five individuals opposing and two individuals in favor of the Special Use Permit to allow a Bed & Breakfast at 624 North Elm. Motion by Councilmember Ayers, seconded by Councilmember Coffin, moved approval of a Special Use Permit to allow a Bed & Breakfast in an R-1 Residential Zone (Single Family Homes) at 624 North Elm Street. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: None  
Nay: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb

Mayor Burtcher declared the motion failed unanimously.

**Consider approval to solicit bids for the FY 2009 Street Capital Improvement Program as recommended by the Street Committee.** The Street Committee met on March 13, 2009 to discuss and recommended the following streets for resurfacing for the FY 2009 Street Capital Improvement Program:

**Ward I:**

Streets located in Ward I will be resurfaced as part of the funds pledged to the City of Guthrie through Association of Central Oklahoma Governments and Oklahoma Department of Transportation: Walnut Street from Noble Avenue to Mansur Avenue and Pine Street from Noble Avenue to University Avenue

**Ward II:**

- Central (Last interior road in this addition near Guthrie Lake)
- 200 Block of East Vilas
- Lakeside Drive (Will finish addition; in conjunction with the FY09 drainage project)

**Ward III:**

- College Street, 16<sup>th</sup> – 21<sup>st</sup>
- College Street, 200 feet to Academy

Motion by Vice Mayor Hehn, seconded by Councilmember Lamb, moved approval to solicit bids for the FY 2009 Street Capital Improvements Program as recommended by the Street Committee. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Consider approval to solicit bids for the drainage for Lakeside Drive in conjunction with the FY 2009 Street Capital Improvements Program as recommended by the Street Committee.** The Street Committee met on March 13, 2009 and discussed the drainage issue regarding Lakeside Drive. Since the project is budgeted and construction should be completed in conjunction with the street resurfacing to avoid duplication, it was recommended by the Street Committee to authorize staff to solicit bids for the drainage project for Lakeside Drive. Motion by Vice Mayor Hehn, seconded by Councilmember Ayers, moved approval to solicit bids for the drainage project for Lakeside Drive in conjunction with the FY 2009 Street Capital Improvement Program as recommended by the Street Committee. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Consider awarding Bid No. 2009-04, Guthrie Public Library Roof Replacement, to Fine Specialty Coating, LLC, of Oklahoma City, for the membrane type (Belzona) roofing system in the amount of \$58,516.** Staff recently solicited bids for replacement of the library roof. All of the bids came in higher than the amount budgeted. City Council asked staff to place this item on the agenda and to transfer funds budgeted for replacement of the roof at the Excelsior Library Building to the Guthrie Public Library roof given the recurring problems we have had with this roof over the past few years. The bids received for the re-roofing of the Guthrie Public Library all appear to be in good order. The proposed roof is covered by a 20 year warranty which is advantageous to the City. The membrane type roof has many advantages in it is lightweight and will mold easily to any shape or form. The material breathes, so it will not hold water or moisture. Motion by Vice Mayor Hehn, seconded by Councilmember Lamb, moved approval to award Bid No. 2009-04, Guthrie Public Library Roof Replacement, to Fine Specialty Coating, LLC, of Oklahoma City, with Alternate 1 in the amount of \$50,876, to use the product on the existing foam after proper prep, removal of the old coating and make repairs for the membrane type (Belzona) roofing and provide annual inspections for the warranty on the roof. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Consider approval of Resolution No. 2009-05, designating April 13-17, 2009 as National Telecommunicator Week.** The staff at 9-1-1 Association of Central Oklahoma Governments is encouraging all City Councils in their region to adopt a formal resolution recognizing the week of April 13-17, 2009 as National Telecommunicator Week. In 1991, U.S. Congress passed a resolution designating the second full week in April every year as National Telecommunicator Week. Public safety dispatchers provide critical services to the community and all emergency personnel while performing their duties with integrity, quality, accountability and respect. As the first person on the scene of nearly every crime, fire and medical emergency, the 9-1-1 dispatcher continues to be an invaluable resource for agencies of all sizes. National Telecommunicator Week is celebrated in an effort to help empower these individuals and demonstrate our appreciation of all their hard work. Motion by Vice Mayor Hehn, seconded by Councilmember Lamb, moved approval of Resolution No. 2009-05, designating April 13-17, 2009 as National Telecommunicator Week. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Consider adopting Ordinance No. 3201, amending Chapter 20, Article 3, Section 20-42(B)(1) of the Guthrie City Code of Ordinances; amending age and weight of the**

**mandatory use of a child passenger system, providing for a penalty, providing for repealer and severability; and declaring an emergency.** Currently, the City's ordinance and fee schedule regarding Child Passenger Restraint does not reflect the same language and penalty set forth in O.S. §, Title 47, Chapter 11, Section 11-1112. The proposed ordinance conforms to the existing State Statute. Motion by Councilmember Ayers, seconded by Councilmember Lamb, moved approval of Ordinance No. 3201, amending Chapter 20, Article 3, Section 20-42(B)(1) of the Guthrie City Code of Ordinances; amending age and weight of the mandatory use of a child passenger system, providing for a penalty; and providing for repealer and severability. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Adopting the Emergency Section on Ordinance No. 3201.** Motion by Vice Mayor Hehn, seconded by Councilmember Lamb, moved approval for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist by reason whereof Ordinance No. 3201 shall be in full force and effect from and after its passage, approval, and publication by law. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Announcements from the City Manager:** (1) informed Oklahoma Department of Transportation owns the property on which the tanks are located in Cottonwood Flats and (2) answered Karen Schandorf's questions from the March 3, 2009 Council meeting.

**Requests/Comments from Members of the City Council.** Mayor Burtcher stated Guthrie is a great community with great citizens and City employees and informed he would greatly appreciate if anyone has questions about any aspects of City government there are many opportunities to ask those questions in a responsible manner through the appropriate department, then to the City Manager, and then to the Councilmembers representing their Ward.

Councilmember Lamb informed Guthrie has been honored this year with two Coaches of the Year in the Guthrie High School program; Football Coach Rafe Watkins and Basketball Coach Pete Papahronis.

Councilmember Coffin informed she received a phone call from a representative from Oklahoma Rail concerning the Heartland Flyer returning to Guthrie for the Bluegrass Festival and requested the City Council adopt a Resolution in support of the return of Heartland Flyer.

Councilmember Ayers informed St. Mary's School is having a Spaghetti Fest.

Councilmember Nephew expressed a "Thank You" to Neighborhood Solutions for the informative meeting held on April 2, 2009 discussing the Neighborhood Association in the southeast quadrant.

Vice Mayor Hehn expressed a "Thank You" to the Emergency Medical Service employees who transported his brother-in-law last Thursday, they were professional and provided excellent service.

**Adjournment.** Motion by Vice Mayor Hehn, seconded by Councilmember Lamb, moved approval to adjourn. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Hehn, Ayers, Nephew, Coffin, Gomes, Lamb

Nay: None

Mayor Burtcher declared the motion carried unanimously at 8:26 p.m.

  
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Wanda Calvert, City Clerk

  
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Chuck Burtcher, Mayor