

MINUTES

CITY COUNCIL MEETING

April 2, 2013

The regular meeting of the sixty-first City Council of Guthrie, Oklahoma was posted on Thursday, March 28, 2013 before 5:00 p.m. and held April 2, 2013 in the Guthrie City Hall Council Chambers.

Mayor Chuck Burtcher called the meeting to order at 7:12 p.m.

Members Present:    Chuck Burtcher            Trey Ayers                    Gaylord Z. Thomas  
                                 John Wood                    Patty Hazlewood

Members Absent:    Mary Coffin                    Sheri Mueller (resigned on March 20, 2013)

Staff Present:        Sereniah Breland            Randel Shadid                Wanda Calvert  
                                 Aaron Ryburn                Jim Ahlgren                    Rene Spineto  
                                 Maxine Pruitt                Cyndi Selinger                Justin Heid  
                                 Cody Mosley

Mayor Burtcher declared a quorum with five (5) Councilmembers in attendance.

**Consent Agenda.** Motion by Vice Mayor Ayers, seconded by Councilmember Wood, moved approval of the Consent Agenda as follows:

- A. Consider approval of the minutes from the Special City Council Workshop Meeting held on March 19, 2013.
- B. Consider approval of the minutes from the Regular City Council Meeting held on March 19, 2013.
- C. Consider approval of the claims with the exception of Total Investment Company's claim in the amount of \$88,440.03:

General Fund:	Claims	\$111,991.72
Fire/EMS Fund:	Claims	\$ 17,779.88
Grants Fund:	Claims	\$ 33,023.64
Hotel/Motel Tax Fund:	Claims	\$ 16.98
Capital Projects Fund:	Claims	\$ 6,906.39
GIDA Fund:	Claims	\$ 1,041.67
Airport Fund:	Claims	<u>\$ 18,547.87</u>

Total Claims: \$189,308.15

- D. Consider approval of canceling April 16, 2013 City Council Meeting due to the 89er Celebration.

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

Aye: Burtcher, Ayers, Wood, Hazlewood, Thomas  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Consider approval of negotiated construction schedule with Total Investment Company on Airport Construction Contract, AIP Project No. 3-40-0036-012-2012.** On March 19, 2013 the Council approved to continue this item awaiting review and approval of an approved Second Performance Plan and construction schedule from a meeting with City staff, Garver Engineers and Total Investment. Garver Engineering informed the City Council that Total Investment had not paid the Performance Bond premium. Motion by Vice Mayor Ayers, seconded by Councilmember Hazlewood, moved approval of the negotiated construction schedule , Second Performance Plan, with Total Investment Company on Airport Construction Contract, AIP Project No. 3-40-0036-012-2012 subject to holding \$22,779 for Performance Bond premium and the balance of \$65,661.03 held for liquated damages. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Ayers, Wood, Hazlewood, Thomas  
Nay: None

Mayor Burtcher declared the motion carried unanimously.

**Consider approval of amending Section 8, Assignment and Subletting, of the Territorial Squares Square Dance Club Lease Agreement for use of the building commonly known as the Girl Scout Cabin.** On March 5, 2013 City Council took no action on amending the Territorial Squares Square Dance Club Lease Agreement and instructed this item to be placed on the March 19, 2013 City Council agenda. On March 19, 2013 the City Council tabled the item to allow time for the City Manager and a representative from the Territorial Squares Square Dance Club to negotiate amending the Agreement. The City of Guthrie has been notified of tenants living at the building commonly known as the Girl Scout Cabin. In Section 2 of the Territorial Squares Square Dance Club Lease Agreement, the premises shall be used for square dancing, square dancing lessons and related incidental purposes, and for no other purpose, except such as shall be from time to time permitted by the Lessor. In Section 8, Assignment and Subletting, the Lessee shall not assign, sublease or transfer this lease, nor any portion thereof, nor any interest herein without the prior written consent of the Lessor. The Lessee has at its own expense keep, maintain and taken good care of the premise and has made the agreed improvements to the property. The utilities are paid by the Lessee, the annual rental and the required insurance is current. Motion by Councilmember Wood, seconded by Vice Mayor Ayers, moved to table amending Section 8, Assignment and

Subletting, of the Territorial Squares Square Dance Club Lease Agreement for use of the building commonly known as the Girl Scout Cabin to allow time for the City Manager and a representative from the Territorial Squares Square Dance Club to discuss this issue on how much and the proper way to access maintenance and waiver of maintenance.

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

Aye: Burtcher, Ayers, Wood, Thomas

Nay: Hazlewood

Mayor Burtcher declared the motion carried with four (4) yes and one (1) no votes.

**Public hearing and consider approval of a request by Marion Kay Wachstetter for a Special Use Permit to allow a triplex in an area zoned R-1 (Single Family Residential), located at 702 South Drexel Street.** The applicant requests a Special Use Permit to allow a multi-family residence at 702 South Drexel Street. The Planning Commission heard the request on March 14, 2013 and reviewed the application. Notice was published in the Guthrie News Leader on February 7, 2013 and 22 letters were mailed to property owners within 300 feet of the subject property. One person spoke at the Planning Commission Meeting in opposition to the project. The property owner then spoke in response to the comments. The Planning Commission reviewed the application and moved to deny the application as submitted. The Planning Commission recommends the City Council deny the request to issue a Special Use Permit to the applicant. A public hearing was held for the purpose of soliciting public comment(s) regarding the issuance of a Special Use Permit to allow a triplex in an area zoned R-1 (Single Family Residential) located at 720 South Drexel Street. There was no public comment with the exception of Ms. Wachstetter explaining the plan and answering questions from the City Council. Motion by Councilmember Hazlewood to approve of the request by Marion Kay Wachstetter for a Special Use Permit to allow a triplex in an area zoned R-1 (Single Family Residential), located at 702 South Drexel Street. Mayor Burtcher declared the motion died for a lack of a second.

**Consider approval of Resolution No. 2013-04 designating April 14-20, 2013 as National Telecommunicator Week.** The staff at 9-1-1 ACOG is encouraging all City Councils in their region to adopt a formal resolution recognizing the week of April 14-20, 2013 as National Telecommunicator Week. In 1991, U.S. Congress passed a resolution designating the second full week in April every year 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 Councilmember Wood, seconded by Councilmember Hazlewood, moved approval of Resolution No. 2013-04 designating April 14-20, 2013 as National Telecommunicator Week. Councilmembers entered their votes and the votes were displayed with the following results:

Aye: Burtcher, Ayers, Wood, Hazlewood, Thomas

Nay: None

Mayor Burtcher declared the motion carried unanimously.

**City Manager's Report.** Informed she had a great time at the Oklahoma Municipal League Government Day and the City of Guthrie was the only city to bring students; expressed a "Thank You" to City Council for adding Good Friday as a holiday; informed the Town Meeting the Senator Inhofe was a great success; and express a "Thank You" for the much needed rain.

**Requests/comments from members of the City Council.** Councilmember Hazlewood stated she hoped everyone voted and excited about the 89er Celebration.

Vice Mayor Ayers informed Sheri Mueller resigned due to moving out of Ward 3 and expressed a "Thank You" for serving as a Councilmember.

Councilmember Thomas expressed a "Thank You" to the community for voting and the support and stated it has been a pleasure working with Mayor Burtcher.

Councilmember Wood encouraged the community to attend the Lion's Pancake Event and the 89er Celebration.

Mayor Burtcher informed it has been a pleasure serving this community as Mayor; he will be riding a Fire Truck in the 89er Parade; expressed a "Thank You" to the City Council for their hard work for this community; and reminded the community of the Geezer and Gassers Event.

**Adjourn.** There being no further business for the Guthrie City Council, Mayor Burtcher declared the meeting adjourned at 7:48 p.m.

  
Wanda Calvert, City Clerk

  
Chuck Burtcher, Mayor