**CITY OF** **SPENCER**

**Regular Joint City Council & Utility Authority Meeting**

**Thursday, September 17, 2020 at 7:00 p.m.**

Pursuant to legal notice required by the Oklahoma Open Meeting Act, including posting of an agenda as required by the terms, thereof, the Spencer City Council & Utility Authority met in regular session on September 17, 2020 via zoom.

**Item No.**

1. Meeting was called to order at 7:07 p.m.
2. Roll Call and declaration that a quorum is present.

|  |  |  |
| --- | --- | --- |
|  | **Present** | **Absent** |
| Chairman/Mayor Calvin | X |  |
| Vice Chairman/Mayor Scanlan | X |  |
| Trustee/Council Member Talley |  | X |
| Trustee/Council Member Andrews | X |  |
| Trustee/Council Member Canaday | X |  |

**A quorum was declared and the meeting went forward.**

1. The Flag Salute lead by Vice Mayor Scanlan and Invocation by Chairman/Mayor Calvin
2. Citizens desiring to be heard: Citizens desiring to be heard will be given three (3) minutes to speak on any item on the agenda. Citizens must have signed up by 12 Noon the Wednesday before the meeting in order to be recognized. Public Participation Resolution # 35-07-05.

Deanna Tubby – 9501 NE 30th, Spencer, OK 73084

Miles Casey – 8505 NE 36th Street, Spencer, OK 73084

Miles Casey – 8505 NE 36th Street, Spencer, OK 73084 and owner of RDM Investments and Properties. Which sits 900 feet from Rogers Elementary school. Reason for speaking tonight is about the handcuffing of the city’s Real Estate business ordinance governing Marijuana grown facilities. He continued to state the State law regarding 788. Stating that commercial license shall not be permitted within 1000 feet of a public or private school. He recommends that the City of Spencer aligns their ordinance with the state law.

Andrew Dunlap, 3437 Cobblestone Drive, Spencer, OK 73084. He basically shares the same concerns as Mr. Titus and is really concerned about the property value of their homes depreciating. Doesn’t want to walk out of his home and see a mobile home.

David Shelton, 9410 NE 50th, Spencer, OK 73084. Speaking tonight because of the concerns and the safety for his family as well as the neighborhood with a marijuana grown plant being placed near his property. Also feels that a business of this type is too close to the nearby schools.

Lonnetta Smith – 3500 Spencer Road, Spencer, OK 73084. Ms. Smith is a co-owner of the new grow plant business and she stated that they followed the rules and regulations and in compliance.

Shani Nealy, 3500 Spencer Road, Spencer, OK 73084. Mrs. Nealy stated that they feel the business will rejuvenate the area that has been vacant for over 15 years. Also stating that the grow facility will not have public foot traffic.

Earl Braggs, 3500 Spencer Road, Spencer, OK 73084 property owner stated that the business has and will abide by all the laws. The area will have a security fence around the property.

1. **NEW BUSINESS.** Discussion, consideration, and possible of New Business item/s, and direct City Staff to take appropriate action... (“New Business,” as used herein, shall mean any matter not know about or which could not have been reasonably foreseen prior to the time of posting.)

**None**

**6. CONSENT DOCKET:** (individual items may be deleted from the Consent Docket under item #6).

6.1. Approval/Ratification of the Joint City Council & Utility Authority meeting minutes from August 20, 2020. (GG)

6.2. Approval/Ratification of August 2020 bi-weekly Payroll and Accounts Payables. (GG)

6.3. 9-1-1 ACOG Resolution. (GG)

6.4. Cares Act Resolution. (GG)

**Vice Chairman/Mayor Scanlan motioned to approve the CONSENT DOCKET items 6.1, 6.2 and 6.3 and remove 6.4 from the docket. Trustee/Council Member Andrews Trustee/Council Member seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Andrews, Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Trustee/Council Member Canaday Nays:**

1. Discussion on items to be removed from the Consent Document. (GO & UA)

**Needing more information for 6.4**

6.4. Cares Act Resolution. (GG) **State of Oklahoma money that was allotted for each municipality. The City designated the Cares Act fund to the Police and Fire departments. The amount was $370,000 with $223,000 still needing to be reimbursed.**

**Trustee/Council Member Canaday** **motioned to approve the Cares Act Resolution. Vice Chairman/Mayor Scanlan seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Andrews, Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Nays:**

**8. BUSINESS AGENDA:** Discussion, consideration and possible action:

8.1. AN ORDINANCE OF THE CITY OF SPENCER, OKLAHOMA AMENDING THE CITY OF SPENCER ZONING MAP TO INCLUDE ADDITIONAL TERRITORY WITHIN THE R-5 SINGLE FAMILY MANUFACTURED HOME DISTRICT; TO DELETE SUCH PROPERTY FROM THE A-1 SUBURBAN AGRICULTURAL DISTRICT; PROVIDING FOR ENTERING SUCH AMENDMENTS UPON THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; DECLARING REPEALER; AND DECLARING AN EMERGERCY.

**Discussion Only**

Mr. Eaton stated that the R1 -A1 that was approved at the Regular City Council meeting held on August 20, 2020 will need to received the final ordinance to be placed on the zoning map.

**Trustee/Council Member Andrews** **motioned to approve AN ORDINANCE OF THE CITY OF SPENCER, OKLAHOMA AMENDING THE CITY OF SPENCER ZONING MAP TO INCLUDE ADDITIONAL TERRITORY WITHIN THE R-5 SINGLE FAMILY MANUFACTURED HOME DISTRICT; TO DELETE SUCH PROPERTY FROM THE A-1 SUBURBAN AGRICULTURAL DISTRICT; PROVIDING FOR ENTERING SUCH AMENDMENTS UPON THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; DECLARING REPEALER; AND DECLARING AN EMERGERCY. Vice Chairman/Mayor Scanlan seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Andrews, Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Trustee/Council Member Canaday Nays:**

8.2. Emergency Clause

**Trustee/Council Member Andrews** **motioned to approve Emergency Clause. Vice Chairman/Mayor Scanlan seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Andrews, Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Trustee/Council Member Canaday Nays:**

8.3. Dilapidated, Abandoned Homes Proposed for Condemnation:

a. 5121 Sunset Terrace

b. 5409 Sunset Terrance

c. 5609 N. Post Road **(\*Removed from the agenda the party has purchased the property.)**

**Trustee/Council Member Canaday motioned to approve Dilapidated, Abandoned Homes Proposed for Condemnation and move 8.3-c. Vice Chairman/Mayor Scanlan seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Andrews, Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Nays:**

8.4. Purchase of Patrol Cars.

Discussion: City Manager Long is seeking authority to lock in the cars when available. He stated that when the vehicle inventory is available, he will bring it back to council amounts and request payment because inventory when available moves very fast. The 2015 maintenance program is in place and the take home program has not been addressed yet.

**Trustee/Council Member Andrews motioned to approve the** Purchase of Patrol Cars. **Vice Chairman/Mayor Scanlan seconded the motion. The vote was as follows. Yeas: Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Trustee/Council Member Canaday Nays:**

8.5. Extend COVID-19 declaration until the end of the year.

Emergency Declaration has expired on August 31, 2020. Strongly recommend masks wearing not mandating at this time. Will continue the declaration until the end of the year. City of Spencer’s COVID-19 report: Positive Cases: 116, Fatality: 1, Recovered: 100.

**Trustee/Council Member Andrews motioned to approve to Extend COVID-19 declaration until the end of the year. Vice Chairman/Mayor Scanlan seconded the motion. The vote was as follows. Yeas: Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Nays: Trustee/Council Member Canaday**

8.6. Vision 23 IQC, OU / 2020 Capital Improvement Project

**Update and Information only: The kick-off meeting was held with the University of Oklahoma, City of Midwest City, Midwest City Chamber of Commerce. This project is the revitalizing and cleaning up 23rd Street from Sooner Road to Post Road. The University of Oklahoma will have 15 students will be participating. A town hall meeting will be scheduled as soon as possible.**

8.7. Adoption of the design for the City of Spencer Flag.

**The City flag has not been updated for several years. A request for the City flag came from the new Film School housed at Green Pastures school. The flag will be displayed in from of the school and City Hall.**

**Vice Chairman/Mayor Scanlan motioned to approve the Adoption of the design for the City of Spencer Flag. Trustee/Council Member Andrews seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Andrews Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Nays:**

**PAUSED CITY COUNCIL TO MOVE TO UTILITY AUTHORITY MEETING: 8:09 P.M.**

**Meeting of the Utility Authority meeting was called to order at 8:09 p.m.**

3. CITIZENS DESIRING TO BE HEARD: Citizens desiring to be heard will be given three (3) minutes to speak on any item on the agenda. Citizens must have signed up by 12 Noon the preceding Wednesday before the meeting in order to be recognized. (Public Participation Resolution #35-07-05)

**\*Due to technical difficulties at the start of the Regular City Council meeting the following citizens will be heard.**

Deanna Tubby – 9501 NE 30th, Spencer, OK 73084

Sterling Barbee – 3429 NE 33rd Street Circle, Spencer, OK 73084

Deanna Tubby – 9501 NE 30th, Spencer, OK 73084. Concerned about her home that was condemned. We were working on the home to bring it up to code. Due to the Coronavirus she was unable to continue to finish and the house was torn down by the City of Spencer. She stated that she was told by City Manager Long that she wouldn’t be charged $10,000 as long as she completed the cleaning up the property.

Sterling Barbee – 3429 NE 33rd Circle, Spencer, OK 73084. Concerned about the Grow House that is been placed behind his home and family homes. He feels that it will not be safe and concerned about the smell for the neighborhood. Stated that he is totally against this and felt that the citizens should have been informed about this before approving this business.

5. CONSENT DOCKET: (individual items may be deleted from the Consent Docket under item #6). Assignment

5.1. Approval/Ratification of the Joint City Council & Utility Authority meeting minutes from August 20, 2020. (UA)

5.2. Approval/Ratification of August 2020 bi-weekly Payroll and Accounts Payables. (UA)

**Vice Chairman/Mayor Scanlan motioned to approve the CONSENT DOCKET items 5.1-5.2. Trustee/Council Member Andrews seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Andrews, Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Trustee/Council Member Canaday Nays:**

6. Discussion, consideration, and possible action on items removed from the Consent Docket.

**None**

**7.** BUSINESS AGENDA: Discussion, consideration and possible action:

7.1. REAP Grant Project for Public Works FY 2021

DISCUSSION: Replacement of the lines and additional lines which will be identify by next from City Engineer Peacock. He reported the undersize lines or areas that need fire hydrants for the first part of the REAP Grant to help boost the pressure. This will be due by October 31, 2020.

**Vice Chairman/Mayor Scanlan motioned to approve the REAP Grant Project for Public Works FY 2021. Chairman/Mayor Calvin seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Andrews, Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Nays:**

7.2. Adoption of the design for the City of Spencer Flag.

**Vice Chairman/Mayor Scanlan motioned to approve the Adoption of the design for the City of Spencer Flag). Trustee/Council Member Andrews seconded the motion. The vote was as follows. Yeas: Trustee/Council Member Canaday, Trustee/Council Member Andrews, Vice Chairman/Mayor Scanlan and Chairman/Mayor Calvin Abstain: Nays:**

**8.** Remarks and Comments.

**No Comment: Trustee/Council Member Andrews**

**Trustee/Council Member Canaday: Thrilled that citizens are signing on to speak. Wanted to remind the citizens that the council is her to serve you and feel free to contact them.**

**Vice Chairman/Mayor Scanlan: Happy that we had a large attendance at this meeting.**

**City Manager Long: Encourage everyone to take the time to complete the Census. ACOG reports that only 60% of Spencer Residents that has completed the census. Stressed the importance of the completing census because it affords the City of Spencer to available REAP Grants. Deadline date is September 30, 2020.**

**Chairman/Mayor Calvin: Encouraged the citizen to complete the Census. Excited that the City was able to take advantage of the Cares Act funding. Stated that we try to take care of our citizens and if you have any problems, please contact City Manager Long. Finally, stated COVID-19 is real and it’s going to be here for a while. Please wear your masks, social distance and stay safe.**

9. Adjournment

**The Utility Authority meeting adjourned at 8:44 p.m.**

Respectfully Submitted,

Tanya Mustin

Tanya Mustin, Minute Taker