

**MINUTES OF REGULARLY SCHEDULED MEETING  
SLAUGHTERVILLE TOWN BOARD OF TRUSTEES  
SEPTEMBER 21, 2010**

**1. CALL TO ORDER WITH SALUTE TO THE FLAG OF THE UNITED STATES AND INVOCATION**

Bobby Cleveland called the meeting of the Town of Slaughterville Board of Trustees to order at 7:00 p.m. on September 21, 2010. David Mason led the invocation. Mayor Cleveland led in the salute to the flag of the United States. The meeting was held at the Slaughterville Town Hall at 10701 US Highway 77 and was conducted pursuant to the State Open Meeting Law with due and proper notice provided. Notice of the meeting was given by posting the agenda on September 17, 2010.

**2. ROLL CALL, DECLARATION OF A QUORUM BEING PRESENT**

JERRY GARRETT	PRESENT
JOHNNELL JONES	PRESENT
BOBBY CLEVELAND	PRESENT
JAMES RICO	PRESENT
LARRY IOVAN	PRESENT

A quorum was established. Also present were Town Attorney Cindee Pichot, Town Administrator/Clerk Marsha Blair, Town Treasurer Denise Dickson, Fire Chief Paul Long, Code Enforcement Administrator Terry Johnson, Dana Rico, David Mason and Joyce Smith

**3. DISCUSSION AND/OR ACTION CONCERNING APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON AUGUST 17, 2010**

A motion was made by Mrs. Jones and seconded by Mr. Garrett to approve the minutes for the regular meeting of the Board of Trustees held on August 17, 2010.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**4. ACKNOWLEDGEMENT OF THE FINANCIAL REPORTS**

The financial reports were acknowledged. Suggestions were made by the Board members about information they would like to see on the reports.

**5. PUBLIC HEARING ON AN APPLICATION SUBMITTED BY GLENDA ROLEY FOR A PROPOSED USE PERMITTED ON REVIEW TO ALLOW A RESTAURANT ESTABLISHMENT TO SELL AND SERVE BEER WITH FOOD FOR A TRACT OF LAND IN A COMMERCIAL DISTRICT (C-1). THE PROPERTY IS LOCATED AT 10520 US 77 IN SLAUGHTERVILLE, OKLAHOMA. LEGAL DESCRIPTION: A PART OF LOTS TWO (2) AND TWENTY (20), IN BLOCK ONE (1), OF MCCASLIN SUBDIVISION, CLEVELAND COUNTY, OKLAHOMA, BEING A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP SEVEN (7) NORTH, RANGE ONE (1) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 7 A DISTANCE OF 696.96 FEET TO A POINT; THENCE NORTH 00°00'00" WEST A DISTANCE OF 365.00 FEET TO A POINT OF BEGINNING; THENCE NORTH 00°00'00" WEST A DISTANCE OF 35.19 FEET TO A POINT, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF WAY OF HIGHWAY 77; THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF HIGHWAY 77 AROUND A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°33'21", HAVING AN ARC DISTANCE OF 212.80**

**FEET, AND A CHORD BEARING OF SOUTH 5L°31'20" EAST, A CHORD DISTANCE OF 212.68 FEET TO A POINT; THENCE CONTINUING ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF HIGHWAY 77 NORTH 54°48'00" WEST A DISTANCE OF 149.96 FEET TO A POINT; THENCE ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF HIGHWAY 77 NORTH 55°33'00" WEST A DISTANCE OF 95.81 FEET TO A POINT; THENCE SOUTH 00°00'00" EAST A DISTANCE OF 308.17 FEET TO A POINT; THENCE NORTH 90°00'00" EAST A DISTANCE OF 368.05 FEET TO THE POINT OF BEGINNING.**

Public Meeting Was Open

Ms. Roley was not present. Mrs. Blair provided the following information to the Board: Ms. Roley does not have a sales tax permit, but has contacted the Oklahoma Tax Commission. No permit will be issued until the business is in compliance. Ms. Roley does not have a beer license yet and will not apply for one unless the Use Permitted on Review is approved by the Town.

**6. REPORT AND RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION CONCERNING AN APPLICATION SUBMITTED BY GLENDA ROLEY FOR A PROPOSED USE PERMITTED ON REVIEW TO ALLOW A RESTAURANT ESTABLISHMENT TO SELL BEER WITH FOOD**

Mrs. Blair gave the following report that was prepared by the Planning and Zoning Commission: Notice requirements have been met. The character of the neighborhood is a commercial district with a history of selling beer in the establishment. The surrounding property is commercial and some residential. There would be no affect on traffic because the business is currently selling barbeque. There are private utilities with a Department of Environmental Quality (DEQ) approved sewage disposal system. The increase in sales tax revenue from the sale of the beer would benefit the Town. The Planning and Zoning Commission recommends approval of the Use Permitted on Review to allow a restaurant establishment sell and serve beer with food at 10520 US 77 contingent upon the Town receiving a copy of the sales tax permit prior to approval by the Board of Trustees and the Town receiving a copy of the beer license after approval but before beer is sold.

**7. DISCUSSION AND/OR ACTION CONCERNING AN APPLICATION SUBMITTED BY GLENDA ROLEY FOR A PROPOSED USE PERMITTED ON REVIEW TO ALLOW A RESTAURANT ESTABLISHMENT TO SELL BEER WITH FOOD FOR A TRACT OF LAND IN A COMMERCIAL DISTRICT (C-1). THE PROPERTY IS LOCATED AT 10520 US 77 IN SLAUGHTERVILLE, OKLAHOMA. (LEGAL DESCRIPTION AS STATED IN ITEM #5)**

A motion was made by Mr. Iovan and seconded by Mr. Rico to continue the hearing.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**8. DISCUSSION AND/OR ACTION CONCERNING ORDINANCE # 85 AN ORDINANCE OF THE TOWN CODE OF SLAUGHTERVILLE, OKLAHOMA, ESTABLISHING FISCAL, FINANCIAL AND BUSINESS PROCEDURES; ESTABLISHING PURCHASING AND PAYMENTS PROCESSES AND INTERENAL CONTROLS; ESTABLISHING PAYROLL AND CASH DISBURSEMENTS PROCESSES AND INTERNAL CONTROLS; ADOPTING ADDITIONAL FISCAL PROCEDURES AND CONTROLS FOR INTER-FUND TRANSFERS, DEBT SERVICE, AND FINANCIAL REPORTING; PROVIDING FOR COMPETITIVE BIDDING AND PURCHASING; REPEALING ALL RESOLUTIONS AND PREVIOUS POLICIES CONTRARY HERETO, AND DECLARING AN EMERGENCY.**

Mayor Cleveland requested to incorporate wording from an Association of Central Oklahoma Governments document into Town Policies & Procedures.

A motion was made by Mrs. Jones and seconded by Mr. Iovan to approve Ordinance #85 AN ORDINANCE OF THE TOWN CODE OF SLAUGHTERVILLE, OKLAHOMA, ESTABLISHING FISCAL, FINANCIAL AND BUSINESS PROCEDURES; ESTABLISHING PURCHASING AND PAYMENTS PROCESSES AND INTERENAL CONTROLS; ESTABLISHING PAYROLL AND CASH DISBURSEMENTS PROCESSES AND INTERNAL CONTROLS; ADOPTING ADDITIONAL FISCAL PROCEDURES AND CONTROLS FOR INTER-FUND TRANSFERS, DEBT SERVICE, AND FINANCIAL REPORTING; PROVIDING FOR COMPETITIVE BIDDING AND PURCHASING; REPEALING ALL RESOLUTIONS AND PREVIOUS POLICIES CONTRARY HERETO, AND DECLARING AN EMERGENCY.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

A motion was made by Mrs. Jones and seconded by Mr. Iovan to declare an emergency due to the need of bring the Town into compliance with the Oklahoma State Statutes.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**9. DISCUSSION AND/OR ACTION ON RESOLUTION 092110 A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SLAUGHTERVILLE , IN CLEVELAND COUNTY, STATE OF OKLAHOMA, SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO “IN GOD WE TRUST” IN THE TOWN HALL IN A PROMINENT LOCATION ABOVE THE SEAL**

Mr. Iovan questioned the reason why we would need the National Motto with the Town Seal. He considered this issue a culture war and would rather see “Love Thy Neighbor As Thy Self” with the town seal instead of “In God We Trust.”

A motion was made by Mr. Garrett and seconded by Mrs. Jones to approve Resolution 092110 A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF SLAUGHTERVILLE, IN CLEVELAND COUNTY, STATE OF OKLAHOMA, SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO “IN GOD WE TRUST” IN THE TOWN HALL IN A PROMINENT LOCATION ABOVE THE SEAL

AYES: Garrett, Jones, Cleveland, Rico,

NAYS: Iovan

**10. DISCUSSION AND/OR ACTION CONCERNING RIGHT-OF-WAY, PUBLIC UTILITY AND ENCROACHMENT AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF OKLAHOMA (INFORMATION: THIS IS A CONTRACT RELATED TO PHASE I OF THE HIGHWAY 77 WIDENING PROJECT AND INCLUDES A FINANCIAL COST TO THE TOWN)**

Town Attorney Cindee Pichot stated that she cannot recommend approval of the agreement because of the following:

- a. It requires the Town to adopt the Oklahoma Department of Transportation’s (ODOT) plans, which may be modified by ODOT at anytime and would be deemed accepted by the town as modified, without the town’s prior review (and the town has already been advised that changes are going to be made to the project);
- b. It requires the Town to remove all encroachments at the Town’s expense and the Town is unsure of what encroachments are present on the right of way. The Town is aware of a sewage problem that pertains to sewage disposal system that currently goes under the highway; also, there are telephone lines above the highway. If these are considered encroachments, then the town would have a tremendous cost;
- c. It requires the town to prohibit parking, maintain rights-of- way, as well as to locate and maintain a detour route for the project; all of which the town is unable to accomplish;

- d. It requires the Town hold harmless and indemnify the State for any and all financial matters that could arise or occur;
- e. It requires the Town to apply for a permit and comply with the Department of Environmental Quality (DEQ) storm water runoff regulations. The town does not have the information pertaining to the permit to apply for the permit;
- f. It requires the town to place traffic control signals and control traffic on the new highway;
- g. It requires the town to maintain the right-of-way post construction (which is not anticipated to be a problem); and
- h. It requires the town to pay part of the costs of the relocation of utilities and the \$52,000 costs exceed the budget. Moreover, this is only one portion of the project. There is going to be another phase of the project that would also involve the Town and the town would bear financial responsibility.

Ms. Pichot stated that the Town does not have the equipment, personnel or financial means to accomplish these things. However she realizes that the Town needs a contract and a good working relationship with ODOT. There was discussion regarding making the contract a 3-way contract and include the county for the road issues. Also, consideration may be given by rewriting the contact. However, the initial meeting with the ODOT representatives appeared that they were not sympathetic to the town's issues. A possible solution to the financial impact of moving the utilities may be to ask the utility companies to pay all or a part of the Town's portion of the costs. As the Town's legal representative, she is unable to recommend approval of the contract for the highway project because of the above reasons.

A motion was made by Mr. Iovan and seconded by Mrs. Jones to table the item.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**11. DISCUSSION AND/OR ACTION TO PURCHASE AN AD IN THE BOOK RED DIRT, RIVER AND RAILS IN ORDER TO PROMOTE THE TOWN OF SLAUGHTERVILLE**

A motion was made by Mr. Rico and seconded by Mrs. Jones to take no action.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**12. DISCUSSION AND/OR ACTION ON PURCHASE ORDER NUMBER 6514 FOR A NEW CET 18 HP HONDA MOTOR AND PUMP FOR BRUSH 3**

A motion was made by Mr. Iovan and seconded by Mrs. Jones to approve Purchase Order Number 6514 for a new CET 18 HP Honda motor and pump for Brush 3.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**13. DISCUSSION AND/OR ACTION CONCERNING FILLING THE VACANT BOARD OF ADJUSTMENT POSITION**

A motion was made by Mr. Garrett and seconded by Mr. Iovan to appoint James Bundy to fill the vacant Board of Adjustment position.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**14. DISCUSSION AND/OR ACTION ON APPOINTING ONE (1) MEMBER TO THE FLOODPLAIN BOARD FOR A SIX-YEAR TERM TO FILL THE EXPIRING TERM OF MIKE KOURI**

A motion was made by Mr. Rico and seconded by Mrs. Jones to appoint Mike Kouri to the Floodplain Board for a six-year term.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**15. DISCUSSION AND/OR ACTION ON UPDATING THE EMPLOYEE'S SCHEDULE**

A motion was made by Mr. Garrett and seconded by Mrs. Jones to approve the updated Employee's Schedule adding the new Office Assistant Kim Reynolds.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**16. REPORT ON ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS MEETING BY BOBBY CLEVELAND**

Mr. Cleveland attended the meeting but had nothing to report.

**17. REPORT CONCERNING DEVELOPMENT OF A PLAN FOR DISASTER RESPONSE**

Mayor Cleveland reported the Long Term Continuing Recovery Committee met at the Town Hall on September 9<sup>th</sup>. Five people attended. They discussed how get people involved in helping disaster victims. They also identified agencies including local churches that were willing to help in a disaster situation. Mayor Cleveland also expressed a need for a portable generator. The next committee meeting will be October 7<sup>th</sup> at 8:30 am at United Way in Norman.

**18. REPORT ON ZONING COMPLIANCE PERMITS AND CODE COMPLIANCE**

A total of 4 permits were issued in August with a combined value of \$166,500.

MH on Maguire and 108th: Contacted the owner who agreed that something needed to be done but asked for 6 months to accomplish either clean up and remodel or removal of the manufactured home.

MH being removed from Highway 77 & Duffy Road: Little progress was made in August due to the heat and the homeowners back injury.

Dilapidated MH on 117th: There had been two letters sent in the past (both in 08) with little or no response so a letter was sent allowing 90 days (because of the heat) to bring their property into compliance.

Dog problems throughout the Town: Pit Bull dogs in Elmo Estates killing neighborhood dogs and challenging neighbors on their neighbors' property. Three dogs harassing citizens in Mocella, one pulled on the pant leg of a teenager.

Progress with Zoning Compliance Permits: Several permits have been finalized and others have come in. Most permits are for MH.

Follow up on last month's report: Some debris from the MH east of Hwy 77 on Duffy has been removed but there is still work to be done before the MH can be moved. The dog problems seem to move around from subdivision to subdivision but there are almost always those problems to be dealt with.

Objectives and concerns: Concerns about our town becoming a manufactured home community and about how to enforce town ordinances especially related to dog issues

There were comments concerning forming a Municipal Court and the potential cost.

**19. REPORT ON FIRE DEPARTMENT RUNS AND GRANT PROGRESS UPDATE BY CHIEF PAUL LONG**

- There were 9 fire runs since the last meeting: 1 - structure, 6 - grass, 2 - trash, gave mutual aid 2 times and did not receive any mutual aid
- The pump for Brush 3 has been installed
- Work is being done on a Rural Economic Action Plan (REAP) Grant application for the purpose of replacing a 1986 brush pumper truck
- A vehicle extrication training class is scheduled for October
- The Fire Department Women's Auxiliary Fundraiser Spaghetti Dinner will be on October 14<sup>th</sup>
- Two applications have been submitted to the Department of Homeland Security's (DHS) Assistance to Firefighters Grant Program (AFG) for a tanker truck and bunker gear

**20. ADMINISTRATOR'S REPORT:**

- A. BOARD MEMBERS ARE TO REMAIN AFTER THE MEETING TO HAVE A PICTURE TAKEN FOR THE WEBSITE** - announced
- B. PROJECT RE-DIRECTORY** - Everyone was encouraged to recycle their old telephone books

**21. HEARING OF DELEGATIONS OR CITIZENS**

Joyce Smith announced that the Slaughterville Fire Department Women's Auxiliary is hosting a Spaghetti Dinner on October 14<sup>th</sup> as a fund raiser for the Fire Department. They are selling chances for a Browning 12-gauge shotgun. They are having an auction and giving out door prizes at the dinner.

**22. REMARKS AND INQUIRIES BY BOARD MEMBERS**

There were none

**23. EXECUTIVE SESSION TO FOR THE PURPOSE OF DISCUSSING THE PURCHASE OR APPRAISAL OF REAL PROPERTY CONCERNING: 7615 BRYANT ROAD, SLAUGHTERVILLE, OKLAHOMA LEGAL DESCRIPTION: LOT ONE (1), BLOCK TWO (2), OF TIMBER TRAIL ESTATES, SLAUGHTERVILLE, CLEVELAND COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF. LOCATED IN SECTION SEVENTEEN (17), TOWNSHIP SEVEN (7) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, PURSUANT TO TITLE 25 O.S. SECTION 307.B (3)**

A motion was made by Mr. Rico and seconded by Mrs. Jones to go into executive session.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

Board members, Administrator Marsha Blair and Attorney Cindee Pichot went into executive session. They discussed the purchase or appraisal of real property concerning: 7615 Bryant Road, Slaughterville, Oklahoma legal description: Lot one (1), Block two (2), of Timber Trail Estates, Slaughterville, Cleveland County, Oklahoma, according to the recorded plat thereof, located in Section Seventeen (17), Township Seven (7) North, Range One (1) West of the Indian Meridian, Cleveland County, Oklahoma, pursuant to Title 25 O.S. Section 307.B (3). Board members came back into regular session at 9:10 p.m.

**24. DISCUSSION AND/OR ACTION TO AUTHORIZE A REPRESENTATIVE OF THE TOWN TO BID ON THE PROPERTY LOCATED AT 7615 BRYANT ROAD, SLAUGHTERVILLE, OKLAHOMA LEGAL DESCRIPTION: LOT ONE (1), BLOCK TWO (2), OF TIMBER TRAIL ESTATES, SLAUGHTERVILLE, CLEVELAND COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF. LOCATED IN SECTION SEVENTEEN (17), TOWNSHIP SEVEN (7) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA**

A motion was made by Mrs. Jones and seconded by Mr. Garrett to authorize a representative of the Town to bid on the property located at 7615 Bryant Road.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

**25. ADJOURN**

A motion was made by Mrs. Jones and seconded by Mr. Rico to adjourn.

AYES: Garrett, Jones, Cleveland, Rico, Iovan

NAYS: None

\_\_\_\_\_  
CLERK (ATTEST)

\_\_\_\_\_  
MAYOR