

**BOARD OF TRUSTEES FOR THE TOWN OF LUTHER**

**REGULAR MEETING AGENDA**

**MINUTES**

In accordance with the Open Meeting Act, Title 25, Section 311 of the Oklahoma Statutes, the Town of Luther, County of Oklahoma, 108 S. Main Street, hereby calls a **Regular Meeting of the Luther Board of Trustees and A Public Hearing, Tuesday, June 9th, 2020 at 7:00 p.m. at Town Hall, 108 S. Main St., Luther, OK 73054.**

1. **Call to order.**
2. **Invocation.**
3. **Pledge of Allegiance.**
4. **Roll Call… B. Hall Absent.**
5. **Determination of a quorum… Yes.**
6. **Convene into a Public Hearing.**

**NOTICE OF PUBLIC HEARING**

**Notice is hereby given that on Tuesday, June 9th, 2020, at 7:00 p.m., at Luther Town Hall, 108 South Main Street, Luther, Oklahoma; the Town of Luther Board of Trustees will conduct a public hearing to consider the following:**

1. ORDINANCE 2020-06, AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING PART 12, “PLANNING, ZONING, AND DEVELOPMENT,” OF THE TOWN OF LUTHER CODE OF ORDINANCES, ADDING SECTION 12-305, “DEED APPROVALS, LOT SPLITS OR SUBDIVISION OF LAND;” AND SPECIFICALLY SETTING FORTH THE CRITERIA FOR DEED APPROVALS AND LOTS SPLITS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.
2. Regarding the Specific Use Permit Application for a commercial medical marijuana growing facility by Jeff and Amber Jarvis, property generally located at 20620 N Luther Road, Luther, Oklahoma 73054 (UNPLTD PT SEC 22 14N 1E 000 000 PT NW4 SEC 22 14N 1E BEG NW/C NW4 TH S565FT E387.50FT N565FT W387.50FT TO BEG)
3. Regarding the Board of Trustees of the Town of Luther, Oklahoma, adopting the fiscal year 2020-2021 annual budget for the Town and the Luther Public Works Authority, in accordance with the provisions of the Municipal Budget Act.
4. Community Development Block Grant project **CDBG-W/S Const-2019-LUTHER TO-00086, Contract # 17522 CDBG 19** water project; Waterline Replacement Project, Final Performance Report.

**No Action will be taken during these hearings. Subsequent action will be addressed at the Regular Board of Trustees Meeting directly following this public hearing.**

1. **Citizen participation:**  Citizens may address the Board of Trustees during a Public Hearing on the above matters. To keep proceedings moving smoothly, citizens wishing to address the Board are asked to sign the Citizen’s Participation Request Form.
2. **Adjourn the Public Hearing.**
3. **Approval of the Consent Agenda,** Previous Meeting’s Minutes, 05122020 Reg.& 05282020 Spc. Reg., Treasurer’s Report, Review of Claims including Payroll.

**Motion to approve as written: J. White… 2nd: T. Langston… Four Yes votes.**

1. **Trustee Comments.**

**No Action.**

**Trustee Five (Jenni White)**

1. Consideration, discussion and possible action to adopt ordinance #2020-04, of the Town of Luther, Oklahoma, amending Part 8, “Health and Sanitation,” of the Code of Ordinances of the Town of Luther, Oklahoma, and specifically Chapter 7, “Land Application of Biosolids;” adding Section 8-701, “Definitions;” adding Section 8-702, “Intent,” which sets forth the intent of the prohibition of land application of biosolids; adding Section 8-703, “Applicability;” adding Section 8-704, “Biosolids Prohibited;” adding Section 8-705, “Penalty;” which provides the penalty for violation; providing for repealer; providing for severability; and declaring an emergency.

**Tabled from February 27th meeting.**

**Motion to adopt Ordinance #2020-04 as written: J. White… 2nd: T. Arps… Three Yes votes... t. Langston votes No.**

**Motion to approve Emergency Clause for Ordinance #2020-04: J. White… 2nd: T. Arps… Three Yes votes... t. Langston votes No.**

1. Consideration, discussion and possible action regarding final invoices from WDB Engineering for engineering & inspection services on the Community Development Block Grant project **CDBG-W/S Const-2019-LUTHER TO-00086, Contract # 17522 CDBG 19.**

**Motion to approve as written: J. White… 2nd: T. Arps… Four Yes votes.**

1. Consideration, discussion and possible action regarding final invoices from Millie Vance Inc. for administrative services on the Community Development Block Grant project **CDBG-W/S Const-2019-LUTHER TO-00086, Contract # 17522 CDBG 19.**
2. Consideration, discussion and possible action regarding final pay application from Utility Field Services, LLC for work on the Community Development Block Grant project **CDBG-W/S Const-2019-LUTHER TO-00086, Contract # 17522 CDBG 19.**
3. Consideration, discussion and possible action to approve Resolution # 2020-08, a resolution approving and accepting theCommunity Development Block Grant project **CDBG-W/S Const-2019-LUTHER TO-00086, Contract # 17522 CDBG 19** Waterline Replacement Project as complete and authorizing the Mayor to sign closeout documents.

**Motion to approve Items 17, 18 & 19 as written: J. White… 2nd: T. Langston… Four Yes votes.**

1. Consideration, discussion, and possible approval of Resolution No. 2020-10, a Resolution of the Board of Trustees of the Town of Luther, Oklahoma, adopting the fiscal year 2020-2021 annual budget for the Town in accordance with the provisions of the Municipal Budget Act.

**Motion to approve as written: J. White… 2nd: J. Schwarzmeier… Four Yes votes.**

**Trustee One (Terry Arps)**

1. Consideration, discussion and possible action to renew the contract for services with Brent D. Coldiron as the Town of Luther Prosecutor.

**Motion to approve a new contract for Brent D. Coldiron: T. Arps… 2nd: T. Langston… Four Yes votes.**

1. Consideration, discussion of Police Department (PD) proposal to add a supplemental PD vehicle maintenance fee to all citations.

**No Action.**

1. Consideration, discussion and possible action to except the resignation of Officer Danielle Leonard.

**Motion to approve as written: T. Arps… 2nd :J. Schwarzmeier… Four Yes votes.**

1. Consideration, discussion and possible action to open a vacancy announcement for a new full time officer position in the Luther Police Department.

**Motion to approve as written: T. Arps… 2nd :J. Schwarzmeier… Four Yes votes.**

**Trustee Two (Brian Hall)**

**Trustee Three (Trandy Langston)**

1. Consideration, discussion and possible action regarding the appointment, based on the recommendation of the Planning Commission, of Mr. David Threatt, to the planning commission as a member. Email… thehaircafemidtownokc@yahoo.com .

**Motion to approve as written: J. White… 2nd :J. Schwarzmeier… Four Yes votes.**

1. Consideration, discussion and possible action to adopt Ordinance No. 2020-06, an ordinance adding Section 12-305, ORDINANCE 2020-06, AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING PART 12, “PLANNING, ZONING, AND DEVELOPMENT,” OF THE TOWN OF LUTHER CODE OF ORDINANCES, ADDING SECTION 12-305, “DEED APPROVALS, LOT SPLITS OR SUBDIVISION OF LAND;” AND SPECIFICALLY SETTING FORTH THE CRITERIA FOR DEED APPROVALS AND LOTS SPLITS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY .

**Tabled from March 9th meeting to April 13th & that meeting was cancelled.**

**Tabled to the June 9th regular meeting.**

**Motion to approve , amending F (removal of Notary requirement & G (removal of Certification requirement): T. Langston… 2nd :J. Schwarzmeier… Four Yes votes.**

**Motion to approve Emergency Clause: T. Langston… 2nd:T. Arps… Four Yes votes.**

1. Consideration, discussion, and possible action on the recommendation from the Planning Commission to the Town Board to consider approving a specific use permit for a Commercial Marijuana Growing Facility for property generally located at 20620 N Luther Road, Luther, Oklahoma 73054 (UNPLTD PT SEC 22 14N 1E 000 000 PT NW4 SEC 22 14N 1E BEG NW/C NW4 TH S565FT E387.50FT N565FT W387.50FT TO BEG).

**Tabled from March 9th meeting to April 13th & that meeting was cancelled.**

**Tabled to the June 9th regular meeting.**

**Motion to approve as written: T. Langston… 2nd:J. White… Four Yes votes.**

1. Consideration, discussion and possible action to approve a lot split for Clowers/ Ratliff family. Commencing at NE corner of the NW quarter section (NWH) section 22 thence 50 degrees 15 ‘ 44” seconds on the east line of said NW corner a distance of 716.03 feet to the point of beginning. 5 acre lot split from 20 acres. Property owners are Charles & Amy Clowers 19480 E. Covell… Applicant: Anna & Cody Ratliff P.O. Box 699.

**Motion to approve as written: T. Langston… 2nd:J. Schwarzmeier… Four Yes votes.**

**Trustee Four (Jeff Schwarzmeier)**

**Trustee Five (Jenni White)**

1. Consideration, discussion and possible action to plan or approve needs for the Town's Independence Day celebration, Saturday, July 4th.

**No Action.**

1. Consideration, discussion and possible action to allow the Town of Luther Board of Trustees to make immediate, one time deviations from the Town ordinance regarding vendor fees.

**No Action.**

1. Consideration, discussion and possible action to sign and approve/ adopt a resolution of the dissolution of the EOCP (Eastern Oklahoma County Partnership) beginning June 30, 2020.

**Tabled from May 28th meeting.**

**Tabled to June 25th meeting.**

1. **New Business:** In accordance with the Open Meeting Act, Title 25 O.S. 311.A.9of the Oklahoma Statutes, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

**No New Business.**

1. **Citizen participation:**  Citizens may address the Board during open meetings on any matter on the agenda prior to the Board taking action on the matter. On any item not on the current agenda, citizens may address the Board under the agenda item Citizen Participation. Citizens should fill out a Citizen’s Participation Request form and give it to the Mayor. Citizen Participation is for information purposes only, and the Board cannot discuss, act or make any decisions on matters presented under Citizens Participation. Citizens are requested to limit their comments to two minutes.

**No Action.**

1. **Adjourn.**

**Motion to adjourn: T. Langston… 2nd :J. Schwarzmeier… Four Yes votes.**

\_\_\_\_**transcribed 06/10/2020 by**\_\_\_

Kim Bourns, Town Clerk/Treasurer

\*Agenda Posted Friday, June 5th, 2020 at Luther Town Hall, on the website at [www.townoflutherok.com](http://www.townoflutherok.com) and on Facebook at The Town of Luther, prior to 7:00 pm.