

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

**REGULAR MEETING AGENDA**

**AND PUBLIC HEARING**

**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, Tuesday, November 10th, 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… all present.**
5. **Determination of a quorum…. Yes.**
6. **Approval of the Consent Agenda,** Previous Meeting’s Minutes, Treasurer’s Report, Review of Claims including Payroll.

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

1. **Trustee Comments.**

**No Action.**

1. **Presentation: Christopher Schrader - Lighting Energy Specialist**

**No Show.**

1. **Presentation: 2019-2020 Audit by Autumn Williams, Russell and Williams CPA's.**

**No Action.**

1. **A PUBLIC HEARING** regarding the Specific Use Permit Application for a Commercial Marijuana Growth Facility on property generally located at 350 N. Ash St., Luther, Oklahoma 73054, COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT A; THENCE SOUTH 00°25’22” WEST ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 467.23 FEET TO THE POINT OF BEGINNING; THENCE NORTH 10°04’15” EAST A DISTANCE OF 101.44 FEET; THENCE NORTH 03°17’07” EAST A DISTANCE OF 23.93 FEET; THENCE SOUTH 89°58’14” EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEST QUARTER A DISTANCE OF 280.60 FEET; THENCE SOUTH 00°01’46” WEST A DISTANCE OF 175.62 FEET; THENCE NORTH 89°58’14” WEST PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 300.00 FEET TO A POINT ON THE 33 FOOT STATUTORY RIGHT OF WAY; THENCE NORTH 00°25’22” EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 51.84 FEET TO THE POINT OF BEGINNING, followed by consideration, discussion and possible action regarding the Specific Use Permit Application.

**No Action.**

1. Consideration, discussion, and possible action to approve a Specific Use Permit for the property located at 350 N. Ash St., Luther, Ok. 73054 for a Medical Marijuana grow facility. COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT A; THENCE SOUTH 00°25’22” WEST ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 467.23 FEET TO THE POINT OF BEGINNING; THENCE NORTH 10°04’15” EAST A DISTANCE OF 101.44 FEET; THENCE NORTH 03°17’07” EAST A DISTANCE OF 23.93 FEET; THENCE SOUTH 89°58’14” EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEST QUARTER A DISTANCE OF 280.60 FEET; THENCE SOUTH 00°01’46” WEST A DISTANCE OF 175.62 FEET; THENCE NORTH 89°58’14” WEST PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 300.00 FEET TO A POINT ON THE 33 FOOT STATUTORY RIGHT OF WAY; THENCE NORTH 00°25’22” EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 51.84 FEET TO THE POINT OF BEGINNING.

**Tabled to November 20th Special Meeting at 6:00 pm.**

**Trustee One (Terry Arps)**

**Trustee Two (Brian Hall)**

**Trustee Three (Trandy Langston)**

1. Consideration, discussion and possible action to suspend the Town Board of Trustees Special Planning meetings for the months of November and December.

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

1. Consideration, discussion and possible action to move the date of the December Planning Commission public hearing and meeting from Monday, December 14, 2020 to Tuesday, December 8, 2020, at 6:00 PM.

**File a notice of cancellation & file for a new date.**

1. Consideration, discussion and possible action to approve the Mixed Use ordinance #2020-09, for the Downtown Business District.

AN ORDINANCE OF THE TOWN OF LUTHER, OKLAHOMA, ADDING ARTICLE G, “MIXED-USE DISTRICTS,” TO THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, AND SPECIFICALLY ADDING SECTION 12-255, “GENERAL PURPOSES OF MIXED-USE DISTRICTS;” WHICH SETS FORTH THE PURPOSES OF MIXED-USE DISTRICTS; ADDING SECTION 12-256, “DOWNTOWN MIXED-USE CORE DISTRICT (DM),” WHICH IDENTIFIES THE AREAS OF THE TOWN SUBJECT TO THIS DISTRICT, ALLOWABLE USES, AREA REGULATIONS, AND BUILDING HEIGHT; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

**Tabled to December8th meeting.**

1. PROPOSED EXECUTIVE SESSION: Consideration and possible action to enter into Executive Session for confidential communications and discussions with legal counsel and other staff members as requested and required to discuss the employment of the Municipal Judge and, specifically, the renewal of the Municipal Judge’s contract for a two (2) year period of time as set by Oklahoma State Statute, and as authorized by 25 O.S. §307(B)(1), as it pertains to the employment, hiring, and appointment of any individual salaried public officer or employee.

**Motion to move into Executive Session: T. Langston… 2nd: J. White… unanimous Yes vote.**

1. PROPOSED ACTION FOLLOWING EXECUTIVE SESSION: Consideration, discussion, and possible reasonable action, including action pertaining to the current Municipal Judge and his contract.

**Motion to advise Municipal Judge his term will not be renewed: J. White… 2nd: T. Langston… unanimous Yes vote.**

**Trustee Four (Jeff Schwarzmeier)**

**Trustee Five (Jenni White)**

1. Consideration, discussion and possible action to switch from the Fuelman system to an on-premises tank system for the Town's fuel needs.

**No Action.**

1. Consideration, discussion, and possible approval of an Economic Development and Property Improvement Agreement by and between the Town of Luther and the Chicken Shack, LLC.

**Tabled from October 22nd meeting.**

**Tabled to December 8th meeting.**

1. Consideration, discussion and possible adoption of ORDINANCE NO. 2020-10, AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING PART 5, “BUILDING REGULATIONS AND CODES,” CHAPTER 1, “BUILDING CODE AND REGULATIONS,” OF THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING SECTION 5-106, “BUILDING PERMIT REQUIREMENT; FEE,” PROVIDING THAT BUILDING PERMITS SHALL BE APPROVED BY THE TOWN MANAGER RATHER THAN THE PLANNING COMMISSION; REPEALING ALL ORDINANCES TO THE CONTRARY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY .

**Motion to adopt ordinance # 2020-10: J. White… 2nd: T. Langston… unanimous Yes vote.**

**Motion to approve Emergency clause: J. White… 2nd: J. Schwarzmeier… unanimous Yes vote.**

1. Consideration, discussion and possible action to decide on a solution for the storm debris.

**No Action.**

1. Consideration, discussion and possible action regarding Town Hall Roof Repair.

**Motion to approve Town Manager to repair the roof not to exceed $6,000.00: J. White… 2nd: J. B. Hall… four Yes votes… T. Langston votes No.**

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. White… unanimous Yes vote.**

\_\_\_\_**transcribed 11/11/2020 by**\_\_\_

Kim Bourns, Town Clerk/Treasurer

\*Agenda Posted Monday, November 9th, 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.