

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

**THURSDAY, JANUARY 28, 2021 AT 6:30 P.M.**

**LUTHER TOWN HALL**

**108 SOUTH MAIN STREET, LUTHER, OKLAHOMA 73054**

**MINUTES OF SPECIAL MEETING**

1. Call to order **by Jenni White.**
2. Invocation **was given by Trustee Terry Arps.**
3. Pledge of Allegiance was recited.
4. Roll Call **was taken by Jenni White. Present were Jenni White, Trandy Langston, Terry Arps, Brian Hall and Jeff Schwarzmeier. All members were present.**
5. Determination of a quorum **was made by Jenni White.**
6. Trustee Comments-**Terry Arps mentioned the newly passed Ordinance 2020-09 needs revision of the zoning boundary. Trandy Langston agreed to review the language.**

**Trustee One (Terry Arps)**

**Trustee Two (Brian Hall)**

**Trustee Three (Trandy Langston)**

1. Presentation by representatives of The Chicken Shack and The Childs Law Firm pertaining to operations, economic development activities, necessary infrastructure, including the sanitary sewer system, related discussion, and possible action. **A detailed discussion was had by Board members and George Jacobs, GM of The Chicken Shack, regarding a temporary sewer lagoon, the floodway and proposed sewer improvements. No formal motion was made. No action.**
2. Consideration, discussion, and possible approval of a proposed Property Improvements Agreement Between the Town of Luther and the Chicken Shack. **No action.**

**Trustee Four (Jeff Schwarzmeier)**

**Trustee Five (Jenni White)**

1. Consideration, discussion, and possible approval of ORDINANCE NO. 2021-03, AN ORDINANCE LEVYING AND ASSESSING A SALES TAX OF ONE HALF OF ONE PERCENT (1/2%), IN ADDITION TO PRESENT SALES TAXES UPON THE GROSS RECEIPTS OR PROCEEDS ON CERTAIN SALES AS HEREIN DEFINED, TO TAKE EFFECT ON JULY 1, 2021, AND FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS OF THE TOWN OF LUTHER, OKLAHOMA; DEFINING TERMS; PRESCRIBING PROCEDURES, REMEDIES, LIEN AND FIXING PENALTIES; ESTABLISHING AN EFFECTIVE DATE; AND MAKING PROVISIONS SEVERABLE. **Item 9 was read. Jenni White made a motion to adopt Ordinance 2021-03, seconded by Terry Arps. The vote: All (5) Yes.**
2. Consideration, discussion, and possible approval of ORDINANCE NO. 2021-04, AN ORDINANCE LEVYING AND ASSESSING A SALES TAX OF ONE HALF OF ONE PERCENT (1/2%), IN ADDITION TO PRESENT SALES TAXES UPON THE GROSS RECEIPTS OR PROCEEDS ON CERTAIN SALES AS HEREIN DEFINED, TO TAKE EFFECT ON JULY 1, 2021, AND FOR THE PURPOSE OF FUNDING GENERAL MUNICIPAL OPERATIONS OF THE TOWN OF LUTHER, OKLAHOMA; DEFINING TERMS; PRESCRIBING PROCEDURES, REMEDIES, LIEN AND FIXING PENALTIES; ESTABLISHING AN EFFECTIVE DATE; AND MAKING PROVISIONS SEVERABLE. **Item 10 was read. Jenni White made a motion to adopt Ordinance 2021-04, seconded by Terry Arps. The vote: All (5) Yes.**
3. Consideration, discussion, and possible approval of RESOLUTION NO. 2021-04R, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AND MAYORAL PROCLAMATION CALLING FOR A SPECIAL ELECTION IN THE TOWN OF LUTHER ON APRIL 6, 2021, FOR THE PURPOSE OF SUBMITTING TWO QUESTIONS TO THE REGISTERED VOTERS REGARDING: LEVY AND ASSESSMENT OF A SALES TAX OF ONE-HALF OF ONE PERCENT (1/2%) UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TAX FOR PURPOSES OF GENERAL MUNICIPAL OPERATIONS, AND LEVY AND ASSESSMENT OF A SALES TAX OF ONE-HALF OF ONE PERCENT (1/2%) UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TAX FOR PURPOSES OF CAPITAL IMPROVEMENTS; AND PROVIDING FOR THE CONDUCT OF THE ELECTION BY THE OKLAHOMA COUNTY ELECTION BOARD. **Item 11 was read. Jenni White made a motion to adopt Resolution 2021-04R, seconded by Jeff Schwarzmeier. The vote: All (5) Yes.**
4. Consideration, discussion and possible action to renew the lease agreement for the property located at 309 SW 5th Street, Luther, OK, with The Community Action Agency for a 12-month term at $1,000.00 per month, beginning March 31, 2021 and ending March 31, 2022, at noon. **Trandy Langston made a motion to renew the lease agreement as written, seconded by Jeff Schwarzmeier. The vote: All (5) Yes.**
5. Consideration, discussion and possible action to renew The Luther Public School Baseball Field Lease Contract for the calendar year 2021, at the rate of $500.00 annually. **Trandy Langston made a motion to renew the contract as written, seconded by Jeff Schwarzmeier. The vote: All (5) Yes.**
6. Consideration, discussion and possible action regarding options for financing further sewer work and CDBG grant funding. **After discussion regarding funding options, Jenni White made a motion to commit $100,000 in matching funds to make application for a CDBG grant for sewer improvements, seconded by Trandy Langston. The vote: All (5) Yes.**
7. Consideration, discussion and possible action regarding either paying off the 3-vehicle loan that includes two police vehicles and the Fire Chief’s 2011 Tahoe that was involved in an accident, or paying $3000.00 on the loan, reducing the balance to have the lien released for the 2011 Tahoe. **Jenni White made a motion to apply $3000.00 to the existing BancFirst vehicle loan and request to have the lien released for the vehicle, seconded by Terry Arps. The vote: All (5) Yes.**
8. Consideration, discussion and possible action regarding the purchase of a vehicle for the Fire Chief. Tabled from January 12, 2021. **Tabled to February 9, 2021.**
9. Consideration, discussion and possible action to purchase two (2) trailers to hold/transport the two (2) emergency portable generators. **Tabled to February 9, 2021.**
10. **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 actual candidates for the position of Municipal Judge 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. **Jenni White moved to enter into executive session, seconded by Brian Hall. The vote: All (5) Yes.**

**Jenni White moved to exit executive session and enter into regular session, seconded by Terry Arps. The vote: All (5) Yes.**

1. **PROPOSED ACTION FOLLOWING EXECUTIVE SESSION:** Consideration, discussion, and possible reasonable action, including, determining which candidates to interview, appoint, or ask for additional information from, all pertaining to the position of Municipal Judge and a proposed contract. **Jenni White made a motion to call a special meeting at 6:00 p.m. on February 9, 2021, and to direct the Town Attorney and Town Manager to notify candidates for an interview, seconded by Trandy Langston. The vote: All (5) Yes.**
2. 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 citizens address the Board.**
3. Adjourn. **Trandy Langston made a motion to adjourn, seconded by Jeff Schwarzmeier. The vote: All (5) Yes. Meeting adjourned.**

-Minutes transcribed February 4, 2021 by Interim Town Clerk-Treasurer, Scherrie Pidcock.-