

**MINUTES FOR THE LUTHER BOARD OF TRUSTEES**

**REGULAR MEETING ON DECEMBER 8, 2020**

A Regular Meeting of the Luther Board of Trustees was held Tuesday, December 8, 2020, at 7:00 p.m. at Town Hall, 108 S. Main St, Luther, OK 73054.

1. Call to order. **Vice Mayor Trandy Langston called the meeting to order.**
2. Invocation. **The invocation was given by Trustee Jeff Schwarzmeier.**
3. Pledge of Allegiance. **The Pledge of Allegiance was led by Vice Mayor Trandy Langston.**
4. Roll Call. **Roll Call was carried out by Trandy Langston. Present were Trandy Langston, Brian Hall, Jeff Schwarzmeier, and Terry Arps. Jenni White was absent.**
5. Determination of a quorum. **Determination of a quorum was made by Trandy Langston with four (4) members present. Jeff Schwarzmeier left the meeting after Item 9, which was placed ahead of Item 8, reducing the quorum to three (3) members from Item 10 to the end of the agenda.**
6. Approval of the Consent Agenda, Previous Meeting’s Minutes, Treasurer’s Report, Review of Claims including Payroll. **A motion to approve the Consent Agenda was made by Trandy Langston, Seconded by Terry Arps. The vote: All (4) Yes.**
7. Trustee Comments. **There were no Trustee comments.**
8. Presentation by Jon Wolff and other representatives of Municipal Finance Services, Inc., pertaining to the prepared Financial Profile and Debt Capacity Analysis report, as well as all aspects of the Town's budget, including discussion, and possible action pertaining matters associated with the Town's finances. **No action was taken on this item.**

**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, as well as the proposed Property Improvements Agreement Between the Town of Luther and the Chicken Shack, to include related discussion and possible action.

Tabled from November 10th meeting. **A motion to allow the Childs Law Firm to continue negotiations and present a resolution for a sewer system for The Chicken Shack. Seconded by Brian Hall. The vote: All (4) Yes.**

**Note: Items 9 and 8 were heard in reverse order. Trustee Schwarzmeier left after the Item 8 presentation but was present to vote on Item 9.**

1. Consideration, discussion and possible action concerning a proposal to approve a Property Improvement Agreement between The Chicken Shack and the Town of Luther. **No action.**

**Trustee One (Terry Arps)**

1. Consideration and discussion concerning proposal to purchase replacement vehicles for the Luther Police Department’s use. **Tabled to January 12, 2021.**

1. Consideration, discussion and possible action to authorize Police Chief Leafty to purchase three vehicles for use by the Luther Police Department. **Tabled to January 12, 2021**.
2. Consideration, discussion and possible action to authorize Police Chief Leafty to sell four surplus Police Department vehicles (two unusable / two unreliable) and additional surplus law enforcement related equipment. **Tabled to January 12, 2021.**

2010 Dodge Charger VIN# 2B3AA4CT7AH128670

2010 Dodge Charger VIN# 2B3AA4CT5AH223597

2008 Dodge Charger VIN# 2B3KA43H58H205790

2007 Crown Victoria VIN# 2FAFP71W57X162564

1. Consideration, discussion and possible action for the expenditure of not more than $3041.00 for police equipment and supplies, to be reimbursed to the Town as a result of the successful District Attorney Council grant application. **Terry Arps made a motion to approve as written. Seconded by Brian Hall. The vote: All (3) Yes.**

**Trustee Two (Brian Hall)**

**Trustee Three (Trandy Langston)**

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, AMENDING SECTION 12-210, “GENERAL,” OF THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, TO ADD THE DOWNTOWN BUSINESS DISTRICT; AND ADDING SECTION 12-215.1, “DB DISTRICT (DOWNTOWN BUSINESS),” WHICH SETS FORTH A GENERAL DESCRIPTION OF DOWNTOWN BUSINESS DISTRICTS, PERMITTED USES, IDENTIFICATION OF THE DISTRICT FROM APPLE STREET TO ASH STREET AND MAIN STREET TO ASH STREET, THE GENERAL PURPOSES, AND THE MAXIMUM HEIGHT FOR BUILDINGS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY Tabled from November 10th meeting. The above moved in the Code to address comments of the Planning Commission, the Trustees and others, and now identified as: Consideration, discussion, and possible adoption of Ordinance #2020-09. **Motion was made by Trandy Langston to table the item until January 12, 2021. Seconded by Terry Arps. The vote: All (3) Yes.**
2. Consideration, discussion and possible action to appoint Teri Stroud to the Parks Commission. **Motion was made by Trandy Langston to approve as written. Seconded by Terry Arps. The vote: All (3) Yes.**
3. Consideration, discussion, and possible action to approve AN ORDINANCE, #2020-11, OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING PART 12, “PLANNING, ZONING, AND DEVELOPMENT,” CHAPTER 1, “PLANNING COMMISSION,” OF THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING SECTION 12-102, “MEMBERSHIP,” WHICH PROVIDES FOR A MEMBER OF THE BOARD OF TRUSTEES TO SERVE AS AN EX OFFICIO MEMBER OF THE PLANNING COMMISSION; REPEALING SECTION 12-103 “EX OFFICIO MEMBERS,” IN ITS ENTIRETY; AMENDING SECTION 12-104, “TERMS,” TO ALIGN THIS PROVISION WITH STATE STATUTE; AMENDING SECTION 12-107 “OPEN MEETINGS,” TO PROVIDE FOR COMPLIANCE WITH THE OKLAHOMA OPEN MEETING ACT; REPEALING ALL ORDINANCES TO THE CONTRARY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY. **Motion was made to adopt Ordinance #2020-11 by Trandy Langston. Seconded by Terry Arps. The vote: All (3) Yes. Due to there being only three (3) members present, there was no vote for the emergency clause.**
4. Consideration, discussion and possible action to add a member to the Planning Commission. **Motion was made by Trandy Langston to add Anna Campbell as a member to the Planning Commission. Seconded by Terry Arps. The vote: All (3) Yes.**
5. Consideration discussion and possible approval of a letter agreement with Donna Peters for property located at 18235 N. Sagebrush Circle to allow construction of a new residential home while the owners reside in the current home and providing for demolishing when project is completed. **Motion to approve the letter agreement as written by Trandy Langston. Seconded by Terry Arps. The vote: All (3) Yes.**
6. Consideration, discussion and possible action on A RESOLUTION #2020-20 OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, SETTING THE REGULARLY SCHEDULED MEETINGS OF THE BOARD OF TRUSTEES FOR CALENDAR YEAR 2021

WHEREAS, the Open Meeting Act, codified in 25 O.S. §301, et seq., requires all public bodies to give notice in writing by December 15th of each calendar year of the schedule showing the date, time and place of the regularly scheduled meetings for the following calendar year; and

WHEREAS, the Luther Board of Trustees has elected to handle this statutory responsibility through a Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, THAT the regular Board of Trustees Meetings for Calendar Year 2021 shall be held at 7:00 p.m. on the following dates:

 January 12th

 February 9th

 March 9th

 April 13th

 May 11th

 June 8th

 July 13th

 August 10th

 September 14th

 October 12th

 November 9th

 December 14th

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT the regularly scheduled meetings will be held in Luther Town Hall, 108 South Main, Luther, Oklahoma 73054.

Adopted and approved by the Board of Trustees of the Town of Luther this 8 day of December,

2020.

**Motion to approve Resolution 2020-20 as written by Trandy Langston. Seconded by Brian Hall. The vote: All (3) Yes.**

1. NOTICE OF ELECTION AND PROCLAMATION CALLING FOR AN ELECTION OF THE BOARD OF TRUSTEES FOR THREE TRUSTEE POSITIONS AND FOR THE TOWN CLERK-TREASURER

 A RESOLUTION #2020-23 OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AND MAYORAL PROCLAMATION CALLING AND AUTHORIZING THE OKLAHOMA COUNTY ELECTION BOARD TO HOLD A GENERAL ELECTION ON APRIL 6, 2021, IN THE TOWN OF LUTHER, OKLAHOMA, FOR NOMINATION AND ELECTION OF THREE TRUSTEES TO BE ELECTED AT LARGE AND FOR THE TOWN CLERK-TREASURER; ESTABLISHING THE FILING PERIODS FOR THE FILING FOR OFFICE OF TOWN TRUSTEE AND TOWN CLERK-TREASURER OF LUTHER, OKLAHOMA; AND PROVIDING FOR NOTICE OF ELECTION

 WHEREAS, pursuant to Oklahoma state statute, an election for the nomination and election of three (3) Trustees and the Town Clerk-Treasurer of the Town of Luther, Oklahoma, is required and shall be held on the 6th day of April, 2021; and

 WHEREAS, the term of the Trustees and the Town Clerk-Treasurer so elected shall be for four (4) years, expiring in 2025; and,

 WHEREAS, it is necessary and expedient to establish the filing period for the Trustees and the Town Clerk-Treasurer and to request the County Election Board to conduct the election.

 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AND PROCLAIMED BY THE MAYOR OF THE TOWN OF LUTHER THAT the Trustee and Town Clerk-Treasurer election be held as hereinafter provided, and that the Oklahoma County Election Board be and they hereby are requested to hold a general election in the Town of Luther, Oklahoma, for the nomination and election of three (3) Trustees and the Town Clerk-Treasurer on the 6th day of April, 2021.

 BE IT FURTHER RESOLVED THAT to become a candidate, a declaration of candidacy must be filed with the Oklahoma County Election Board no earlier than 8:00 A.M. on Monday, February 1, 2021, and no later than 5:00 P.M. on Wednesday, February 3, 2021.

 BE IT FURTHER RESOLVED THAT each candidate for Town office shall be a qualified elector of the Town, and only a registered, qualified voter of the Town of Luther, Oklahoma, may vote in the election as above set forth.

 BE IT FURTHER RESOLVED that the following officers will be elected for four-year terms:

 Trustee Four Year Term Expires: 2025

 Trustee Four Year Term Expires: 2025

 Trustee Four Year Term Expires: 2025

 Town Clerk-Treasurer Four Year Term Expires: 2025

 BE IT FURTHER RESOLVED that the election shall be non-partisan and the Trustees shall be nominated and elected at large.

 BE IT FURTHER RESOLVED that the timing, holding and certification of said election shall be conducted in compliance with applicable state law.

 BE IT FURTHER RESOLVED that absentee ballots will be provided in accordance with State Law.

 ADOPTED this 8th day of December, 2020.

 **Motion was made by Trandy Langston to adopt Resolution 2020-23 as written. Seconded by Terry Arps. The vote: All (3) Yes.**

1. Consideration, discussion and possible action regarding AN ORDINANCE #2020-12 OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING PART 12, “PLANNING, ZONING, AND DEVELOPMENT,” CHAPTER 1, “PLANNING COMMISSION,” OF THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING SECTION 12-106, “MEETINGS,” WHICH CHANGES THE MEETING DATE FROM THE SECOND MONDAY OF EACH MONTH TO THE MONDAY IMMEDIATELY PRECEDING THE SECOND TUESDAY OF EACH MONTH (SO AS TO BE THE DAY BEFORE THE REGULAR MEETING OF THE BOARD OF TRUSTEES); REPEALING ALL ORDINANCES TO THE CONTRARY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY. **Motion was made to adopt Ordinance #2020-12 by Trandy Langston. Seconded by Terry Arps. The vote: All (3) Yes. Due to there being only three (3) members present, there was no vote for the emergency clause.**
2. New Business: In accordance with the Open Meeting Act, Title 25 O.S. 311.A.9 of 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.**
3. 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. **There was no citizen participation.**
4. Adjourn. **Trandy Langston made a motion to adjourn. Seconded by Brian Hall. The vote: All (3) Yes.**

**Minutes taken 12.8.2020 and transcribed 12.21.2020 by Scherrie Pidcock**