



**BOARD OF TRUSTEES FOR THE TOWN OF LUTHER  
TUESDAY, APRIL 12, 2022, AT 7:00 P.M.  
LUTHER TOWN HALL  
108 SOUTH MAIN STREET, LUTHER, OKLAHOMA 73054**

**REGULAR MEETING MINUTES**

1. Call to order **by Mayor Arps.**
2. Invocation **by Jeff Schwarzmeier.**
3. Pledge of Allegiance **was led by Terry Arps.**
4. Roll Call by Terry Arps. **Present were Terry Arps, Brian Hall, Carla Caruthers, Jeff Schwarzmeier and Joshua Rowton. (All present)**
5. Determination of a quorum **was made by Terry Arps.**
6. Approval of the Consent Agenda,
  - a. Approval of the Board Minutes from the meetings of March 8 and 24, 2022
  - b. Approval of Claims, including Payroll
  - c. Review and Approval of Treasurer's Report – **There being no items removed, Terry Arps made a motion to approve the consent agenda as presented, 2<sup>nd</sup> by Jeff Schwarzmeier. The Vote: All (5) Yes.**
7. Consideration of Items Removed from the Consent Agenda – **None.**
8. Police and Fire Monthly Reports – **Terry Arps gave a summary of the Reports.**
9. Manager's Report – **Scherrie Pidcock updated the Board on various projects in Town.**
10. Town Attorney's Report – **Beth Anne Childs reported to the Board on topics related to turnpikes, codification of the Code of Ordinances, and annexation policies.**
11. Trustee Comments – **Terry Arps reported that he has been in contact with Ok Turnpike Authority executives and has offered the use of our Town Hall as a meeting place to keep citizens in the area informed about any plans for future turnpikes.**
12. **PUBLIC HEARING** to consider and take appropriate action, including to approve or deny an amendment to Chapter 4, "Offenses Against the Health, Welfare and Morals," of the Code of Ordinances of the Town of Luther, Oklahoma, and specifically amending Section 10-424, "Location of Stores Selling Tobacco and Vapor Products". **Terry Arps opened the public hearing for comments. There were no comments. Terry Arps closed the public hearing.**
13. **PUBLIC HEARING** to consider and take appropriate action, including to approve or deny an application for a Specific Use Permit (SUP) for property generally located at 21991 N Triple X Road, Luther, Oklahoma, for purposes of placing a second residence on a five (5) acre tract of land. The property is currently zoned A-1, Agricultural, and the legal description is as follows: Lot Nine (9), B & K NO. 2, Oklahoma County, Oklahoma. **Terry Arps opened the public hearing for comments. Beth Alonso made comment that she is a neighbor and has no objection to the Specific Use**

**Permit being granted, however, she also stated that she does not believe the property is actually in the Town of Luther limits. Town Attorney Beth Anne Childs stated she will begin research on this topic. Terry Arps closed the public hearing. Based on counsel's advice to take a vote on the item, Terry Arps made a motion to approve the Specific Use Permit as requested, 2<sup>nd</sup> by Joshua Rowton. The Vote: All (5) Yes.**

**Trustee One (Terry Arps)**

14. Consideration, discussion, and possible adoption of ORDINANCE NO. 2022-05, AN ORDINANCE AMENDING CHAPTER 4, "OFFENSES AGAINST THE HEALTH, WELFARE AND MORALS," OF THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, AND SPECIFICALLY ADDING SECTION 10-424, "LOCATION OF STORES SELLING TOBACCO AND VAPOR PRODUCTS;" PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND DECLARING AN EMERGENCY. – **Terry Arps made a motion to adopt Ordinance 2022-05 as written, 2<sup>nd</sup> by Carla Caruthers. The Vote: Four (4) Yes, One (1) No-Joshua Rowton. Terry Arps made a motion to adopt the Emergency Clause, 2<sup>nd</sup> by Brian Hall. The Vote: Four (4) Yes, One (1) No-Joshua Rowton.**
15. Consideration, discussion and possible action to ratify Pay Application #1 in the amount of \$41,055.73 and Pay Application #2 in the amount of \$55,777.39, for payment to Utility Field Services, LLC, in accordance with the CDBG Sewer Grant awarded to the Town of Luther for sewer main replacements. **Terry Arps made a motion to approve Item 15 as written, 2<sup>nd</sup> by Carla Caruthers. The Vote: All (5) Yes.**
16. Consideration, discussion and possible action to designate a member and alternate to ACOG's Bicycle-Pedestrian Advisory Committee (BPAC). **Terry Arps made a motion to table the item until May 10, 2022, 2<sup>nd</sup> by Jeff Schwarzmeier. The Vote: All (5) Yes.**
17. Consideration, discussion and possible action to appoint a representative for the Eastern Oklahoma County Medical Development Authority (EOCMDA). **Terry Arps made a motion to table the item until May 10, 2022, 2<sup>nd</sup> by Joshua Rowton. The Vote: All (5) Yes.**
18. Consideration, discussion and possible action to approve having the monthly Seniors and Law Enforcement Together (SALT) meetings, sponsored by the Oklahoma County Sheriff's Department, at Town Hall in the board meeting room once per month, until the Senior Luncheons held at the Luther School's Community Building are restarted and on their regular schedule. **Terry Arps made a motion to approve the meetings be held at Town Hall, 2<sup>nd</sup> by Joshua Rowton. The Vote: All (5) Yes.**
19. Consideration, discussion and possible action to enter into an agreement for part-time Code Enforcement services with Daniel McClure, Sr. – **Terry Arps made a motion to authorize the Mayor to sign the agreement after Town Attorney, Beth Anne Childs, completed the document, 2<sup>nd</sup> by Joshua Rowton. The Vote: All (5) Yes.**
20. Consideration, discussion and possible action to amend the part-time File Clerk/Code Enforcement Officer open position to part-time Office Assistant and approve an amended Job Description. **Terry Arps made a motion to amend the open position and job description, 2<sup>nd</sup> by Joshua Rowton. The Vote: All (5) Yes.**

**Trustee Two (Brian Hall)**

**Trustee Three (Carla Caruthers)**

21. Consideration, discussion and possible action to purchase a replacement pony motor for the Tanker, #735, from Casco Industries in the amount of \$3650.00. **Carla Caruthers made a motion to approve purchase of the motor, 2<sup>nd</sup> by Terry Arps. The Vote: All (5) Yes.**
22. Consideration, discussion and possible action to approve hotel stay for firefighters to attend the annual Oklahoma State Fire School in Tulsa, OK, on May 13-15, 2022, in an amount not to exceed \$900.00. **Carla Caruthers made a motion to approve the hotel rooms at an amount not to exceed \$900.00, 2<sup>nd</sup> by Joshua Rowton. The Vote: All (5) Yes.**
23. Consideration, discussion and possible action to approve hotel stay for three (3) firefighters to attend a fireworks shooter school on May 7, 2022, in Inman, KS, at a cost not to exceed \$100.00. **Carla Caruthers made a motion to approve the hotel room, not to exceed \$100.00, 2<sup>nd</sup> by Brian Hall. The Vote: All (5) Yes.**

**Trustee Four (Jeff Schwarzmeier)**

24. Consideration, discussion and possible action to remove John Brown, Sr., Christopher Langston and J.T. Langston as signers on the Town of Luther Fire Department Grant Account and add Wm. Terry Arps, Brian Hall, Carla Caruthers, Joshua Rowton and Jeff Schwarzmeier as signers on the account. **Terry Arps made a motion to remove John Brown, Sr., Christopher Langston and J.T. Langston as signers on the Town of Luther Fire Department Grant Account and add Wm. Terry Arps, Brian Hall, Carla Caruthers, Joshua Rowton and Jeff Schwarzmeier as signers on the account, 2<sup>nd</sup> by Jeff Schwarzmeier. The Vote: All (5) Yes.**

**Trustee Five (Joshua Rowton)**

25. Consideration, discussion and possible action, including to approve or deny an application for a lot split of a property generally located SW of the intersection of Coffee Creek Rd and Triple X Rd, with the legal description as follows: LUTHER TOWNSHIP PT NE4 SEC 18 14N 1E BEG 734.5FT S OF NW/C NE4 TH E1276.52FT S1016.84FT E243.33FT S203.16FT E1074.02FT S APPROX 70FT W1073.29FT S611.15FT W TO SW/C NE4 TH N TO BEG CONT 41.83ACRS & EX A TR BEG 2625FT S & 2602.41FT W & 875.17FT N & 428.37FT E OF NE/C NE4 TH N1016.84FT E428.37FT S1016.84FT W428.37FT TO BEG & EX A TR BEG 2625FT S & 2602.41FT W & 875.17FT N & 856.74FT E OF NE/C NE4 TH N1016.84FT E428.37FT S1016.84FT W428.37FT TO BEG MORE OR LESS SUBJ TO ESMTS OF RECORD. **Joshua Rowton made a motion to approve the lot split requests as presented, 2<sup>nd</sup> by Terry Arps. The Vote: All (5) Yes.**
26. Consideration, discussion and possible action to investigate the possibility of selling the property located on the NW corner of 3<sup>rd</sup> and Curtis. Tabled from March 8, 2022. **Joshua Rowton made a motion to authorize Beth Anne Childs to investigate the property further, obtain a title opinion, and report back at the May 10, 2022, meeting, 2<sup>nd</sup> by Jeff Schwarzmeier. The Vote: All (5) Yes.**
27. **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. **None.**
28. **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. **None.**

29. Adjourn. **Terry Arps made a motion to adjourn, 2<sup>nd</sup> by Joshua Rowton. The Vote: All (5) Yes. Meeting adjourned at 8:04 p.m.**

Minutes transcribed by Scherrie Pidcock, Town Clerk