



**BOARD OF TRUSTEES FOR THE TOWN OF LUTHER
TUESDAY, DECEMBER 13, 2022, AT 7:00 P.M.
LUTHER TOWN HALL
108 SOUTH MAIN STREET, LUTHER, OKLAHOMA 73054**

REGULAR MEETING MINUTES

1. Call to order by Terry 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.
5. Determination of a quorum was made by Terry Arps.
6. Approval of the Consent Agenda,
 - a. Approval of the Board Minutes from the meeting of November 8, 2022.
 - b. Approval of Claims, including Payroll
 - c. Review and Approval of Treasurer's Report – Terry Arps made a motion to approve the consent agenda, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.
7. Consideration of Items Removed from the Consent Agenda – None.
8. Trustee Comments – None.
9. Presentation of Department Reports and related discussion. – Scherrie Pidcock and Terry Arps presented department reports.
10. Presentation of Town Attorney's Report and related discussion. – Beth Anne Childs introduced Larry Curtis.
11. Presentation of Fiscal Year 2021-2022 Audit Report by Autumn Williams, or others from the firm of Russell & Williams CPA's, related discussion, and potential action, including to accept the Report. – Autumn Williams gave her report findings for the audit of FY 2021-2022. Terry Arps made a motion to accept the audit report, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.
12. Presentation by Larry Curtis regarding planning and zoning code updates. – Larry Curtis gave a presentation and proposal to update the Town of Luther's zoning code. No Action.
13. Consideration, discussion and possible action, to approve or deny a lot split of 0.983 acres, generally located north of the intersection of 1st and Apple Streets. See attached Exhibit A. – Terry Arps made a motion to approve the lot split as requested, 2nd by Brian Hall. The Vote: All (5) Yes.
14. PUBLIC HEARING–Consideration, discussion and possible action to approve or deny an application for Rezoning, for properties generally located at 201 North Ash and property southwest along the railroad tracks, Luther, Oklahoma, for purposes of rezoning said properties to "B" Business. The

properties are currently zoned AG-1 Agricultural. – Terry Arps opened the public hearing. Kim Durant was present and explained that the intent is to use the property for a commercial enterprise but the exact business has not been determined. Terry Arps closed the public hearing. Terry Arps made a motion to approve the rezoning requests as presented, 2nd by Joshua Rowton. The Vote: All (5) Yes.

15. PUBLIC HEARING–Consideration, discussion and possible action to approve or deny an application for a Variance for property generally located at 104 E Three Oaks Drive, Luther, Oklahoma, for purposes of granting a lot split of a six (6) acre tract into two (2) tracts of three (3) acres each. The property is currently zoned AG-1 Agricultural, and the legal description is as follows: UNPLTD PT SEC 20 14N 1E 000 000 PT NW4 SEC 20 14N 1E BEG 688.20FT E OF SW/C NW4 TH N663.20FT E394.04FT S663.36FT W394.04FT TO BEG CONT 6ACRS MORE OR LESS – Terry Arps opened the public hearing. Carla Caruthers left the room for a moment and was not present during the vote, but returned during Item 16. Brian Wilson explained the reason for the request. Terry Arps closed the public hearing. Terry Arps made a motion approve the variance as requested, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes. (Carla Caruthers was out of the room during the vote.)

Trustee One (Terry Arps)

16. Consideration, discussion and possible action relating to recommendations of the Fire Department Advisory Committee. – Terry Arps mentioned Dr. Elizabeth Overman and AJ Bailey from UCO have offered to help write grants for the Fire Department. No Action.
17. Consideration, discussion and possible action to purchase three (3) tasers for the Luther Police Department at an amount not to exceed \$1800.00. – Terry Arps made a motion to the taser purchase as written, 2nd by Carla Caruthers. The Vote: All (5) Yes.
18. Consideration, discussion and possible action to authorize acceptance of four (4) BMW police motorcycles from the City of Edmond. – Terry Arps made a motion to accept the motorcycles as written, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.
19. Consideration, discussion and possible action to adopt Resolution 2022-14R, A Resolution of the Board of Trustees of the Town of Luther, Oklahoma, Authorizing Participation in the OMAG Recognition Program. – Terry Arps made a motion to adopt as written, 2nd by Brian Hall. The Vote: All (5) Yes.
20. Consideration, discussion and possible action to adopt Resolution 2022-16R, Notice of Election and Proclamation Calling for an Election of the Board of Trustees for Two Trustee Positions. – Terry Arps made a motion to adopt the resolution as written, 2nd by Joshua Rowton. The Vote: All (5) Yes.
21. Consideration, discussion and possible action to adopt Resolution 2022-17R, a Resolution of the Board of Trustees of the Town of Luther, Oklahoma, Setting the Regularly Scheduled Meetings of the Board of Trustees for Calendar Year 2023. – Terry Arps noted that there was a scrivener’s error on the resolution number and it should actually be Resolution 2022-19R. Terry Arps made a motion to adopt the resolution, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.

22. Consideration, discussion and possible action to adopt Resolution 2022-15R, a Resolution Authorizing Application for an American Rescue Plan Act (ARPA) Grant from the Oklahoma Water Resources Board (OWRB). – **Terry Arps made a motion to adopt the resolution as presented, 2nd by Brian Hall. The Vote: All (5) Yes.**
23. Consideration, discussion and possible action to enter into a contract for IT and copier services with Xcel Office Solutions. Tabled from November 8, 2022. - **Terry Arps made a motion to approve the contract with Xcel, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**
24. Consideration, discussion and possible approval to accept and ratify deeds of dedication, rights-of-way or easements from property owner regarding Beech Street and Main Street in an area located south of Southwest 5th Street, North of Luther Country Home Estates (Section 28, Township 14 North, Range 1 East of the Indian Meridian, Oklahoma County), and east of the Delaporte 2nd Addition. - **Terry Arps made a motion to accept and ratify deeds of dedication, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**
25. Consideration, discussion and possible action to approve the dates of November 18-19, 2023, for the 2023 Luther Pecan Festival on Main Street, including limiting traffic in the festival area for set up on Friday, November 17, 2023, beginning at Noon. – **Jeff Schwarzmeier made a motion to approve as written, 2nd by Terry Arps. The Vote: All (5) Yes.**

Trustee Two (Brian Hall)

Trustee Three (Carla Caruthers)

Trustee Four (Jeff Schwarzmeier)

Trustee Five (Joshua Rowton)

26. **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.**
27. **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.**
28. **Adjourn.** – **Terry Arps made a motion to adjourn, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**



Minutes transcribed by Scherrie Pidcock, Town Clerk