

**CITY OF ADA  
REGULAR MEETING  
NOVEMBER 2, 2020**

The Ada City Council met in a regular meeting, Monday, November 2, 2020 at 5:45.m. at City Hall in the Dr. Ray L. Stout City Council Chamber, 231 S. Townsend. Advanced public notice was given by posting the agenda on the City Hall bulletin board on Friday, October 30, 2020 at 12:20 p.m., and posted on the City of Ada web site on Friday, October 30, 2020.

**Councilmen Present:** Tre' Landrum, Ben McFarlane, Randy McFarlin,  
Bryan Morris, Guy Sewell

**Councilmen Absent:** None

The meeting of the Ada City Council was called to order by Mayor Landrum.

Mayor Landrum led the audience in the Pledge of Allegiance.

Mayor Landrum called for a moment of silence to be observed.

**Discussion of and action on Consent Agenda**

1. **Consideration of the Minutes (October 19, 2020 meeting).**
2. **Consideration of supplemental appropriations or transfer of appropriations within the General Fund budget.**
3. **Consideration of supplemental appropriations or transfer of appropriations within the Sub-Funds to the General Fund budget.**
4. **Consideration of supplemental appropriations or transfer of appropriations within the Special Revenue Funds budget.**
5. **Consideration of supplemental appropriations or transfer of appropriations within the Other Funds budget.**
6. **Consideration of receipt of committee/board recommendations and reports:**  
  
**Ada Metropolitan Area Planning & Zoning Commission October 15, 2020**
7. **Written reports from departments.**

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris**, to approve the Consent Agenda as presented. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

#### **Discussion of and action on items removed from the Consent Agenda**

There were no items removed from the Consent Agenda.

**Public hearing and discussion of and action on an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from I-2, Light Industrial District, to C-2, General Commercial District, and declaring an emergency for the following described property:**

**A part of the S/2 of NW/4 of Section 27, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows: beginning at a point 466.6 feet east of the southwest corner of said S ½, NW ¼, thence north a distance of 141.40 feet to the south right-of-way line of Industrial Access Road SAP No. 62 (68); thence in an easterly direction along said south right-of-way line a distance of 305.74 feet; thence south a distance of 227.06 feet to the south line of said S ½, NW ¼; thence west a distance of 293.5 feet to the point of beginning, containing 1.24 acres, more or less.**

**This property is also known as 827 Lonnie Abbott Boulevard.**

**(If passed, must consider Emergency Clause.)**

City Manager Holcomb presented the re-zoning request from Williamson Ada, LLC, to rezone the property at 827 Lonnie Abbott Blvd, an existing furniture store with plans for future expansion of the structure. Mr. Holcomb provided further explanation of the existing structure, stating the property has been used commercially in the past, and was in commercial use at the time the zoning ordinance changed, and is now considered legal nonconforming.

The City Manager explained for this existing building to be expanded, Mr. Williamson will need the C-2 zoning, which would be a downzoning and the request is in accordance with the Long-Range Plan. Mr. Holcomb advised both City Staff and the Planning and Zoning Commission recommended approval of the re-zoning request.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Sewell** to enact **ORDINANCE NO. 20-23, AN ORDINANCE PROVIDING FOR THE RE-ZONING OF CERTAIN PROPERTY WITHIN THE CITY GENERAL OF ADA, OKLAHOMA, FROM I-2, LIGHT INDUSTRIAL**

**DISTRICT, TO C-2, COMMERCIAL DISTRICT, AND DECLARING AN EMERGENCY.** Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Sewell** to invoke the emergency clause. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

**Public hearing and discussion of and action on an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from C-2, General Commercial District, to I-3, Heavy Industrial District, and declaring an emergency for the following described property:**

**A tract of land in the SE/4 of SE/4 of NW/4 of Section 16, Township 4 North, Range 6 East, more particularly described as follows: beginning at a point 50 feet west and 189 feet north of the southeast corner of the SE/4 of SE/4 of NW/4 of said Section 16, said point being on the west 50 foot right-of-way line of S.H. No. 3 & 99, thence continuing north along the west right-of-way line of S.H. 3 & 99 for a distance 161.35 feet; thence at a right angle west for a distance of 135 feet; thence at a right angle south and parallel to said right-of-way line for a distance of 161.35 feet; thence at a right angle east for a distance of 135 feet to the point of beginning.**

**This property is also known as 3901 and 3903 North Broadway.**

**(If passed, must consider Emergency Clause.)**

The City Manager presented the re-zoning request from Tommy Epperly to rezone the property at 3901 and 3903 North Broadway for medical marijuana growing and processing. City Manager Holcomb advised the Long Range Plan indicates this parcel of land to be suitable for I-2, Light Industrial Uses, but Mr. Epperly has requested to rezone to I-3, Heavy Industrial.

Mr. Holcomb provided additional information, stating the surrounding properties are zoned I-2, Light Industrial and that City Staff found no compelling reason to recommend approval of Mr. Epperly's request, as it doesn't comply with the Long Range Plan. The City Manager reported the Planning and Zoning Commission voted to modify the request, re-zoning the property to I-2, Light Industrial District, with a Use Permitted on Review to allow for medical marijuana growing and processing.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to enact **ORDINANCE NO. 20-24, AN ORDINANCE PROVIDING FOR THE RE-ZONING OF CERTAIN PROPERTY WITHIN THE CITY OF ADA, OKLAHOMA, FROM C-2, GENERAL COMMERCIAL DISTRICT, TO I-2, LIGHT INDUSTRIAL DISTRICT AND DECLARING AN EMERGENCY, and** to adopt **RESOLUTION NO. 20-15A, A RESOLUTION AUTHORIZING THE USE OF CERTAIN PROPERTY IN AN I-2, LIGHT INDUSTRIAL DISTRICT FOR MEDICAL MARIJUANA GROWING AND A MEDICAL MARIJUANA PROCESSING.** Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to invoke the emergency clause on Ordinance No. 20-24. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

**Public hearing and discussion of and action on an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from A-2, Suburban District, to C-1-R, Restricted Neighborhood Commercial District, Planned Unit Development, and declaring an emergency for the following described property:**

**A tract of land in the E/2 SE/4 SE/4 of Section 26, Township 4 North, Range 6 East, more particularly described as follows: beginning at a point 441 feet south of the northeast corner of SE/4 SE/4 of said Section 26; thence continuing south a distance of 296.27 feet; thence west a distance of 329.93 feet; thence north a distance of 296.14 feet; thence east a distance of 329.88 feet to the point of beginning.**

**This property is also known as 901 North Monte Vista.**

**(If passed, must consider Emergency Clause.)**

The re-zoning request of Rick and Kathy Thorley is to rezone a parcel of vacant land at 901 North Monte Vista, from A-2, Suburban District to C-1-R Restricted Neighborhood Commercial, Planned Unit Development, to allow for the construction of office space and storage. Mr. Holcomb advised both City Staff and the Planning and Zoning Commission recommended approval of this request.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to enact **ORDINANCE NO. 20-25, AN ORDINANCE PROVIDING FOR THE RE-ZONING OF CERTAIN**

**PROPERTY WITHIN THE CITY OF ADA, OKLAHOMA, FROM A-2, SUBURBAN DISTRICT, TO C-1-R, RESTRICTED NEIGHBORHOOD COMMERCIAL DISTRICT, PLANNED UNIT DEVELOPMENT, AND DECLARING AN EMERGENCY.** Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell  
NAY: None  
Motion Carried 5-0.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to invoke the emergency clause. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell  
NAY: None  
Motion Carried 5-0.

**Public hearing and discussion of and action on an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from C-1, Neighborhood Commercial District, to C-2, General Commercial District, and declaring an emergency for the following described property:**

**A tract of land being a part of Lot One (1), Block Two (2) of Hoppe Addition to the City of Ada, Pontotoc County, Oklahoma, being more particularly described as follows: commencing at the most west southwest corner (W SW/Cor) of Block Two (2) of Hoppe Addition, an addition to the City of Ada, Pontotoc County, Oklahoma; thence N 0°00'02" W, along the west line of said Block 2, a distance of 129.00 feet, to the point of beginning; thence continuing N 0°00'02" W, along the west line of said Block 2, a distance of 115.00 feet; thence N 89°59'58" E, a distance of 130.00 feet; thence S 0°00'02" E, parallel with the west line of said Block 2, a distance of 115.00 feet; thence S 89°59'58" W, a distance of 130.00 feet; to the point of beginning. Said tract containing 0.34 acres of land, more or less.**

**This property is also known as 1510 Hoppe Boulevard.**

**(If passed, must consider Emergency Clause.)**

City Manager Holcomb provided information on the request from Triple H Management, for re-zoning .34 acres of land at 1510 Hoppe Boulevard. Mr. Holcomb reported the Long Range Plan indicates this property is suitable for C-1 Neighborhood Commercial, and City Staff found no compelling reason to recommend approval of the request to C-2, General Commercial; but the Planning and Zoning Commission has recommended approval of the request to rezone.

Council Members had questions concerning this re-zoning, but the applicant was not present.

Motion was made by **Councilman McFarlane**, seconded by **Councilman McFarlin** to table action on the re-zoning request until the November 16, 2020 City Council meeting. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell  
NAY: None  
Motion Carried 5-0.

#### **Discussion of and action on a resolution setting dates for City Council filing and election**

The proposed resolution for City Council filing and election was presented by the City Manager.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Morris** to adopt **RESOLUTION NO. 20-16A, NOTICE OF ELECTION, CITY OF ADA, OKLAHOMA**. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell  
NAY: None  
Motion Carried 5-0.

#### **Discussion of and action on a resolution on leveraged funds for 911-2019 911 Grant Program Award – Project F0-S57 – Pontotoc County Ada 911 Radio System Upgrade**

City Manager Holcomb advised the City of Ada had applied for a grant from the Oklahoma Department of Emergency Management to upgrade the 911 radio system. Mr. Holcomb reported the total grant amount for the project is \$35,092.10, with a city match of \$7,018.42. The resolution for consideration commits the matching funds for the project, if the grant is awarded.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to adopt **RESOLUTION 20-17A, A RESOLUTION ON LEVERAGED FUNDS FOR 911-2019 911 GRANT PROGRAM AWARD – PROJECT F0-S57 – PONTOTOC COUNTY ADA 911 RADIO SYSTEM UPGRADE**. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell  
NAY: None  
Motion Carried 5-0.

#### **Discussion of and action on Americans with Disabilities Act (A.D.A.) annual report outlining completed A.D.A. accessibility projects and money expended**

The presented 2019-2020 annual report outlines the completed Americans with Disabilities Act projects and the money expended. The City Manager advised the report must be presented to the City Council and then sent to parties involved in the Charlie Jones vs. City of Ada settlement.

Motion was made by **Councilman McFarlin**, seconded by **Councilman McFarlane** to approve the Americans with Disabilities Act (A.D.A.) annual report outlining completed A.D.A. accessibility projects and money expended. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

**Discussion of and action on an ordinance amending Section 7-37 of Chapter 7 of the City of Ada, Oklahoma Code of Ordinances, titled “Unlawful sale, giving, furnishing or distribution of tobacco, tobacco products, or electronic cigarettes to persons under 18, establishing defense, unlawful distribution of tobacco, tobacco products or electronic cigarettes on a public street, sidewalk or park that is within 300 feet of a school, playground or other facility when facility is being utilized primarily by persons under 18, and establishing penalties for violation” by amending the age requirements of said Section from 18 to 21; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency**

**(If passed, must consider Emergency Clause.)**

City Manager Holcomb advised the proposed ordinance was amending the current Tobacco Ordinance to mirror the State Statute on Tobacco, increasing the age for tobacco and electronic cigarette sales and distribution from 18 to 21 years of age.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to enact **ORDINANCE NO. 20-27, AN ORDINANCE AMENDING SECTION 7-37 OF CHAPTER 7 OF THE CITY OF ADA, OKLAHOMA CODE OF ORDINANCES, TITLED “UNLAWFUL SALE, GIVING, FURNISHING OR DISTRIBUTION OF TOBACCO, TOBACCO PRODUCTS, OR ELECTRONIC CIGARETTES TO PERSONS UNDER 18, ESTABLISHING DEFENSE, UNLAWFUL DISTRIBUTION OF TOBACCO, TOBACCO PRODUCTS OR ELECTRONIC CIGARETTES ON A PUBLIC STREET, SIDEWALK OR PARK THAT IS WITHIN 300 FEET OF A SCHOOL, PLAYGROUND OR OTHER FACILITY WHEN FACILITY IS BEING UTILIZED PRIMARILY BY PERSONS UNDER 18, AND ESTABLISHING PENALTIES FOR VIOLATION” BY AMENDING THE AGE REQUIREMENTS OF SAID SECTION FROM 18 TO 21; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.** Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to invoke the emergency clause. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell  
NAY: None  
Motion Carried 5-0.

**Discussion of and action on amendment to Ordinance No. 20-22, which amended Section 62-137, "Coronavirus (COVID19)" of Article IV, "Emergency Management" of Chapter 62, "Public Safety"; and declaring an emergency**

**(If passed, must consider Emergency Clause.)**

The following proposed changes to the current Covid-19 Ordinance were as follows:

C. All persons shall wear facial masks which are consistent with CDC guidelines or facial shields as follows: (1) INDOOR PUBLIC SPACES AT ALL TIMES (regardless of 6 ft. social distancing)

Exceptions:

8. Changed religious worship to only where 6 ft. of social distancing between groups of different households occur.

Added Exception:

12. People in offices who don't have face to face interactions with the public are exempt from wearing a mask.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to enact **ORDINANCE NO. 20-28, AN AMENDMENT TO ORDINANCE NO. 20-22, WHICH AMENDED SECTION 62-137, "CORONAVIRUS (COVID19)" OF ARTICLE IV, "EMERGENCY MANAGEMENT" OF CHAPTER 62, "PUBLIC SAFETY"; AND DECLARING AN EMERGENCY.** Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell  
NAY: None  
Motion Carried 5-0.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to invoke the emergency clause. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell  
NAY: None  
Motion Carried 5-0.



**Reports by City Manager and/or City Staff**

Public Information Director, Lisa Bratcher updated Council on the status of “The Trail of Lights” at Wintersmith Park, with plans to turn the lights on Monday, November 23<sup>rd</sup>.

**Persons to be heard on any matter not on the agenda**

There were no persons to be heard on any matter not on the agenda.

**Adjournment**

There being no further business to come before the Ada City Council, Mayor Landrum adjourned the meeting and requested members reconvene as the governing board of the Ada Public Works Authority.

Attest: Sally Pool, City Clerk

Tre’ Landrum, Mayor