

**CITY OF ADA
REGULAR MEETING
MAY 15, 2017**

The Ada City Council met in regular session, Monday, May 15, 2017 at 5:45 p.m. at City Hall in the Dr. Ray L. Stout City Council Chamber. Advanced public notice was given by posting the agenda on the City Hall bulletin boards on Friday, May 12, 2017 at 3:30 p. m.

Council Members Present: Tre' Landrum, Ben McFarlane, Randy McFarlin
Bryan Morris, Guy Sewell

Council Members Absent: None

Mayor Sewell called the meeting to order at 5:45 p.m.

Mayor Sewell led the audience in the Pledge of Allegiance.

Vice Mayor Tre' Landrum gave the invocation.

Discussion of and action on Consent Agenda

- 1. Consideration of the Minutes (May 1, 2017 noon meeting, May 1, 2017 5:45 p.m. meeting, and May 4, 2017 special called meeting).**
- 2. Consideration of transfer of appropriations from the State Aid Grant Fund to the General Fund budget.**
- 3. Consideration of supplemental appropriation to the General Fund Library budget.**
- 4. Consideration of transfer of appropriations within the General Fund Recreation budget.**
- 5. Consideration of supplemental appropriation to the Special Revenue Fund: Sports Complex budget.**
- 6. Consideration of receipt of committee/board recommendations and reports:**
 - Ada Airport Commission Minutes March 14, 2017**
 - Ada Airport Commission Minutes March 22, 2017**
 - Ada Metropolitan Area Planning & Zoning Commission Minutes April 20, 2017**
 - Ada Zoning Board of Adjustments Minutes March 9, 2017**
- 7. Written reports from departments.**

Motion was made by **Councilman McFarlin**, seconded by **Councilman McFarlane**, to approve the Consent Agenda as presented. Mayor Sewell called for the vote recorded as follows:

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.

Discussion of and action on approval for Mama T's, Inc. (a/k/a Mama T's B & B) to apply for the 2017 Emergency Solutions Grant, and authorization for Mayor to execute all necessary documents

Councilman Morris recused himself from this agenda item, and left the Council Chamber.

Mr. Kent Watson, Big Five Executive Director, discussed the Emergency Solutions Grant from the U. S. Department of Housing and Urban Development. Mr. Watson advised it is a requirement of the grant for the City to approve their application by signing the paperwork before submitted.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlane** to approve for Mama T's, Inc., a/k/a Mama T's B & B, to apply for the 2017 Emergency solutions Grant, and authorization for Mayor to execute all necessary documents. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Sewell
NAY: None
Motion carried 4-0.

Discussion of and action on request from Robert McKeel for dismissal or reduction of abatement lien on the following described property:

Lot 13, Block 1, Dorothy Price Addition to the City of Ada, Pontotoc County, Oklahoma.

This property is also known as 1505 East 4th Street.

City Attorney Frank Stout discussed the McKeel abatement for 1505 East 4th Street. The City Attorney stated the abatement is on the current Pontotoc County Resale list for June 12, 2017 for non-payment. Other information provided by Mr. Stout to the Council, was the abatement lien was for the removal of a dilapidated swimming pool in 2011.

The City Attorney stated a lien in the amount of \$1,787.63 was filed against the property, and there has been no payment made towards the lien since the filing by Mr. McKeel. The amount due today with the interest and penalties added is \$3,801.82, with \$226.56 of this amount being due to Pontotoc County.

Mr. Stout explained the arrangement made with Mr. Robert McKeel is to pay \$600.00 to the Pontotoc County Treasurer's Office, and of this amount \$226.56 will be kept by the County, and the remaining \$373.44 will be sent to the City of Ada to apply against the current abatement balance. Mr. Stout advised the current lien will be released, and the current penalties waived. The remaining balance will be paid by Mr. McKeel at \$100.00 per month to the City of Ada. A new lien will be filed on the property, but will not be certified with the Pontotoc County Treasurer's Office, unless Mr. McKeel defaults with his payment arrangements.

Mr. McKeel addressed the Council, and stated he was acceptable to the terms of the payment arrangements.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlane** to approve the request from Robert McKeel for waiver of the penalties and interest on the abatement charges, accepting \$600.00 paid to the Pontotoc County Treasurer's Office, with \$226.56 of this amount paid to Pontotoc County for their charges, and the remaining amount forwarded to the City of Ada, with Mr. McKeel making monthly payments to the City of Ada in the amount of \$100.00 per month until the balance is paid in full. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on an ordinance closing to public use a certain public easement and/or right-of-way, as more particularly hereinafter described, located in the City of Ada, Pontotoc County, Oklahoma; and declaring an emergency for the following described property:

The north 3 feet of the platted utility easement located on the south 10 feet of Lot 16, Block 1, The Heritage, a subdivision of the City of Ada, Oklahoma.

This property is also known as 1115 Emily Lane.

(If passed, must consider Emergency Clause.)

City Attorney Stout advised a new home had been constructed for resale at 1115 Emily Lane, and a required survey had presented that the structure encroached into a 20' platted utility easement by 2.8 feet. The City Attorney stated Mr. Wilson had requested that the north 3 feet of the platted utility easement be vacated to resolve the encroachment.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlin** to enact **Ordinance No. 17-09, an ordinance closing to public use a certain public easement and/or right-of-way, as more particularly hereinafter described, located in the City of Ada, Pontotoc County, Oklahoma; and declaring an emergency.** Mayor Sewell called for the vote recorded as follows:

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

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlin** to invoke the emergency clause. Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on Change Order No. 24 to contract with MacHill Construction Company, Inc., for Ada Sports Complex

Parks and Public Facilities Director, Scott Lowrance, addressed the Ada City Council, discussing the need for additional parking at the Ada Sports Complex. Mr. Lowrance stated we currently have 121 parking spaces, and this Change Order would add an additional 190 parking spaces.

Motion was made by **Councilman McFarlane**, seconded by **Councilman McFarlin**, to approve Change Order No. 24 to contract with MacHill Construction Company, Inc. for Ada Sports Complex. Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on bids for concrete for the airport apron

Public Works Director, Carl Allen, addressed the Council; reporting only one bid had been received from Dolese Brothers Co., in the amount of \$97,875.00 for concrete for the airport apron. Mr. Allen spoke about the need to follow FAA requirements for the specified P-501 concrete with a fly ash that can be supplied by Dolese Brothers Co.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlane** to approve the bid from Dolese Brothers Co., for concrete for the airport apron in the amount of \$97,875.00, as the lowest responsible bid. Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on a resolution of the City Council of the City of Ada, Oklahoma, adopting the operating budget for the Fiscal Year 2017-2018

Motion was made by **Councilman McFarlin**, seconded by **Councilman McFarlane** to approve **Resolution No. 17-10A, a resolution of the City Council of the City of Ada, Oklahoma, adopting the operating budget for the Fiscal Year 2017-2018.** Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on a resolution amending water, sewer and solid waste fees and charges as provided by the Code of Ordinances of the City of Ada, Oklahoma

The City Attorney stated this amendment was needed due to the resolution presented at the May 1, 2017 meeting had the cubic foot rate for bulk water purchases listed at \$.037 and it should have been \$.0375.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlane** to adopt **Resolution No. 17-11A, a resolution amending water, sewer and solid waste fees and charges as provided by the Code of Ordinances of the City of Ada, Oklahoma.** Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on a resolution of the City Council and the Board of Trustees of the City of Ada and the Ada Public Works Authority, authorizing the investment of idle funds for the City of Ada, Oklahoma

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlin** to adopt **Resolution No. 17-12A, a resolution of the City Council and the Board of Trustees of the City of Ada and the Ada Public Works Authority, authorizing the investment of idle funds for the City of Ada, Oklahoma.** Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on a resolution nominating Donna Doolen as a candidate to fill an open position on the Board of Trustees of the Oklahoma Municipal Retirement Fund (OkMRF) representing District 3 for a five-year term beginning October 1, 2017 through October 1, 2022

Motion was made by **Councilman McFarlin**, seconded by **Councilman McFarlane** to adopt **Resolution No. 17-13A, a resolution of the City Council and the Board of Trustees of the**

City of Ada and the Ada Public Works Authority, authorizing the investment of idle funds for the City of Ada, Oklahoma. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on declaring Timbrell Construction, LLC to be in default on contract for the construction of the Wintersmith Park Music and Movie Venue and authorization to file suit against Timbrell Construction, LLC, and any other person, firm, or corporation who is or may be liable for damages to the City of Ada, Oklahoma, arising out of or pertaining said project; and for such other relief as may be authorized by law

City Attorney Stout reported on the situation of the Wintersmith Park Music and Movie Venue, stating he had spoken with their bonding company, and this is the necessary action that needs to take place to file suit, declaring Timbrell Construction, LLC to be in default on their contract.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Landrum** to declare Timbrell Construction, LLC to be in default on contract for the construction of the Wintersmith Park Music and Movie Venue and authorization to file suit against Timbrell Construction, LLC, and any other persons, firm, or corporation who is or may be liable for damages to the City of Ada, Oklahoma; arising out of or pertaining said project; and for such other relief as may be authorized by law. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Reports by City Manager

Public Information Director, Lisa Bratcher, reported on the Memorial Day Service to be held at Rosedale Cemetery on May 29, 2017 at 9:00 a.m., inviting the public to attend.

Mr. Lowrance provided information on the many recreational opportunities being provided during the summer months by the City of Ada Recreation Department.

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 Sewell adjourned the meeting, and requested members reconvene as the governing board of the Ada Public Works Authority.

Attest: Sally Pool, City Clerk

Guy Sewell, Mayor