

**CITY OF ADA
REGULAR MEETING
MAY 4, 2015**

The Ada City Council met in regular session, Monday, May 4, 2015 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 1, 2015 at 2:00 p.m.

Council Members Present: Preston Draper, Greg McCortney, Ben McFarlane,
Bryan Morris, Guy Sewell

Council Members Absent: None

Councilman Greg McCortney gave the invocation.

Discussion of and action on Consent Agenda

- 1. Consideration of the Minutes (April 20, 2015 meeting).**
- 2. Consideration of receipt of committee/board recommendations and reports:None.**
- 3. Written reports from departments.**

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

AYE Draper, McCortney, McFarlane, 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 on proposed budget for Fiscal Year 2015-2016

City Manager Holcomb spoke on the proposed budget for Fiscal Year 2015-2016 as presented at the recent budget workshop.

Finance Director Donna Doolen reported there had only been minor tweaking changes and was as presented at the budget workshop.

Mayor Sewell called for questions concerning the proposed budget for Fiscal Year 2015-2016 from Council Members and of the audience.

There were no questions presented, and Mayor Morris concluded the public hearing.

Discussion of and action on approval of request from First United Methodist Church to close 14th Street, between Broadway and Townsend, from 5:00 PM to 9:00 PM on Sunday, June 7, 2015

Ms. Cathy Battles, representing First United Methodist Church, presented her request to close 14th Street between Broadway and Townsend on Sunday, June 7, 2015, from 5:00 p.m. to 9:00 p.m. to host their annual “Burgers & Jazz” event. Ms. Battles explained they wanted to expand the event, opening it up to the community, providing additional items for the children, and for safety reasons asked Council to approve the street closing.

Motion was made by **Councilman McCortney** and seconded by **Councilman McFarlane** to approve request from First United Methodist Church to close 14th between Broadway and Townsend, from 5:00 p.m. to 9:00 p.m. on Sunday, June 7, 2015. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, Morris, Sewell
NAY: None
Motion carried 5-0.

Discussion of and action on Release of Right-of-Way contract on the following described property, and authorization for the Mayor to execute said release:

NE/4 SE/4 SW/4 of Section 3, T3N, R6E, Pontotoc County, Oklahoma.

This property is located on the south side of Craddock Road, approximately 1/4 mile past the Ada Tennis Center.

City Manager Holcomb reported RSE, Inc. had purchased the property on the south side of Craddock Road, approximately a quarter of a mile past the Ada Tennis Center. Mr. Holcomb spoke of their plans to construct their corporate offices at this location. The City Manager explained the City of Ada has a Right-of-Way contract on this property, a blanket easement covering the entire ten acres, and the Release of Right-of-Way Contract would release the blanket right-of-way that is preventing RSE from making improvements to their land.

Motion was made by **Councilman Morris** and seconded by **Councilman McFarlane** to approve Release of Right-of-Way contract on property located on the south side of Craddock Road, approximately ¼ mile past the Ada Tennis Center. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, 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 R-1, One-Family District, to C-

2, General Commercial District, and declaring an emergency for the following described property:

A part of the NW/4 of Lot 4 of Section 3, Township 3 North, Range 6 East of the Indian Base and Meridian and more particularly described as follows, to-wit: beginning at a point on the south boundary line of State Highways numbered 19 and 48, at a point 410 feet south and 16 ½ feet east of the northwest corner of the NW/4 of said Section 3, Township 3 North, Range 6 East; thence in a southeasterly direction along the south and west boundary line of State Highways numbered 19 and 48, a distance of 180 feet to the north intersection of County Highway and State Highways numbered 19 and 48, thence in a southwesterly direction along the north boundary line of County Highway a distance of 110 feet, which point is 16 ½ feet east of the west boundary line of said subdivision; thence north and parallel with the west boundary line of said subdivision a distance of 220 feet to the point of beginning, and containing .2 of an acre, more or less.

This property is also known as 901 South Mississippi.

(If passed, must consider Emergency Clause.)

Director of Community Development, Todd Kennemer, addressed the rezoning request of Eric and Shari Todd. Mr. Kennemer reported no specific use of the property if rezoned had been provided.

Mr. Shane Sweeney of the audience questioned if the legal description listed in the agenda was accurate.

Motion was made by **Councilman Draper** and seconded by **Councilman Morris** to table item eight until the next meeting. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, 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 R-1, One-Family District, to R-3, Multiple-Family District, and declaring an emergency for the following described property:

All of Lot 11 in Block “L”, Sunrise Addition to the City of Ada, Oklahoma.

This property is also known as 416 East 9th Street.

(If passed, must consider Emergency Clause.)

Mr. Kennemer addressed the rezoning request of Jose' and Maria Gomez, to allow a day care center at 416 E. 9th Street.

Motion was made by **Councilman Draper** and seconded by **Councilman McFarlane** enact **Ordinance No. 15-06, an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from R-1, One-Family District, to R-3, Multiple-Family District, and declaring an emergency.** Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, Morris, Sewell

NAY: None

Motion carried 5-0.

Motion was made by **Councilman McCortney** and seconded by **Councilman Draper** to invoke the emergency clause. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, Morris, Sewell

NAY: None

Motion carried 5-0.

Public hearing and discussion of and action on a resolution authorizing the use of certain property in an R-3, Multiple-Family District, within the City of Ada for a Use Permitted on Review for a day care center for children on the following described property:

All of Lot 11 in Block "L", Sunrise Addition to the City of Ada, Oklahoma.

This property is also known as 416 East 9th Street.

Motion was made by **Councilman McFarlane** and seconded by **Councilman Morris** to adopt **Resolution No. 15-06A, a resolution authorizing the use of certain property in a R-3, Multiple-Family District within the City of Ada for a use permitted on review for a day care center for children.** Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on approval of the final plat of a commercial development to be known as "Stone Creek Addition, Phase II" to be located on the following described property:

A part of the NE Quarter of Section 27, T4N, R6E, I.M., City of Ada, Pontotoc county, Oklahoma.

Commencing at the northeast corner of said NE/4; thence S 00° 33' 40" E a distance of 1463.13 feet; thence S 89° 27' 45" W a distance of 295.49 feet; thence N 00° 26' 03" W a distance of 115.77 feet; thence S 89° 25' 03" W a distance of 850.25 feet to the point of beginning; thence from said point of

beginning S 00° 34' 35" E a distance of 307.85 feet; thence S 90° 00' 00" W a distance of 213.10 feet; thence N 00° 00' 00" W a distance of 30.00 feet; thence N 90° 00' 00" W a distance of 343.67 feet to a point of curvature to the right, said curve having a radius of 788.07 feet, a delta angle of 12° 42' 39". A chord bearing of N 83° 38' 41" W. A chord distance of 174.47 feet; thence along said curve an arc length of 174.83 feet to a point on a reverse curve to the left, said curve having a radius of 848.07 feet, a delta angle of 07° 14' 33", a chord bearing of N 80° 54' 38" W, a chord distance of 107.13 feet; thence along said curve an arc length of 107.20 feet; thence N 00° 38' 33" W a distance of 893.15 feet; thence N 89° 24' 45" E a distance of 562.90 feet; thence S 00° 00' 00" W a distance of 463.69 feet; thence N 90° 00' 00" E a distance of 60.00 feet; thence N 45° 00' 00" E a distance of 35.36 feet; thence N 90° 00' 00" E a distance of 195.00 feet; thence S 00° 00' 00" W a distance of 218.59 feet to the point of beginning containing 15.14 acres, more or less, and subject to any easements or rights-of-way of record.

This property is located in the 1300-1400 blocks of Stone Bridge.

City Manager reported on the final plat for Stone Creek Addition Phase II, a plat consisting of 15.14 acres lying directly north of and adjoining the Stone Creek Addition, Phase I. The City Manager advised the final plat has been recommended for approval by the Planning and Zoning Commission.

Motion was made by **Councilman Morris** and seconded by **Councilman McCortney** to approve final plat of a commercial development to be known as "Stone Creek Addition, Phase II", located in the 1300-1400 blocks of Stone Bridge. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, Morris, Sewell
NAY: None
Motion carried 5-0.

Discussion of and action on request from Shane Sweeney for site plan approval in a C-2, General Commercial District, Planned Unit Development, for a new commercial building to be located on the following described property:

A tract of land lying in the southeast quarter of the northeast quarter (SE/4-NE/4), Section 27, Township 4 North, Range 6 East of the Indian Meridian, Pontotoc County, Oklahoma, and further described as beginning at the northeast corner of said SE/4-NE/4; thence S 00° 33' 40" E along the east line of said SE/4-NE/4 for a distance of 116.00 feet; thence S 89° 27' 45" W for a distance of 295.49 feet; thence N 00° 26' 03" W for a distance of 115.77 feet; thence N 89° 25' 03" E for a distance of 295.23 feet to the point of beginning containing 0.786 acres, more or less.

This property is located adjacent to/west of Staples in the 1700 Block of North Country Club.

City Manager Holcomb presented the request from Shane Sweeney to approve the site development plan for a snow cone business in the 1700 Block of North Country Club. The City Manager advised the Planning & Zoning Commission recommended approval of the site plan as long as all requirements of the City Codes are met, and the owner satisfies the ingress/egress/circulation issues and sewage disposal requirements before the beginning of construction. The entrance and exit to the snow cone stand needs to be reworked, with the exit especially changed.

The motion was made by **Councilman McCortney** and seconded by **Councilman McFarlane** to approve request from Shane Sweeney for site plan approval in a C-2, General Commercial District, Planned Unit Development, for a new commercial building for property adjacent to/east of Staples in the 1700 Block of North Country Club, provided the owner satisfies ingress/ egress/ circulation issues and sewage disposal requirements. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, Morris, Sewell
NAY: None
Motion carried 5-0.

Discussion of and action on approval of Addendum A to Oklahoma Department of Environmental Quality Consent Order, Case No. 13-150.(Tabled 2/17/15)

City Attorney Stout requested this item tabled.

Motion was made by **Councilman McFarlane** and seconded by **Councilman Morris** to table the agenda item until the first meeting in June. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, McFarlane, Morris, Sewell
NAY: None
Motion carried 5-0.

Reports by City Manager

City Manager Holcomb reported on the “Penny for Our City Projects”.

Persons to be heard on any matter not on the agenda

Ms. Pam Mauch of 1413 E. Beverly Street, asked for the City’s assistance concerning the condition and problems with the property at 1414 E. Beverly Street. Ms. Mauch asked for Council assistance

Adjournment

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

Attest: Sally Pool, City Clerk

Guy Sewell, Mayor