

**CITY OF ADA
REGULAR MEETING
JULY 17, 2017**

The Ada City Council met in regular session, Monday, July 17, 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, July 14, 2017 at 12:45 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 (June 19, 2017 meeting and June 26, 2017 special called meeting).**
- 2. Consideration of receipt of committee/board recommendations and reports:
Ada Metropolitan Area Planning & Zoning Commission Minutes June 15, 2017.**
- 3. 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.

Public hearing: Final Performance Report on the Oklahoma Department of Commerce's Fiscal Year 2015 Community Development Block Grant (CDBG #16431) Wastewater Treatment Plant UV System Replacement Project

Ms. Millie Vance presented information during the public hearing. Ms. Vance reported the grant funding of \$147,302.00, and the matching funds of \$452,454.00 were used for the improvements

of the Wastewater Treatment Plant UV System Replacement Project. Ms. Vance reported the project did serve the entire City. Ms. Vance called for questions concerning the grant project and there were none.

Discussion of and action on final acceptance of the CDBG #16431 Wastewater Treatment Plant UV System Replacement Project and authorization for the Mayor to execute closeout documents

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to approve final acceptance of the CDBF #16431 Wastewater Treatment Plant UV System Replacement Project and authorization for the Mayor to execute closeout documents. 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 appointments to the Advisory Committee on Multiculturalism

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlin** to appoint Billy Blue, term expiring October, 2019, to approve reappointment of Steve Brogden and Dr. Christine Pappas, terms expiring October 2019, to the Advisory Committee on Multiculturalism. 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 request from Shannon Posey for dismissal or reduction of abatement liens on the following described property:

A part of E/2 NW NE – Beg. 140’ W of SW/C of Lot 2, Block 49, Original– W 50’– N 140’– E 50’– S 140’ to POB – Sec. 32-4-6 Ada LIC.

This property is located at 916 West 6th Street.

City Manager Holcomb addressed the request of Mr. Posey, explaining Mr. Posey had purchased the property at 916 West 6th Street at the recent County Resale. Mr. Holcomb reported this lot, in 2001, had a dilapidated structure on the lot and was demolished and removed by the City. The vacant lot has had several abatements filed each year following the demolition. The City Manager advised the sanitary sewer system is not available to the property, and could be obtained with the extension of the main line or a private lift station. The City Manager stated with the expenses of obtaining a sewer connection, and the amount of abatement liens against the property, the lot is too expensive for redevelopment. Mr. Holcomb asked Council for consideration of Mr. Posey’s request to pay the City \$500.00 and all other charges be dismissed, as this property adjoins his Mother’s residence to the west side.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to approve Mr. Posey's request to accept payment of \$500.00 and dismiss the abatement liens placed on the property at 916 West 6th. Mayor Sewell called for the vote recorded as follows:

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 I-2, Light Industrial District, and R-1, One-Family District, to C-1-R, Restricted Neighborhood Commercial District, Planned Unit Development, and declaring an emergency for the following described property:

A part of the SW/4 of SW/4 of Section 25, Township 4 North, Range 6 East of the Indian Meridian, being more particularly described as follows: beginning at a point 233.87 feet west and 118.95 feet north of the southeast corner of the SW/4 of SW/4 of said Section 25; thence N 00°34'25" W a distance of 757.71 feet; thence S 88°30'47" W a distance of 92.25 feet; thence S 66°52'29" W a distance of 558.23 feet to the northwest corner of Lot 4 of Block 2 of Hynds Subdivision; thence S 00°34'02" E along the west line of said Lot 4, Block 2 and along the west line of Lot 4, Block 1 of said Hynds Subdivision, a distance of 396.03 feet to the southwest corner of Lot 4, Block 1 of Hynds Subdivision; thence N 89°26'04" E along the south line of Lots 3 and 4 of Block 2 of Hynds Subdivision a distance of 241.00 feet to the southeast corner of said Lot 3; thence S 00°33'56" E along the west line of Lot 9 of Block 1 of Hynds Subdivision a distance of 205.00 feet to a point on the north right of way line of State Highway 1; thence along said right of way line the following seven (7) courses; thence N 80°17'55" E a distance of 185.07 feet; thence N 88°45'50" E a distance of 58.19 feet; thence S 00°33'56" E a distance of 29.78 feet; thence N 89°21'59" E a distance of 30.00 feet; thence N 00°33'56" W a distance of 29.72 feet; thence N 89°26'48" E a distance of 11.52 feet; thence N 70°31'08" E a distance of 89.24 feet to the point of beginning.

This property is located in the 3100 Block of Arlington.

(If passed, must consider Emergency Clause.)

(Councilman Landrum left the Council Chamber during consideration of this agenda item.)

City Manager Holcomb reported this rezoning request from Boogers Home, LLC to rezone the land at 3100 Arlington was for the construction of a medical clinic and for associated parking. The City Manager reported water is available to the site, but sewer is not easily accessible and

the plan provided indicates that the sewer will probably need to incorporate a lift station. The City Manager reported City Staff and the Planning and Zoning Commission recommended approval of this request.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to enact **Ordinance No. 17-10, an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from I-2, Light Industrial District, and R-1, One-Family District, to C-1-R, Restricted Neighborhood Commercial District, Planned Unit Development, and declaring an emergency**, Mayor Sewell called for the vote recorded as follows:

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

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

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

(Following the vote Councilman Landrum returned to the Council Chamber, and Councilman Morris left the Council Chambers for consideration of the next agenda item.)

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, Planned Unit Development, and declaring an emergency for the following described property:

Tract 1: A part of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section Thirty-Three (33), Township Four (4) North, Range Six (6) East of Indian Base and Meridian and more particularly described as follows, to-wit: beginning at a point 660.00 feet south and 306.00 feet west of the northeast corner of said subdivision, thence continuing west 94.00 feet to a stake at the southeast corner of the tract previously conveyed to Faye Howell; thence north along the east boundary line of the said Faye Howell tract to the south boundary line of the St. Louis and San Francisco Railroad right of way; thence in a northeasterly direction along the south boundary line of the said railroad right-of-way to a point due north of the point of beginning; thence south and parallel with the east line of the Faye Howell Tract to the point of beginning.

Tract 2: A tract of land in the NE/4 of NE/4 of NE/4 of Section 33, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows: beginning 660.00 feet south and 400 feet

west of the northeast corner of said Section 33; thence west a distance of 50.00 feet; thence north a distance of 278.00 feet to the south right-of-way line of St. Louis and San Francisco Railroad; thence northeast with the right-of-way line to a point north of the point of beginning; thence south a distance of 308.00 feet to the point of beginning.

Tract 3: A tract of land in the NE/4 of NE/4 of NE/4 of Section 33, Township 4 North, Range 6 East, Pontotoc County, Oklahoma more particularly described as follows: beginning 660.00 feet south and 450.00 feet west of the northeast corner of said Section 33; thence north a distance of 150.00 feet to the point of beginning; thence west a distance of 60.00 feet; thence south a distance of 10.00 feet; thence west to the south line of the right-of-way of St. Louis and San Francisco Railroad; thence northeast with the right-of-way to a point north of the point of beginning; thence south a distance of 128.00 feet to the point of beginning.

This property is located in the 500 Block of East 6th Street / north side.

(If passed, must consider Emergency Clause.)

City Manager Holcomb presented the rezoning request from Marion Borders. Mr. Holcomb advised the property at 500 Block of East 6th Street would be used in conjunction with his plant nursery business located to the east and fronting on North Mississippi. The City Manager advised no opposition was voiced at the Planning and Zoning Commission meeting.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlin** to enact **Ordinance No. 17-11, 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, Planned Unit Development, and declaring an emergency.** Mayor Sewell called for the vote recorded as follows:

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

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, Sewell
NAY: None
Motion carried 4-0.

(Following the vote, Councilman Morris returned to the Council Chamber)

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-2,

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

A part of the NE/4 NE/4 NE/4 and the N/2 S/2 N/2 NE/4 of Section 9, Township 3 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows: commencing at the northeast corner of said Section 9; thence south along the east line of said Section 9 a distance of 552.5 feet; thence west a distance of 102.00 feet to the point of beginning; thence south a distance of 107.50 feet to the point of beginning; thence south a distance of 121.00 feet; thence west a distance of 505.00 feet; thence north a distance of 236.76 feet to a point on the south line of highway right-of-way; thence S 69°49'51" E along said right-of-way line a distance of 23.35 feet; thence east a distance of 493.08 feet to the point of beginning, containing 2.68 acres, more or less.

This property is located in the 1600 Block of CR 3560; 700 feet south of the intersection of US HWY 377 and Kerr Lab Road on the west side of the road.

(If passed, must consider Emergency Clause.)

City Manager Holcomb provided information on the rezoning request from Kelly Bacon. The City Manager explained the request was to rezone the R-1 property to C-1, stating the Long Range Plan indicates this area to be suitable for low density residential use. Mr. Holcomb advised the applicant has not proposed a specific use for the property, and the request was denied by the Planning and Zoning Commission.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Landrum** to deny approval of agenda item twelve. Mayor Sewell called for the vote recorded as follows:

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 R-1, One-Family District, to C-1, Neighborhood Commercial District, and declaring an emergency for the following described property:

The east 170 feet of Tract 2, of Hillsdale Estates, Suburban Townsite to the City of Ada, Pontotoc County, Oklahoma;

Less and except, the south 232.00 feet of the east 170.00 feet of Tract 2, Hillsdale Estates, Suburban Townsite to the City of Ada, Pontotoc County, Oklahoma;

And less and except, a strip or parcel of land lying in a part of Tract 2, Hillsdale Estates, Suburban Townsite to the City of Ada, Pontotoc County, Oklahoma, and more particularly described as follows: beginning at a point where the present south right-of-way line of State Highway No. 12 intersects the east line of said Tract 2; thence south along said east line for a distance of 64.60 feet; thence westerly on a curve to the left having a radius of 17,098.70 feet a distance of 131.30 feet; thence S 87°13' W a distance of 39.00 feet; thence north a distance of 31.70 feet to a point on the present south right-of-way line of said Highway; thence northeasterly along said right-of-way line a distance of 171.50 feet to the point of beginning, containing 0.19 acres, more or less.

This property is also known as 2807 Arlington.

(If passed, must consider Emergency Clause.)

City Manager Holcomb reported this rezoning request was from Corning Properties, LLC to rezone a tract of land on Arlington for construction of a doctor's office and ophthalmology clinic. The City Manager advised the Planning and Zoning Commission voted to approve the request, but City Staff recommends approval of the request for rezoning to C-1, with a Planned Unit Development.

Dr. Greg Corning addressed the Council, stating his opposition to the rezoning having a Planned Unit Development designation. Following discussion with the Council, Dr. Corning stated he wanted to withdraw his rezoning request.

No action was taken on this agenda item.

Discussion of and action on a resolution authorizing an Equipment Lease-Purchase Agreement between the City of Ada, Oklahoma and Motorola Solutions, Inc. for the acquisition of 911 equipment

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to adopt **Resolution No. 17-18A, a resolution authorizing an Equipment Lease-Purchase Agreement between the City of Ada, Oklahoma and Motorola Solutions, Inc. for the acquisition of 911 equipment.** 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 approval of Equipment Lease-Purchase Agreement with Motorola Solutions, Inc. for the purchase of 911 equipment

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to approve Equipment Lease-Purchase Agreement with Motorola Solutions, Inc. for the purchase of 911 equipment. 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 approval of Lease between the City of Ada and Ada Hobos, Inc. for the period beginning July 1, 2017 through June 30, 2022, for the following described property:

The Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section 34, Township 2 North, Range 6 East, Pontotoc County, State of Oklahoma.

Motion was made by **Councilman McFarlin**, seconded by **Councilman McFarlane** to approve the Lease between the City of Ada and Ada Hobos, Inc., for the period beginning July 1, 2017 through June 30, 2022. 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 establishing miscellaneous fees and charges as provided by the Code of Ordinances of the City of Ada, Oklahoma

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to adopt **Resolution No. 17-19A a resolution establishing miscellaneous 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 approval of Professional Services Agreement with Redland Childers Architects for architectural services associated with the rehabilitation of City Hall

At the request of the City Manager, **Councilman McFarlane**, seconded by **Councilman Landrum** made the motion to table this agenda item until the August 7th Council Meeting. 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 Memorandum of Understanding with D & J Home Properties, LLC, granting the City of Ada/Ada Public Works Authority necessary rights and easements for the construction and operation of a Soil Borrow Area

No action was taken.

Reports by City Manager

Public Information Director Lisa Bratcher updated the Council on upcoming events for the City of Ada.

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.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to recess the meeting of the Ada City Council, and reconvene as the governing body of the Ada Public Works Authority. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Following the Ada Public Works Authority meeting, the motion to reconvene the meeting of the Ada City Council was made by **Councilman Morris**, seconded by **Councilman McFarlane**. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Executive Session to discuss annual performance evaluation of the City Manager [as provided in Title 25 O.S. Section 307(B)(1)]

Motion was made by **Councilman McFarlin**, seconded by **Councilman Morris** to go into Executive Session to discuss annual performance evaluation of the City Manager. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

The Council Members left the Council Chamber at 6:44 p.m.

The Council Members returned to the Council Chamber at 8:20 p.m.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to reconvene the meeting of the Ada City Council. 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 Employment Agreement for City Manager

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlane** to approve Employment Agreement for City Manager Cody Holcomb. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Adjournment

There being no further business to come before the members of the Ada City Council, Mayor Sewell adjourned the meeting at 8:22 p.m.

Attest: Sally Pool, City Clerk

Guy Sewell, Mayor