

**CITY OF ADA
REGULAR MEETING
MARCH 15, 2021**

The Ada City Council met in a regular meeting, Monday, March 15, 2021 at 5:45 p.m., at Ada 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, March 12, 2021 at 12:45 p.m., and posting on the City of Ada web site Friday, March 12, 2021.

Councilmen Present: Tre' Landrum, Randy McFarlin, Bryan Morris

Councilmen Absent: Guy Sewell

The meeting of the Ada City Council was called to order by Mayor Tre' 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 (March 1, 2021 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 Minutes February 18, 2021

Call-A-Ride Minutes November 9, 2020

7. **Written reports from departments.**

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

AYE: Landrum, McFarlin, Morris

NAY: None

Motion Carried 3-0.

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

All that part of Lot 13 in Block 1, Norris Hills Addition, lying north and west of a line beginning at the southeast corner of Lot 1, Block 1 in said Norris Hills Addition, and extending from said point to where the line intersects the southwest boundary of said Lot 13 at a 90 degree angle; all of said tract being situated within said Lot 13, Block 1, Norris Hills Addition to the City of Ada, Oklahoma, according to the recorded plat thereof.

This property is located at 1401 Arlington.

(If passed, must consider Emergency Clause.)

City Manager Holcomb discussed the small parcel of land that was included in the rezoning request heard by the Council at the February 1, 2021 meeting. The City Manager stated approval of the northern parcel of land was approved for rezoning at that meeting, but Council tabled the rezoning of this southern parcel, allowing the applicant time to speak with the Norris Hills Homeowners Association, who were in opposition to the rezoning.

Mr. Jim Kemp representing the Norris Hills Homeowners Association, stated the Association is still against the rezoning of the southern parcel owned by Dr. Brian Coerver.

Council Members questioned the plans of the buyer from applicant, Dr. Coerver. Dr. Coerver was not present.

Mayor Landrum called for motion.

There being no motion, the agenda item died for lack of a motion.

Discussion of and action on request from True Vine Baptist Church for reduction of abatement lien on the property located at 526 West 8th Street (Lot 7, Block 1, West Side Addition)

City Manager Holcomb presented information on a request from True Vine Baptist Church, 526 West 8th, for an abatement lien reduction. Mr. Holcomb reported the City had filed an abatement lien in 2015 in the amount of \$925.44. Since that time, the County has assessed penalties in the amount of \$925.44, bringing the total due to \$1,850.88. Members of True Vine Baptist Church have requested a lien reduction.

The City Manager provided additional information, stating True Vine Baptist Church had purchased the property in September 2017, not knowing about the lien. The Church has made various improvements to the property, tree removal, cleaning the property and repairing the roof.

Debra Cochran, 311 W. North, Konawa, OK, addressed the Council, stating she was the wife of the Pastor of the Church, requesting a reduction in the lien amount.

Community Services Director, Roger Abbott, confirmed a lot of work had been done to the Church property. Mr. Abbott discussed the lien reduction guidelines, stating this parcel would be classified as No. 2 (a) – a lot with an existing dwelling structure requiring repairs. The guideline states that upon completion of those repairs, the liens should be reduced to no more than \$500.00 per lot.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Morris** to reduce the amount of the abatement lien on 526 West 8th Street, to the amount of \$400.00, for True Vine Baptist Church. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlin, Morris

NAY: None

Motion Carried 3-0.

Discussion of and action on request from Myisha Nelson for reduction of abatement lien on the property located at 229 West Tower Road (Lot 1, Block 5, Washington Heights Addition)

City Manager Holcomb reported abatement liens were filed on the property at 229 West Tower Road in 2007 and 2008, for grass/weeds and the demolition of a residential structure. The original amount due was \$5,149.72, bringing the total due to \$10,299.44 with the penalties the County has assessed. The property was purchased by Ms. Nelson from Pontotoc County in December 2020, and she is now ready to build her new home on the property and has requested a reduction of the lien amount.

Mr. Abbott discussed with Council how following the lien reduction guidelines, this parcel would be classified as No. 1 (b), a vacant lot with a new dwelling proposed. The guidelines state that

upon completion of the new dwelling, the liens should be reduced to no more than \$500.00 per lot.

Following Council discussions, a motion was made by **Councilman McFarlin**, seconded by **Councilman Morris** to reduce the amount of the abatement liens to \$2,574.86, doing away with the penalty, and that is half of the original abatement lien for the property located at 229 West Tower Road, contingent on the construction of a new dwelling and occupancy at this location. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlin, Morris

NAY: None

Motion Carried 3-0

Discussion of and action on request from Eric and Amy Atkeson for a variance on driveway requirements at 117 North Hillcrest

City Manager Holcomb presented the request from Eric and Amy Atkeson to allow the use of gravel for a residential drive and parking beyond the first 100 feet of an existing asphalt drive. The City Manager reported City Engineer, Michael Wicker has recommended approval of the lower standard, since the drainage will not be on public right-of-way and will not adversely affect adjoining property owners.

Mr. Eric Atkeson, 117 N. Hillcrest, addressed the Council concerning his request.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlin** to approve the request from Eric and Amy Atkeson for a variance on driveway requirements at 117 North Hillcrest. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlin, Morris

NAY: None

Motion Carried 3-0.

Discussion of and action on Change Order No. 1 to contract with MTZ Construction, Inc. for Concrete Panel Replacement Project

City Manager Holcomb reported Public Works Director, John McKay had negotiated to extend the construction limits of this project, to provide repair to additional deficient areas, within the same general locations specified under the original contract. Mr. Holcomb stated the Change Order would increase the original contract by \$118,149.29, and increase the original contract time by sixty calendar days.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Morris** to approve Change Order No. 1 to contract with MTZ Construction, Inc. for Concrete Panel Replacement Project. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlin, Morris

NAY: None

Motion Carried 3-0.

Discussion of and action on the purchase of approximately 933.67 acres of water rights from the Charline Von Tungeln Trust for the sum of \$269,250.00 (\$300.00 per acre in Aquifer, \$150 per acre outside of Aquifer); approval of Contract for Sale of Water Rights, authorization for Mayor to execute said contract and all documents relating to purchase of said rights, authorization for City Attorney to complete purchase of said water rights; said water rights being specifically described as follows:

Johnston County, Oklahoma, to-wit:

The Surface only of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4), Section Fourteen (14), Township Two (2) South, Range Four (4) East, I.M., Johnston County, Oklahoma.

The Surface only of the Northwest Quarter (NW/4) of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4), Southeast Quarter (SE/4) of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4), Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4), Section Twelve (12), Township Two (2) South, Range Four (4) East, I.M., Johnston County, Oklahoma.

The Surface only of the Southeast Quarter (SE/4) and the South Half (S/2) of the Northeast Quarter (NE/4) of Section Twenty-two (22), Township Two (2) South, Range Four (4) East, I.M., Johnston County, Oklahoma.

The Surface only of West Half (W/2) and the Southeast Quarter (SE/4) and West Half (W/2) of the Northeast Quarter (NE/4) and Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) and Southwest Quarter (SW/4) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) and Northwest Quarter (NW/4) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of Section Twenty-Three (23), Township Two (2) South, Range Four (4) East, I.M., Johnston County, Oklahoma.

(Funding from Water Development Fund)

City Manager Holcomb reported the contract for consideration was for the purchase of water rights from the Charline Von Tungeln Trust for approximately 933.67 acres of land – 865 acres in the aquifer and 65 acres outside of the aquifer, a total purchase price of \$269,250.00.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlin**, to approve the purchase of approximately 933.67 acres of water rights from the Charline Von Tungeln Trust for the sum of \$269,250.00 (\$300.00 per acre in Aquifer, \$150 per acre outside of Aquifer); approval of Contract for Sale of Water Rights, authorization for Mayor to execute said contract and all

documents relating to purchase of said rights, authorization for City Attorney to complete purchase of said water rights. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlin, Morris

NAY: None

Motion Carried 3-0.

Discussion of and action on appointment to fill vacancy in Ward 2 City Council position for remainder of unexpired term of office

City Manager Holcomb stated due to the resignation of Councilman Ben McFarlane on February 26, 2021, the Council would need to make an appointment to fill the vacancy.

Mayor Landrum nominated Dr. John Hargrave.

There being no further nominations, a motion was made **Mayor Landrum**, seconded by **Councilman Morris** to appoint Dr. John Hargrave, to fill the vacancy in Ward 2 City Council position for the remainder of the unexpired term of office. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlin, Morris

NAY: None

Motion Carried 3-0.

Reports by City Manager and/or City Staff

There were no reports by City Manager and/or City Staff.

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 members of the Ada City Council, Mayor Landrum adjourned the meeting, and requested members reconvene as the governing body of the Ada Public Works Authority.

Attest: Sally Pool, City Clerk

Tre' Landrum, Mayor