

**CITY OF ADA  
REGULAR MEETING  
JANUARY 6, 2020**

**The Ada City Council met in regular session, Monday, January 6, 2020 at 5:45 p.m. at City Hall West Annex, 210 West 13th in the Conference Room. Advanced public notice was given by posting the agenda on the south entrance of City Hall and the west entrance to the West Annex on Friday, January 3, 2020 at 12:45 p.m.**

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

Council Members Absent: None

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

Mayor Landrum led the audience in the Pledge of Allegiance.

Mayor Landrum called for a moment of silence.

**Discussion of and action on Consent Agenda**

- 1. Consideration of the Minutes (December 16, 2019 meeting).**
- 2. Consideration of supplemental appropriation to the General Fund Library budget.**
- 3. Consideration of receipt of Oklahoma Department of Environmental Quality (ODEQ) Construction Permit No. WL000062190752 (H2O Church Water Line).**
- 4. Consideration of receipt of committee/board recommendations and reports:**
  - Ada Metropolitan Area Planning & Zoning Commission Minutes December 19, 2019**
  - Call-A-Ride Minutes November 12, 2019**
- 5. 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 a resolution authorizing the use of certain property in an I-2, Light Industrial District, within the City of Ada for a Use Permitted on Review in an existing I-2, Light Industrial District, for a medical marijuana processing facility on the following described property:**

**A part of the NW/4 of NW/4 of SE/4 of Section 28, Township 4 North, Range 6 East of the I.B.M., Pontotoc County, Oklahoma, more particularly described as follows: beginning at the northwest corner of the NW/4 of NW/4 of SE/4 of said Section 28; thence east along the north line of said subdivision a distance of 330 feet; thence south and parallel with the east line of said subdivision a distance of 91 feet; thence west and parallel with the north line of said subdivision a distance of 330 feet to the west line of said subdivision; thence north along the west line of said subdivision to the point of beginning.**

**This property is also known as 1406 North Broadway.**

City Manager Cody Holcomb explained this request from Mr. Ellis Cain, representing Premium Green, LLC, was for a Use Permitted on Review, for a medical marijuana processing facility at 1406 North Broadway. City Manager Holcomb reported the property is currently used for a medical marijuana grow facility and medical marijuana dispensary. If the request is approved, the City Manager stated the processing could take place only in those buildings located within the area zoned I-2, Light Industrial, as no processing, is permitted under the State Medical Marijuana Processor License and the City of Ada Medical Marijuana Permit, in a C-2, General Commercial zoning, as the dispensary is located in the C-2 zoning.

Mr. Ernie Sheppard of Sheppard Heritage Homes at 1430 N. Broadway, addressed the Council concerning his opposition to the Use Permitted on Review in an I-2, for a medical marijuana processing facility at 1406 N. Broadway.

Mr. Walter Newmaster, Attorney for Mr. Sheppard also spoke on behalf of Mr. Sheppard, requesting the Council Members deny the request, referencing the odor from processing facilities and the possible traffic complications. Mr. Newmaster also reported the owner of Overhead Door, Mr. Halverson was also in opposition to the request for approval of a Use Permitted on Review for 1406 N. Broadway for a medical marijuana processing facility.

The applicant, Mr. Ellis Cain of 1406 N. Broadway, spoke before the Council, discussing the issue of the odor, explaining the growing season process. Mr. Cain referred to the issue of the odor would be comparable to painting and the varnish fumes that are omitted.

Attorney for Mr. Cain, Ms. Melissa York, also addressed the Council on Mr. Cain's behalf. Ms. York acknowledged that flowering marijuana plants do produce an odor, but assured the Council, Mr. Cain was taking steps to address the problem.

Mrs. Vivian York spoke about her assistance to Mr. Cain in renovating the building at 1406 N. Broadway, she spoke about odors of the neighbors of paint and varnish.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to deny action on authorizing the use of certain property in an I-2, Light Industrial District, within the City of Ada for a Use Permitted on Review in an Existing I-2, Light Industrial District, for a medical marijuana processing facility at 1406 N. Broadway. 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 R-1, One-Family District, to C-1, Neighborhood Commercial District, Planned Unit Development, and declaring an emergency for the following described property:**

**TRACT 1**

**A part of the SE/4 of SW/4 and SW/4 of SW/4 of Section 25, Township 4 North, Range 6 East of the I.B.M., more particularly described as follows: commencing at the southeast corner of the SW/4 of SE/4 of SW/4 of said Section 25; thence S 89°24'17" W, along the south line of said Section 25, a distance of 459.42 feet; thence N 00°34'02" W a distance of 1084.75 feet to the point of beginning; thence S 89°25'28" W a distance of 210.00 feet; thence S 00°34'02" E a distance of 165.00 feet; thence S 89°25'28" W a distance of 225.60 feet; thence N 00°34'02" W a distance of 200.00 feet; thence N 89°25'28" E a distance of 435.60 feet; thence S 00°34'02" E a distance of 35.00 feet to the point of beginning, containing 1.18 acres, more or less;**

**TRACT 2**

**A part of the southeast quarter of the southwest quarter (SE/4 of SW/4) and the southwest quarter of the southwest quarter (SW/4 of SW/4) of Section 25, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows: beginning at a point 462.0 feet west and 719.95 feet north of the southeast corner of the SW/4 of SE/4 of SW/4 of Section 25; thence north 200.0 feet; thence west 435.6 feet; thence south 200.0 feet; thence east 435.6 feet to the point of beginning, containing 2 acres, more or less;**

**TRACT 3**

**A part of the southeast quarter of the southwest quarter (SE/4 of SW/4) and the southwest quarter of the southwest quarter (SW/4 of SW/4) of Section 25, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows, to-wit: beginning at a point 462.0 feet west of 519.95 feet north of the southeast corner of said SW/4 of SE/4 of SW/4 of Section 25, Township 4 North, Range 6 East, thence north a distance of 200.0 feet; thence west a distance of 435.6 feet; thence south a distance of 200.0 feet; thence east a distance of 435.6 feet to the point of beginning, containing 2.0 acres, more or less.**

**This property is also known as 915, 927, and 933 Tipton Terrace.**

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

City Manager Holcomb stated this was a request from the Siegle Family, LLC to rezone the property for a Child Birthing Facility. The City Manager explained this request would be in accordance with the Long Range Plan.

Dr. John Siegle spoke before the Council, stating his plans for this address and the construction of the Child Birthing Facility.

Motion was made by **Councilman Sewell**, seconded by **Councilman McFarlane** to enact **Ordinance No. 20-01, 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, 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 Sewell**, seconded by **Councilman McFarlin** 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 R-1, One-Family District, to C-1, Neighborhood Commercial District, and declaring an emergency for the following described property:**

**A part of the southwest quarter of the southeast quarter of the southwest**

**quarter (SW/4 of SE/4 of SW/4) and the southeast quarter of the southwest quarter of the southwest quarter (SE/4 of SW/4 of SW/4) of Section 25, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows, to-wit; beginning at a point 462 feet west and 419.95 feet north of the southeast corner of said SW/4 of SE/4 of SW/4 of Section 25, Township 4 North, Range 6 East, thence north a distance of 100 feet; thence west a distance of 435.6 feet; thence south a distance of 100 feet; thence east a distance of 435.6 feet to the point of beginning, containing 1.0 acres, more or less.**

**This property is also known as 901 Tipton Terrace.**

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

City Manager Holcomb reported this request was from Ms. Amy Baker to rezone her property at 901 Tipton Terrace to a Neighborhood Commercial District for a medical facility. The City Manager reported Ms. Baker had stated at the Planning & Zoning Commission meeting, that all of the surrounding properties were becoming commercial for the purpose of medical facilities and medical marijuana facilities, and she had decided to put her property up for sale.

Ms. Baker was available to answer questions of the Council.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to enact **Ordinance No. 20-02, 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.** 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 a resolution establishing miscellaneous fees and charges as provided by the Code of Ordinances of the City of Ada, Oklahoma**

City Manager Holcomb provided information to the amended Miscellaneous Fees and Charges, stating the resolution for consideration would add fees for Co-Ed Basketball, and also would make changes to fees, rental descriptions and the rental periods at the Irving Community Center.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Morris** to adopt **Resolution No. 20-01A, a resolution establishing miscellaneous fees and charges as provided by the Code of Ordinances of the 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 request from The International Association of Fire Fighters, Local 2298, to be paid for the October 14, 2019 Columbus Day Holiday approved by the City Council on October 4, 2019**

Fire Fighter Lance Haines addressed the Council, stating the reasons the Union failed to meet the deadline of October 21, 2019 pertaining to the Columbus Day Holiday for 2019.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Sewell** to approve request from The International Association of Fire Fighters, Local 2298, to be paid for the October 14, 2019 Columbus Day Holiday approved by the City Council on October 4, 2019. 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**

Public Information Officer, Lisa Bratcher, encouraged the Council and citizens to use the City's social media, and the City's web site to gather information on events and activities, such as at the Irving Community Center, etc.

**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 body of the Ada Public Works Authority.

Attest: Sally Pool, City Clerk

Tre' Landrum, Mayor