

**CITY OF ADA
REGULAR MEETING
AUGUST 17, 2015**

The Ada City Council met in regular session, Monday, August 17, 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, August 14, 2015 at 4:35 p.m.

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

Council Members Absent: Greg McCortney

Councilman Preston Draper gave the invocation.

Discussion of and action on Consent Agenda

- 1. Consideration of the Minutes (August 3, 2015 meeting).**
- 2. Consideration of transfer of appropriations to the General Fund Public Safety budget.**
- 3. Consideration of receipt of committee/board recommendations and reports:**
 - Ada Airport Commission Special Called Meeting Minutes August 4, 2015**
 - Ada Metropolitan Area Planning & Zoning Commission Minutes July 16, 2015**
 - Ada Zoning Board of Adjustment Minutes June 11, 2015**
- 4. Written reports from departments.**

The motion was made by **Councilman Draper** and seconded by **Councilman McFarlane** to approve the Consent Agenda as presented. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McFarlane, Morris, Sewell

NAY: None

Motion carried 4-0.

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 authorization to waive fees for replacement library cards during the time period of August 31, 2015 through September 13, 2015

City Manager Cody Holcomb spoke about the implementation of new software at the Library for their public access computers. The City Manager explained in order to access the public computers, the library patrons will need their library card number. Library Director, Jolene

Poore requested the waiver of the \$2.00 replacement fee for a two-week period beginning August 31 through September 13, 2015 for the library patrons who have lost their cards.

Motion was made by **Councilman McFarlane** and seconded by **Councilman Morris** to approve authorization to waive fees for replacement library cards during the time period of August 31, 2015 through September 13, 2015. Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on an ordinance amending Section 2-64, titled “Salaries Generally” of the Code of Ordinances of the City of Ada, Oklahoma, by adding the position of Deputy Fire Chief; and declaring an emergency

(If passed, must consider Emergency Clause.)

The City Manager reported the current Fire Marshal position and duties had been re-evaluated by City Staff. City Manager Holcomb explained the Deputy Fire Chief would serve both as Fire Marshal and Assistant Fire Chief and would assist the Fire Chief with day-to-day activities.

Motion was made by **Councilman Draper** and seconded by **Councilman McFarlane** to enact **Ordinance No. 15-19, an ordinance amending Section 2-64, titled “Salaries Generally” of the Code of Ordinances of the City of Ada, Oklahoma, by adding the position of Deputy Fire Chief; and declaring an emergency.** Mayor Sewell called for the vote recorded as follows:

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

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

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

Discussion of and action on approval of Contract for Sale of Real Estate with the Housing Authority of The Chickasaw Nation for the purpose of purchasing real property for the sum of \$4,000.00; authorization for Mayor to execute said contract and all other documents required for the closing of the purchase of said real property; said real property being described as:

Real property

A tract of land located in the SW 1/4 of Section 3, Township 3 North, Range 6 East of the I.B.&M., Pontotoc County, Oklahoma, described as follows:

Commencing at the west 1/4 corner of said Section 3, thence along the north line of said SW 1/4 N 89°35'55" E 2042.00 feet, thence S 00°33'02" E parallel to the east boundary of the City of Ada Water Treatment Facility boundary 258 feet to the point of beginning, thence along said boundary N 89°33'53" E 75.00 feet to a point on The Chickasaw Housing Authority boundary, thence along said boundary S 23°19'38" E 217.10 feet, thence S 89°33'53" W 159.05 feet to a point on said City of Ada boundary, thence N 00°33'02" W along said boundary 200.00 feet to the point of beginning. Containing 0.54 acres.

Easement

A strip, piece or parcel of land lying in part of the SW 1/4 of Section 3, T3N, R6E, Pontotoc County, Oklahoma, being more particularly described as follows:

Commencing at the southeast corner of said SW 1/4, thence N 00°33'02" W along the east line thereof 1,326.06 feet to the northeast corner of the NE 1/4 SE 1/4 SW 1/4 of said Section 3; thence 89°33'53" W along the north line of said NE 1/4 SE 1/4 SW 1/4 87.94 feet to the point of beginning; thence S 89°33'54" W along said north line 54.80 feet; thence N 24°35'41" W 188.70 feet; thence N 26°48'36" W 193.43 feet; thence N 31°24'24" W 243.17 feet; thence N 36°10'18" W 54.66 feet; thence N 32°42'28" W 301.61 feet to the southerly boundary line of the City of Ada property as described in Book 42, Page 13, recorded at the Pontotoc County Clerk's office; thence N 00°33'02" W 16.31 feet; thence N 89°33'53" E 20.00 Feet; thence N 00°33'02" W 45.86 feet; thence S 32°42'28" E 342.05 feet; thence S 36°10'18" E 55.23 feet; thence S 31°24'24" E 247.26 feet; thence S 26°48'36" E 196.41 feet; thence S 24°35'41" E 212.09 feet to the point of beginning. Containing 1.16 acres, more or less.

City Manager Holcomb discussed the purchase of property from the Chickasaw Housing Authority, explaining the City is in the process of constructing a new pipeline from Byrds Mill Spring to the water treatment plant. The City Manager advised the construction also includes a new clear well site, and the purchase of this property is for the site of the new clear well.

Mr. Holcomb advised the Chickasaw Nation had accepted the appraisal amount of \$4,000.00.

The motion to approve the Contract for Sale of Real Estate with the Housing Authority of The Chickasaw Nation for the purpose of purchasing real property for the sum of \$4,000.00; authorization for Mayor to execute said contract and all other documents required for the closing of the purchase of said real property was made by **Councilman Draper**. The motion was seconded by **Councilman McFarlane**. Mayor Sewell called for the vote recorded as follows:

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

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

The City Manager discussed a document titled “Ada’s Water Supply-The Path Forward”, presented to the Council in April 2013 by the Ada Water Resources Board. The document was a call to action for the city to continue to shore up its water supply system through consideration of water supply alternatives as well as specific action plans. Mr. Holcomb spoke of the City of Ada retaining the professional services of Economists.com in November 2013 to begin the preparation of comprehensive cost of service water, wastewater, and solid waste study and the long-term financing plan.

City Manager Holcomb presented the proposed Resolution, allowing the city to establish a multi-year rate plan for water, sewer, and solid waste fees to set the foundation necessary to accomplish the following:

1. Equitably distribute the shared costs between water, wastewater and solid waste;
2. Ensure rates are equitable to all users and can fund operations debt, capital improvements, cash reserve, general fund obligations and desired debt coverage ratios;
3. Develop a commercial water rate and threshold for large commercial/industrial users;
4. Estimate current and forecast accounts, volumes and billing units for a ten year forecast period.

The approval of the proposed resolution will allow the city to overhaul its water supply infrastructure, and build a new transfer station while positioning itself to transition beyond the current solid waste collection contract with WCA.

City Manager Holcomb advised the total project cost of the water system improvements is estimated to be \$26,000,000. The City has been working with the Oklahoma Water Resources Board to provide the financing necessary to pay for the project. Mr. Holcomb explained the benefit of Oklahoma Water Resources Board financing is the low interest rate loan, a line of credit to draw money from as the expenses are incurred, and the length of the note is long term.

Mr. Holcomb provided a list of dates for currently bidding the water supply system improvements.

Motion was made by **Councilman Draper** and seconded by **Councilman McFarlane** to adopt **Resolution No. 15-13A, a resolution establishing 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 Draper, McFarlane, Morris, Sewell
NAY: None
Motion carried 4-0.

Discussion of and action on Amendment No. 13 to agreement between the City of Ada and Delta Airport Consultants, Inc. in an amount not to exceed \$48,000, for engineering and consulting services and other assistance in the purchase of property near the Ada Municipal Airport

The Amendment No. 13 provides for land acquisition services associated with the acquisition of three properties within the Runway Protection Zone at the airport. Mr. Holcomb reported this is necessary to provide the supporting documentation in order to request reimbursement from the FAA. City Manager Holcomb stated approval of this Amendment will continue to move towards securing the necessary properties in order to protect arriving and departing aircraft, as well as person and property on the ground.

Mr. Tim Roehl addressed the Council concerning the approval of this Amendment, stating it is a key need for our Airport.

Motion was made by **Councilman McFarlane** and seconded by **Councilman Morris** to approve Amendment No. 13 to agreement between the City of Ada and Delta Airport Consultants, Inc. in an amount not to exceed \$48,000, for engineering and consulting services and other assistance in the purchase of property near the Ada Municipal Airport. Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on a resolution of the City of Ada, Oklahoma (the “City”) approving the incurrence of indebtedness by the Ada Public Works Authority (the “Authority”) issuing its Utility System Revenue Note, Series 2015A (the “2015A Note”); providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of the 2015A Note; waiving competitive bidding with respect to the sale of the 2015A Note and approving the proceedings of the Authority pertaining to the sale of the 2015A Note; approving and authorizing execution of an Amended Lease Agreement and Operation and Maintenance Contract between the Authority and the City; and containing other provisions relating thereto

The City Manager explained the proposed resolution allows the city to borrow funds to be used for the purpose of rehabilitating Well No. 1, while constructing a fourth water well. The City has received bids from six financial institutions, with the lowest from Bank of Oklahoma at 2.16%, followed by Landmark Bank, N.A. at 2.29%.

Mr. Holcomb advised the bid received from Bank of Oklahoma does not have an early pay-off option, whereas Landmark Bank would allow the city to pay the note off early, with no penalty. Therefore, City staff is recommending awarding the bid to Landmark Bank due to the flexibility afforded the City, should the City decide to pay off early, and the options to consider future debt if such a situation arises.

The location of the fourth well has been identified, and with approval of the resolution, the appropriate paperwork will be submitted to the Oklahoma Water Resources Board and Oklahoma Department of Environmental Quality to begin drilling the new well.

Motion was made by **Councilman McFarlane** and seconded by **Councilman Morris** to adopt **Resolution No. 15-14A, a resolution of the City of Ada, Oklahoma (the “City”) approving the incurrence of indebtedness by the Ada Public Works Authority (the “Authority”) issuing its Utility System Revenue Note, Series 2015A (the “2015A Note”); providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of the 2015A Note; waiving competitive bidding with respect to the sale of the 2015A Note and approving the proceedings of the Authority pertaining to the sale of the 2015A Note; approving and authorizing execution of an Amended Lease Agreement and Operation and Maintenance Contract between the Authority and the City; and containing other provisions relating thereto**, awarding the bid to Landmark Bank N.A. at 2.29%, as the best bid. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McFarlane, Morris, Sewell

NAY: None

Motion carried 4-0.

Reports by City Manager

There were no reports by City Manager Holcomb.

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 members of the Ada City Council, Mayor Sewell requested members reconvene as the governing body of the Ada Public Works Authority.

Attest: Sally Pool, City Clerk

Guy Sewell, Mayor