

**CITY OF ADA
REGULAR MEETING
OCTOBER 16, 2017**

The Ada City Council met in regular session, Monday, October 16, 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, October 13, 2017 at 2:40 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 the audience in the Pledge of Allegiance.

Mayor Sewell called for a moment of personal reflection or prayer.

Mayor Sewell recognized members of the Ada Jr. High ILO Class in attendance.

City Manager Holcomb presented awards on behalf of Oklahoma Water Pollution Control Association to Marty York for the "Most Improved Water Plant" and presented to Phyllis Balch the award for "Supervisor of the Year for Medium Water Plants".

Discussion of and action on Consent Agenda

- 1. Consideration of the Minutes (October 2, 2017 meeting).**
- 2. Consideration of supplemental appropriation to the General Fund Cemetery budget.**
- 3. Consideration of transfer of appropriation to the General Fund Fire budget.**
- 4. Consideration of receipt of committee/board recommendations and reports:**
Ada Zoning Board of Adjustment Minutes, August 10, 2017
- 5. Written reports from departments.**

Motion was made by **Councilman Landrum** seconded by **Councilman McFarlin** 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.

Discussion of and action on a resolution dedicating “Stonecipher Park” as a City of Ada Park

Motion was approved by **Councilman Landrum**, seconded by **Councilman McFarlin** to adopt **Resolution No. 17-22A, a resolution dedicating “Stonecipher Park” as a City of Ada Park**. 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 R-2, Two-Family District, and declaring an emergency for the following described property:

All of Lot 12 in Block “F” of the Sunrise Addition to the City of Ada, Pontotoc County, Oklahoma.

This property is also known as 426 East 7th.

(If passed, must consider Emergency Clause.)

The City Manager advised he had been requested by CDE Holdings, LLC, to withdraw their rezoning request from the agenda.

No action was taken.

Discussion of and action on the leasing of certain property to Jerry Lamb for a term of five years, said property being more particularly described as follows:

“Underhill Tract – Tract 1”

The East Half (E/2) and the South Half of the Northwest Quarter (S/2 NW/4) and the Northeast Quarter of the Northwest Quarter (NE/4 NW/4) and the East Half of the Northwest Quarter of the Northwest Quarter (E/2 NW/4 NW/4) and the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4 NW/4) of Section 17; AND the North Half of the Northeast Quarter (N/2 NE/4) and the Southwest Quarter of the

Northeast Quarter (SW/4 NE/4) and the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE/4 SE/4 NE/4) and the West Half of the Southeast Quarter of the Northeast Quarter (W/2 SE/4 NE/4) and the East Half of the Southeast Quarter (E/2 SE/4) and the East Half of the West Half of the Southeast Quarter (E/2 W/2 SE/4) and the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW/4 NW/4 SE/4) of Section 8; AND the South 264 feet of the Southwest Quarter (SW/4) and the South 264 feet of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW/4 SW/4 SE/4) of Section 8; all in Township 1 North, Range 6 East; (approximately 774 acres, more or less)

LESS AND EXCEPT the following tracts:

The East Half of the Northeast Quarter of the Southeast Quarter (E/2 NE/4 SE/4) of Section Seventeen (17), Township One (1) North, Range Six (6) East; (approximately 20 acres, more or less) and

That part of the West Half of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (W/2 NW/4 NW/4 SW/4) of Section Sixteen (16), Township One (1) North, Range Six (6) East, lying West of the County Road; (approximately 1.22 acres, more or less)

Containing approximately 752 acres, more or less.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Landrum** to approve the leasing of certain property to Jerry Lamb for a term of five years for “Underhill Tract – Tract 1”. 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 the leasing of certain property to Don Veal for a term of five years, said property being more particularly described as follows:

“Sawyer Tract – Tract 3”

The Northwest Quarter of the Northeast Quarter (NW/4 NE/4) and the North Half of the Southwest Quarter of the Northeast Quarter (N2/ SW/4 NE/4) and the Northwest Quarter of the Southeast Quarter of the Northeast Quarter (NW/4 SE/4 NE/4) of Section 4, Township 1 North, Range 6 East, containing 70 acres, more or less;

AND the Northeast Quarter of the Northeast Quarter (Lot 1) and the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (NE/4 SE/4 NE/4) of Section 4, Township 1 North, Range 6 East, containing 50 acres, more or less; AND all that part of the Northwest Quarter of the

Southwest Quarter (NW/4 SW/4) of Section 34, Township 2 North, Range 6 East, lying South of the Public Highway, containing 7.1 acres, more or less; AND all that part of the West Half of the Southwest Quarter of the Southwest Quarter (W/2 SW/4 SW/4) of Section 34, Township 2 North, Range 6 East, lying South of the Public Highway, containing 19.7 acres, more or less;

AND all of the Southeast Quarter of the Southeast Quarter (SE/4 SE/4) of Section 33, Township 2 North, Range 6 East, lying South of the Public Highway, containing 27.1 acres, more or less.

Containing approximately 174 acres, more or less.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlane** to approve the Leasing of certain property to Don Veal for a term of five years, said property known as “Sawyer Tract – Tract 3”. 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 the leasing of certain property to Levi Garrett for a term of five years, said property being more particularly described as follows:

“Girdley Tract – Tract 4”

The South Half of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (S/2 NW/4 NE/4 NW/4) and the Southwest Quarter of the Northeast Quarter of the Northwest Quarter (SW/4 NE/4 NW/4) and the East Half of the Northwest Quarter of the Northwest Quarter (E/2 NW/4 NW/4) and the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (SW/4 NW/4 NW/4) and the South Half of the Northwest Quarter (S/2 NW/4) and the South Half (S/2) of Section 3, and the South Half of the Southeast Quarter of the Northeast Quarter (S/2 SE/4 NE/4) and the East Half of the Southeast Quarter (E/2 SE/4) of Section 4, all in Township 1 North, Range 6 East, Pontotoc County, Oklahoma.

Containing approximately 545 acres, more or less.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Morris** to approve lease to Levi Garrett for a term of five years, said property known as “Girdley Tract – Tract 4”. 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 the leasing of certain property to Scotty Dunigan for a term of five years, said property being more particularly described as follows:

“Tract near Byrds Mill – Tract 5”

Tract 1: The W/2 W/2 NW/4, Section 35, Township 2 North, Range 6 East; and

The N/2 NE/4, less 7 acres in the NW/4 NE/4 lying and being North of Byrd’s Mill Road and the SE/4 NE/4 and the W/2 SE/4 SE/4 and the W/2 SE/4 and the E/2 SE/4 SW/4 and the SE/4 NE/4 SW/4, all in Section 34, Township 2 North, Range 6 East, less and except a tract of land heretofore conveyed to Leslie Farris by Warranty Deed which deed is recorded in Book 828 at Page 289, and described as:

(a) A part of E/2 SE/4 SW/4 of Section 34, township 2 North Range 6 East, described as follows, to-wit: Beginning at a point on the Center line of County Road 215 feet West to Southeast corner of SE/4 SW/4 of Section 34, Township 2 North Range 6 East, thence due West 445 feet to the Southwest corner of SE/4 SE/4 SW/4; thence North 906 feet; thence East 646.8 feet to a point on the Center line of County Road, thence South 3 degrees 50 minutes West along center line County Road for a distance of 126.0 feet; thence South 17 degrees 31 minutes West for a distance of 546.8 feet; thence South 10 degrees 25 minutes West for a distance of 148.6 feet; thence South 30 degrees 18 minutes East for a distance of 115.4 feet to the point of beginning, containing 11 acres, more or less;

and less a tract of land heretofore conveyed to Leslie Farris by Warranty Deed recorded in Book 819 at Page 179 and described as:

(b) A part of the E/2 E/2 SW/4 of Section 34, Township 2 North, Range 6 East, more particularly described as follows, to-wit: Beginning at the Northwest corner of the SE/4 NE/4 SW/4 of Section 34, Township 2 North, Range 6 East; thence due East a distance of 505 feet to the Center line of County Road; thence South 12 degrees 20 minutes East along Center line of County Road for a distance of 765.9 feet; thence South 3 degrees 50 minutes West along the Center line of County Road for a distance of 326.5 feet; thence due West to the West line of the NE/4 SE/4 SW/4 of Section 34, thence North for a distance of 1074 feet to the point of beginning, containing 15 acres, more or less.

Tract 2: The NE/4 SE/4 of Section 34, Township 2 North, Range 6 East.

Containing approximately 297 acres, more or less.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to approve lease to Levi Garrett for a term of five years, said property known as “Tract near Byrds Mill – Tract 5”. 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 Professional Services Contract with Terracon Consultants, Inc. for asbestos consulting services at the Irving building

City Manager Holcomb advised the contract with Terracon Consultants, Inc. is for the professional services related to the asbestos removal for the Irving Building prior to the demolition of the building. The City Manager advised the contract is for \$18,300.00 and would be for contractor selection, bid acquisition, project consulting and management, onsite observation and assistance with state agencies, air monitoring, material sampling, and a final close-out report for the clearance of the property.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlane** to approve Professional Services Contract with Terracon Consultants, Inc. for asbestos consulting services at the Irving building. 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 Professional Services Contract with Retail Attractions, LLC

City Manager Holcomb explained to the Council the terms of the renewal Contract with Retail Attractions, LLC, stating the contract this year would be \$3,000.00 per month, a decrease of \$1,000.00 per month from the previous year.

Councilman Morris spoke of his opposition to approving the contract with Retail Attractions, LLC, expressing he does support new retail for our city, but believes the process should be done differently.

Following discussion of the Council Members, **Councilman Morris** made the motion to deny the approval of Professional Services Contract with Retail Attractions, LLC.

Mayor Sewell called for a second to the motion three times. There was no second. The motion failed.

Motion was made by **Councilman Landrum**, seconded by **Councilman McFarlane** to accept the Professional Services Contract with Retail Attractions, LLC. Mayor Sewell called for the vote recorded as follows:

AYE Landrum, McFarlane, McFarlin, Sewell
NAY: Morris
Motion carried 4-1.

Executive Session to discuss threatened or pending litigation [as provided in Title 25, Oklahoma Statutes, Section 307(B)(4)]

No action was taken.

Reports by City Manager

Public Information Director Lisa Bratcher provided an update on the upcoming activities for Ada in October, “Halloween on the Green”, “Mummy & Son Dance”, Halloween Safe House, and the “Ford Tri-Motor event” to be held at the Ada Municipal Airport.

City Manager Holcomb reported meals are currently being provided for the Senior Citizens at Mercy Hospital with assistance from city staff, Ada City Schools, Mercy Hospital staff, and local churches. Mr. Holcomb explained the transition is in place to begin serving meals at the old Glenwood School on November 1st to our Senior Citizens during the construction phase of the new Senior Citizens Center.

Persons to be heard on any matter not on the agenda

Mr. Ronnie York, 519 West 3rd, addressed the Council concerning the upkeep of properties in his neighborhood, encouraging the Council to enforce the rules and regulations that are in place.

Mr. James Smith, 828 W. 8th, addressed the Council regarding retail development for our city and the voting no by Councilman Morris.

Ms. LeeAnn Cargill of 306 W. 15th spoke to the Council, asking them to consider ordinances in regard to rules and regulations pertaining to the container units being used for housing.

Adjournment

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

Attest: Sally Pool, City Clerk

Guy Sewell, Mayor