

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

The Ada City Council met in regular session, Monday, April 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 at the west entrance to the West Annex on Friday, April 3, 2020 at 12:50 p.m.

Council Members Present: Tre' Landrum, Ben McFarlane, Randy McFarlin,
Bryan Morris, Guy Sewell
(Council Members appeared by remote videoconference)

Council Members Absent: None

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

Mayor Landrum called for a moment of silence.

Discussion of and action on Consent Agenda

- 1. Consideration of the Minutes (March 16, 2020 meeting and March 23, 2020 special called meeting).**
- 2. Consideration of approval of Power of Attorney authorizing our United Safety representative to communicate with the Oklahoma Tax Commission on our behalf regarding Workers' Compensation Multiple Injury Trust Fund rebates.**
- 3. Consideration of Sign Easement Agreement between the City of Ada and Vaquero Abbott Partners, LP.**
- 4. Consideration of receipt of committee/board recommendations and reports:**

Ada Airport Commission Minutes March 10, 2020
Ada Metropolitan Area Planning & Zoning Commission Minutes March 19, 2020
- 5. Written reports from departments.**

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

Discussion of and action on appointment to the Water Cluster Development Committee

City Manager Cody Holcomb reported Joe Hill had resigned from the Water Cluster Development Committee. The Committee has requested the appointment of Kris Patton to fill the vacant seat, with the term expiring May 2022.

Motion was made by **Councilman Sewell**, seconded by **Councilman McFarlane** to approve the appointment of Kris Patton, to the Water Cluster Development Committee, term expiring May 2022. 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 a resolution authorizing the use of certain property in a C-2, General Commercial District, within the City of Ada, for a Use Permitted on Review in an existing C-2, General Commercial District, for apartments in existing commercial building, on the following described property:

Lot 23, Block 91, Original Townsite of Ada, Pontotoc County, Oklahoma.

This property is also known as 118 West Main Street.

The City Manager reported this request is from Eric and Stacy Dyer for a Use Permitted on Review for 118 West Main. The request is to convert the second story of their commercial property into three one-bedroom apartments. This request was approved by City Staff and the Planning and Zoning Commission.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Sewell** to adopt **Resolution No. 20-04A, a resolution authorizing the use of certain property in a C-2, General Commercial District, within the City of Ada, for a Use Permitted on Review in an existing C-2, General Commercial District, for apartments in existing commercial building.** 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 approval of the preliminary plat of a residential subdivision to be known as “Timber Lake” to be located on the following described property:

A part of the N/2 SE/4 SE/4 and part of the S/2 NE/4 SE/4 and all that part of the E/2 SW/4 SE/4 and the NW/4 SE/4 lying east of U.S. Highway 377 right-of-way in Section 8, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows: commencing at the southeast corner of said Section 8; thence N 00°47'35" W a distance of 659.74 feet to the southeast corner of the S/2 SE/4 SE/4; thence S 89°14'11" W along the south line of the N/2 SE/4 SE/4 a distance of 842.52 feet to the point of beginning; thence continuing S 89°14,11" W along said south line a distance of 477.34 feet to the southwest corner of the N/2 SE/4 SE/4; thence S 00°48'12" E a distance of 659.81 feet to the southeast corner of the E/2 SW/4 SE/4; thence S 89°14'00" W a distance of 369.91 feet to a point on the east right-of-way of U.S. Highway 377; thence along said right-of-way on a curve to the right having a radius of 3544.72 feet for a distance of 2047.28 feet (chord bearing: N 10°35'17" E, chord distance: 2018.94 feet) to a point on the north line of the S/2 NE/4 SE/4; thence N 89°14'32" E along the north line of the S/2 NE/4 of SE/4 a distance of 963.75 feet; thence S 00°47'34" E a distance of 630.99 feet to a point on a centerline a 50' road and utility easement; thence N 88°48'21" W along said centerline a distance of 127.46 feet; thence S 84°06'52" W along said centerline a distance of 239.79 feet; thence along said centerline on a curve to the left having a radius of 400.00 feet for a distance of 155.97 feet (chord bearing: S 72°56'36" W, chord distance: 154.99 feet); thence S 00°47'35" E a distance of 627.99 feet to the point of beginning, containing 34.37 acres, more or less.

This property is located at the northeast corner of the intersection of State Highway 377 and County Road 1510.

The request from Pat and Linda Engel was presented by City Manager Holcomb. Mr. Holcomb explained this request is for the approval of the preliminary plat of a residential subdivision to be known as “Timber Lake”. The City Manager stated most of the 34.37 acres are out of the city limits, but there is a 200’ strip along the western side of some of the lots that is within city limits. The City of Ada has no water lines in this area and Mr. Engle has indicated that private water wells will be the source of water, and the sanitary sewer would be private. City Staff recommends that the city limits should be indicated on the preliminary and final plat, and this area within city limits would be subject to the City of Ada Code of Ordinances. The City Manager reported both City Staff and the Planning and Zoning Commission recommend approval of the preliminary plat.

Motion was made by **Councilman Morris**, seconded by **Councilman Sewell** to approve the preliminary plat of a residential subdivision to be known as “Timber Lake”, located at the northeast corner of the intersection of State Highway 377 and County Road 1510. 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 an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from R-2, Two-Family District, to R-3, Multiple Family District, and declaring an emergency for the following described property:

Lot 12 of Meaders Subdivision of Block 1, Capital Hill Addition to the City of Ada, Oklahoma.

This property is also known as 900 East 6th Street.

(If passed, must consider Emergency Clause.)

City Manager Holcomb stated this was a request from Saunders Construction to rezone the property at 900 East 6th Street to allow for the construction of three (3) one-bedroom detached units. There is an existing structure on the property that has been burned and Mr. Saunders is proposing to tear down this structure. The City Manager reported both City Staff and the Planning and Zoning Commission recommend approval of this request.

Mr. Josh Saunders was available to answer questions of the Council Members.

Motion was made by **Councilman Sewell**, seconded by **Councilman McFarlin** to enact **Ordinance No. 20-07, an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from R-2, Two-Family District, to R-3, Multiple Family 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 Sewell**, seconded by **Councilman McFarlin** to enact 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 R-3, Multiple Family District, and declaring an emergency for the following described property:

The E 50' of Lot 33, Sunnyside Acres Subdivision and the W/2 of Lot 34, Sunnyside Acres Subdivision to the City of Ada, Oklahoma.

This property is also known as 800 and 802 Orchard.

(If passed, must consider Emergency Clause.)

City Manager Holcomb presented the request from Josh Van Horn to rezone the property at 800 and 802 East Orchard for a multi-family residential development that may include single-family residences and duplexes. The City Manager advised the Long-Range Plan indicates this area to be suitable for low-density residential uses and all of the surrounding property is zoned R-1, One Family District, with existing single family residences. The Planning and Zoning Commission recommended denying the applicant's request for rezoning.

A neighbor, Donnie Worley, 815 Orchard addressed the Council, stating his opposition to the rezoning request.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to deny an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from R-1, One-Family District, to R-3, Multiple Family District for 800 and 802 Orchard. 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 approval of Memorandum of Understanding and Collective Bargaining Agreement between the City of Ada and the Fraternal Order of Police, Lodge No. 111, for the Fiscal Years 2019-2020 and 2020-2021

Motion was made by **Councilman McFarlin**, seconded **Councilman Morris** to approve Memorandum of Understanding and Collective Bargaining Agreement between the City of Ada and the Fraternal Order of Police, Lodge No. 111, for the Fiscal Years 2019-2020 and 2020-2021. 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 the purchase of approximately 3580.24 acres of water rights from the Nature Conservancy for the sum of \$300.00 per acre; 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:

The E/2 of W/2 of W/2 of NW/4 and E/2 of W/2 of NW/4 and E/2 of NW/4 and W/2 of SE/4 and W/2 of NE/4 and SW/4 less the N/2 of N/2 of NW/4 of SW/4 of Section 25, Township 1 South, Range 6 East of the Indian Base and Meridian, Johnston County, Oklahoma, according to the Government survey thereof; and

N/2 of NW/4 of NE/4 and N/2 of NE/4 of NW/4 of Section 36, Township 1 South, Range 6 East of the Indian Base and Meridian, Johnston County, according to the U.S. Government survey thereof; and

The S/2 and SE/4 of SE/4 of NE/4 of Section 22, LESS AND EXCEPT the W/2 of NE/4 of NW/4 of SW/4 of Section 22; and

The W/2 of W/2 of SW/4 of Section 23, LESS AND EXCEPT the NW/4 of SW/4 of SW/4 of Section 23; and

The W/2 of Section 26, LESS AND EXCEPT all that land in the SE/4 of SW/4 and the S/2 of SW/4 of SW/4 of Section 26, lying South and East of the public road, which road is known as the Connerville-Mill Creek Road, which runs through the SE/4 of SW/4 and S/2 of SW/4 of SW/4 of Section 26; and

The W/2 of W/2 of NE/4 and N/2 of SE/4 and S/2 of SW/4 of SE/4 of Section 26; and

All of Section 27; and

The S/2 and SE/4 of SW/4 of NE/4 and SW/4 of SE/4 of NE/4 and E/2 of E/2 of NE/4 of Section 28; and

The SE/4 of Section 29; and

The N/2 of Section 33; and

The NE/4 and N/2 of SE/4 and SE/4 of SE/4 of Section 34; and

The W/2 and N/2 of NE/4 and SE/4 of NE/4 and W/2 of NW/4 of SE/4 of Section 35;

All in Township 1 South, Range 6 East of the I.M., Johnston County, Oklahoma; and

All of Lots 1, 2, and 3, in Block 13; and all of Lots 1, 2, 3, 4, 5, and 6, in Block 14; and all of Lots 1, 2, 3, 4, 5, and 6, in Block 23; and all of Lots 1, 2, 3, 4, 5, and 6, in Block 24; and all of Block 34; and all of Lots 7, 8, 9, 10, 11, 12, 13, and 14, in Block 35; and all of Blocks 36 and 37,

All in the Town of Connerville, Johnston County, Oklahoma; and

All land in the SE/4 of SW/4 and the S/2 of SW/4 of SW/4 of Section 26, lying South and East of public road, which road is known as the Connerville-Mill Creek Road, which runs through the SE/4 of SW/4 and the S/2 of SW/4 of SW/4 of Section 26, Township 1 South, Range 6 East of the I.M., Johnston County, Oklahoma.

City Manager Holcomb explained the contract was to purchase the water rights on approximately 3,580.24 acres of land over the Aquifer. The purchase price is \$300 per acre, for an estimated total of \$1,074.072 and will be funding from the Water Development Fund.

Motion was made by **Councilman Sewell**, seconded by **Councilman Morris** to purchase approximately 3580.24 acres of water rights from the Nature Conservancy for the sum of \$300.00 per acre; 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, McFarlane, McFarlin, Morris, Sewell
NAY: None
Motion carried 5-0.

Discussion of and action on amendment to Ordinance No. 20-06, which added Section 62-137, "Coronavirus (COVID19)" to Article IV, "Emergency Management" of Chapter 62, "Public Safety"; and declaring an emergency

(If passed, must consider Emergency Clause.)

Council reviewed the sample ordinance in the agenda packet, discussing the recommendation of the CDC, wearing cloth masks and sheltering in place.

After considerable discussion, a motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to enact **Ordinance No. 20-08, on amendment to Ordinance No. 20-06, which added Section 62-137, "Coronavirus (COVID19)" to Article IV, "Emergency Management" of Chapter 62, "Public Safety"; 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.

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 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