

**CITY OF ADA  
REGULAR MEETING  
NOVEMBER 3, 2014**

**The Ada City Council met in regular session, Monday, November 3, 2014 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 31, 2014 at 1:35 p.m. An amended agenda was posted on the City Hall bulletin boards on Friday, October 31, 2014 at 3:30 p.m.**

Council Members Present: Greg McCortney, Ben McFarlane, Bryan Morris,  
Darrell Nemecek, Guy Sewell

Council Members Absent: None

Councilman Greg McCortney gave the invocation.

**Discussion of and action on Consent Agenda**

- 1. Consideration of the Minutes (October 20, 2014 meeting).**
- 2. Consideration of receipt of committee/board recommendations and reports:**
  - Ada Metropolitan Area Planning & Zoning Commission Minutes of October 16, 2014**
  - Ada Library Board Minutes of October 22, 2014**
- 3. Written reports from departments.**

Motion was made by **Councilman Nemecek** and seconded by **Councilman McFarlane** to approve the Consent Agenda as presented. Mayor Morris called for the vote recorded as follows:

AYE McCortney, McFarlane, Morris, Nemecek, 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 request to host a “Food for Fines” food drive at the library from November 10, 2014 through November 22, 2014**

City Manager Holcomb spoke about a request from the Library to host a “Food for Fines” food drive, in hopes of having overdue borrowed items from the Library returned and no fine charged.

The food drive will be held November 10 – 22, 2014, and all donated food would be delivered to the Salvation Army before Thanksgiving.

Motion was made by **Councilman Sewell** and seconded by **Councilman McFarlane** to approve the request to host a “Food for Fines” food drive at the library from November 10, 2014 through November 22, 2014. Mayor Morris called for the vote recorded as follows:

AYE McCortney, McFarlane, Morris, Nemecek, Sewell

NAY: None

Motion carried 5-0.

**Discussion of and action on a resolution finding that the main dwelling and the accessory building located at 2831 North Townsend, Ada, Pontotoc County, Oklahoma are dilapidated and a nuisance; that the property would be benefited by the removal of the buildings; ordering that the dilapidated buildings be torn down and removed; fixing dates for commencement and completion of the work; and authorizing the City Attorney to file suit in the District Court for abatement of the nuisance existing on the property**

The City Manager presented information concerning the property at 2831 North Townsend. Mr. Holcomb stated City Staff is requesting approval of the proposed resolution finding the main dwelling and secondary structures to be dilapidated.

Motion was made **Councilman Nemecek** and seconded by **Councilman McCortney** to adopt **Resolution No. 14-20A, a resolution finding that the main dwelling and the accessory building located at 2831 North Townsend, Ada, Pontotoc County, Oklahoma are dilapidated and a nuisance; that the property would be benefited by the removal of the buildings; ordering that the dilapidated buildings be torn down and removed; fixing dates for commencement and completion of the work; and authorizing the City Attorney to file suit in the District Court for abatement of the nuisance existing on the property.**

AYE McCortney, McFarlane, Morris, Nemecek, 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-2, General Commercial District, and declaring an emergency for the following described property:**

**All of Lot 5 in Block 1 of Norris Hills, a subdivision of the NE/4 of Section 34, Township 4 North, Range 6 East.**

**This property is also known as 1425 Arlington.**

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

City Manager Holcomb reported this rezoning request was from Brian and Nicole Blanck. Mr. Holcomb explained they have requested to rezone the property to C-2, but the Planning & Zoning Commission have recommended the change of zoning, but at a lesser land use intensity than requested, recommending the rezoning to C-1 since the area surrounding the property is a mixture of R-1, Single-Family and C-1, Neighborhood Commercial.

Motion was made by **Councilman McCortney** and seconded by **Councilman Nemecek** to enact **Ordinance No. 14-18, 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, General Commercial District, and declaring an emergency.** Mayor Morris called for the vote recorded as follows:

AYE McCortney, McFarlane, Morris, Nemecek, Sewell  
NAY: None  
Motion carried 5-0.

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

AYE McCortney, McFarlane, Morris, Nemecek, Sewell  
NAY: None  
Motion carried 5-0.

### **Discussion of and action on bids for materials for West 18<sup>th</sup> Street Water Line Project**

City Manager Holcomb discussed the bids opened on October 23, 2014 for water line materials for the West 18<sup>th</sup> Street project. Mr. Holcomb advised City Staff recommends the bid from HD Supply as the lowest and best competitive bid.

Motion was made by **Councilman McCortney** and seconded by **Councilman McFarlane** to accept the bid from HD Supply, for materials for West 18<sup>th</sup> Street Water Line Project, as the lowest and best competitive bid for the City of Ada. Mayor Morris called for the vote recorded as follows:

AYE McCortney, McFarlane, Morris, Nemecek, Sewell  
NAY: None  
Motion carried 5-0.

### **Discussion of and action on approval of assignment of contract for architectural services on Sports Complex with JHBR Architects, Inc. to Quinn McAllister Architects**

City Manager Holcomb reported the original contract was with JHBR Architects, and was handled by Mr. Darrell McAllister. Mr. Holcomb explained that Mr. McAllister has recently left JHBR Architects, and is now with Quinn McAllister Architects. JHBR Architects believe that Mr. McAllister is the best person to provide the schematic design and the design development drawing for the project, and they have assigned their contract for architectural services to Quinn McAllister Architects.

Motion was made by **Councilman Nemecek** and seconded by **Councilman McCortney** to approve assignment of contract for architectural services on Sports Complex with JHRB Architects, Inc. to Quinn McAllister Architects. Mayor Morris called for the vote recorded as follows:

AYE McCortney, McFarlane, Morris, Nemecek, Sewell

NAY: None

Motion carried 5-0.

**Presentation, discussion of and action on Americans with Disabilities Act (A.D.A.) annual report outlining completed A.D.A. accessibility projects, and money expended**

Mr. Holcomb referred to the report provided in the agenda packet, and requested approval of the annual report.

Motion was made by **Councilman McFarlane** and seconded by **Councilman Sewell** to approve the Americans with Disabilities Act (A.D.A.) annual report outlining completed A.D.A. accessibility projects, and money expended. Mayor Morris called for the vote recorded as follows:

AYE McCortney, McFarlane, Morris, Nemecek, Sewell

NAY: None

Motion carried 5-0.

**Discussion of and action on an ordinance levying a one per cent (1%) tax upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code or under Sections 66-31 through 66-56, inclusive, of the Code of Ordinances of the City of Ada, Oklahoma; providing that the revenues from such tax shall be used for capital improvements to Wintersmith Pool, Glenwood Pool, Irving Center, Wintersmith Amphitheater, Main Street and Sports Complex; and institute a Workforce Housing Program; providing said tax shall be in addition to other sales taxes levied and collected by the City; providing an effective date; providing the provisions are cumulative; and providing for severability**

The Council Members expressed their support of the proposed ordinance and discussed the projects the projected revenues would be funding.

Motion was made by **Councilman Sewell** and seconded by **Councilman McFarlane** to enact **Ordinance No. 14-17, an ordinance levying a one per cent (1%) tax upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code or under Sections 66-31 through 66-56, inclusive, of the Code of Ordinances of the City of Ada, Oklahoma; providing that the revenues from such tax shall be used for capital improvements to Wintersmith Pool, Glenwood Pool, Irving Center, Wintersmith Amphitheater, Main Street and Sports Complex; and institute a Workforce Housing Program; providing said tax shall be in addition to other sales taxes levied and collected by**

**the City; providing an effective date; providing the provisions are cumulative; and providing for severability.** Mayor Morris called for the vote recorded as follows:

AYE McCortney, McFarlane, Morris, Nemecek, Sewell

NAY: None

Motion carried 5-0.

**Discussion of and action on a resolution authorizing the calling and holding of an election in the City of Ada, Oklahoma, on the 13th day of January, 2015, for the purpose of submitting to the qualified electors of the City of Ada, Oklahoma, the question of their approval or rejection of Ordinance No. 14-17, levying a one per cent (1%) tax upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code or under Sections 66-31 through 66-56, inclusive, of the Code of Ordinances of the City of Ada, Oklahoma; providing that the revenues from such tax shall be used for capital improvements to the Wintersmith Pool, Glenwood Pool, Irving Center, Wintersmith Amphitheater, Main Street and Sports Complex; and institute a Workforce Housing Program; providing said tax shall be in addition to other sales taxes levied and collected by the City; providing an effective date; providing the provisions are cumulative; and providing for severability**

Motion was made by **Councilman Nemecek** and seconded by **Councilman McFarlane** to adopt **Resolution No. 14-19A, a resolution authorizing the calling and holding of an election in the City of Ada, Oklahoma, on the 13th day of January, 2015, for the purpose of submitting to the qualified electors of the City of Ada, Oklahoma, the question of their approval or rejection of Ordinance No. 14-17, levying a one per cent (1%) tax upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code or under Sections 66-31 through 66-56, inclusive, of the Code of Ordinances of the City of Ada, Oklahoma; providing that the revenues from such tax shall be used for capital improvements to the Wintersmith Pool, Glenwood Pool, Irving Center, Wintersmith Amphitheater, Main Street and Sports Complex; and institute a Workforce Housing Program; providing said tax shall be in addition to other sales taxes levied and collected by the City; providing an effective date; providing the provisions are cumulative; and providing for severability.** Mayor Morris called for the vote recorded as follows:

AYE McCortney, McFarlane, Morris, Nemecek, Sewell

NAY: None

Motion carried 5-0.

### **Reports by City Manager**

Mr. Mark Masoner reported to the Council on the Household Hazardous Waste Day, held on Saturday, November 1, 2014.

Police Chief Mike Miller reported to the Council on the success of the Safe House held last Thursday, October 30, 2014 at the Pontotoc County Agri-Plex.

**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 Morris adjourned the meeting of the Ada City Council, and requested members to reconvene as the governing body of the Ada Public Works Authority.

Attest:           Sally Pool, City Clerk

Bryan Morris, Mayor