

**CITY OF ADA  
REGULAR MEETING  
AUGUST 3, 2020**

**The Ada City Council met in a regular meeting, Monday, August 3, 2020 at 5:45 p.m. at City Hall in the Dr. Ray L. Stout City Council Chamber, 231 S. Townsend. Advanced public notice was given by posting the agenda on the south entrance of City Hall at 1:40 p.m., on Friday, July 31, 2020.**

Councilmen Present: Tre' Landrum, Ben McFarlane, Randy McFarlin,  
Bryan Morris, Guy Sewell

Councilmen Absent: None

The meeting of the Ada City Council was called to order by Mayor Landrum.

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 (July 20, 2020 meeting).**
- 2. Consideration of Assignment and Assumption of Contract between Cardinal Engineering, LLC / Lemke Land Surveying, LLC / Millie Vance Incorporated, and Parkhill, Smith, and Cooper, Inc. dba Cardinal Engineering/Lemke Land Surveying ("PSC") and the City of Ada.**
- 3. Consideration of supplemental appropriations or transfer of appropriations within the General Fund budget.**
- 4. Consideration of supplemental appropriations or transfer of appropriations within the Sub-Funds to the General Fund budget.**
- 5. Consideration of supplemental appropriations or transfer of appropriations within the Special Revenue Funds budget.**
- 6. Consideration of supplemental appropriations or transfer of appropriations within the Other Funds budget.**
- 7. Consideration of receipt of committee/board recommendations and reports:**

**Ada Airport Commission Minutes July 14, 2020**

**8. 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.

**Discussion regarding curbside spots for Main Street businesses during Coronavirus pandemic**

Ms. Yolande Vasquez, representing Polo's Mexican Restaurant at 219 West Main Street, addressed the Council requesting the two reserved parking spaces used during the Coronavirus pandemic re-instated for customer curbside pickup of food from their Restaurant.

Ms. Cara Crawford, of Central Oklahoma Dance Studio, 104 and 106 E. Main Street, also addressed the Council requesting reserved parking for her business. She requested consideration of one reserved parking space per each building owned on Main Street.

Ada Main Street Director, Marissa Tucker stated there was an interest in having reserved spaces available for curbside services, among Main Street businesses.

Mr. Cody Tucker addressed the Council concerning Ms. Vasquez request for asking for help during this time of the coronavirus pandemic.

Council discussed the development of a plan to be brought before the Council before the next City Council meeting on August 17<sup>th</sup>, to consider how to handle reserved curbside parking on Main Street and the adjacent streets.

**Discussion of and action on an ordinance closing to public use a certain public easement and/or right-of-way, as more particularly hereinafter described, located in the City of Ada, Pontotoc County, Oklahoma; and declaring an emergency for the following described property:**

**Commencing at the southeast corner of Lot 3, Block 1, Stone Creek Addition, an addition to the City of Ada, Pontotoc County, Oklahoma, according to the recorded plat recorded in Book 1 of Plats, Page 305; thence N 88°24'40" W, along the south line of said Lot 3, Block 1, Stone Creek Addition, a distance of 16.41 feet; thence S 80°10'43" W, continuing along the south line of said Lot 3,**

**Block 1, Stone Creek Addition, a distance of 9.13 feet to the point of beginning; thence S 12°56'31" E, leaving said south line of Lot 3, Block 1, a distance of 49.92 feet; thence N 88°28'06" W, a distance of 190.86 feet; thence N 00°00'00" E, a distance of 12.45 feet, to a point on the said south line of Lot 3, Block 1; thence N 80°10'43" E, along the said south line of Lot 3, a distance of 182.29 feet to the point of beginning, containing 0.13 acres of land, more or less.**

**This property is a small portion of the Right-of-Way along Lonnie Abbott, Stone Creek Addition.**

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

City Manager Holcomb presented the request from Scott Sweeney to close a small portion of the right-of-way along Lonnie Abbott. The City Manager advised Mr. Sweeney is planning to build a multi-tenant building and also allow for a large sign to serve any larger development to the north. Mr. Holcomb stated there is sufficient right-of-way remaining to service the area. There is a gas line in the proposed closure area, which will be moved at the cost of Mr. Sweeney.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Sewell** to enact **ORDINANCE NO. 20-14, AN ORDINANCE CLOSING TO PUBLIC USE A CERTAIN PUBLIC EASEMENT AND/OR RIGHT-OF-WAY, AS MORE PARTICULARLY HEREINAFTER DESCRIBED, LOCATED IN THE CITY OF ADA, PONTOTOC COUNTY, OKLAHOMA; 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 McFarlane**, seconded by **Councilman Sewell** 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 I-2, Light Industrial District, to C-2, General Commercial District, and declaring an emergency for the following described property:**

**The south 57 feet of the east 88.7 feet of Lot 5, Block 101 of the Original Townsite of Ada, Pontotoc County, Oklahoma.**

**This property is also known as 400 West 12<sup>th</sup> Street.**

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

The rezoning request for Tres Amigos Investments, LLC, was explained by City Manager Holcomb, a request to rezone a 5,056 square foot lot at 400 West 12<sup>th</sup> Street for a Mexican food restaurant with a drive-through and outdoor covered patio seating. Mr. Holcomb stated the property must be rezoned to allow for the restaurant and additional buildings, along with a building permit issued and reviewed for all the new construction at this location. Both the City Staff and the Planning and Zoning Commission recommended approval of the request for rezoning.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Morris** to enact **ORDINANCE NO. 20-15, AN ORDINANCE PROVIDING FOR THE RE-ZONING OF CERTAIN PROPERTY WITHIN THE CITY OF ADA, OKLAHOMA, FROM I-2, LIGHT INDUSTRIAL DISTRICT, TO C-2, GENERAL 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 McFarlin**, seconded by **Councilman Morris** 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**

The City Manager presented a request from the Recreation Commissioner, to increase the Tournament Gate Fees at the Sports Complex to \$5.00 for adults and \$3.00 for students and senior adults. Currently, the existing fees are \$3.00 for adults and \$2.00 for students.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to adopt **Resolution No. 20-12A, 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 the purchase of approximately 344 acres of water rights from M & L Cattle, LLC for the sum of \$103,200.00 (\$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:**

**Murray County, Oklahoma, to-wit:**

**A tract of land lying in the South Half (S½) of Section 10, Township 1 North, Range 4 East, Murray County, Oklahoma, being more particularly described as follows: Commencing at the center of said Section 10 (NE corner of SW¼), said point being the Point of Beginning; thence S 89°54'20" E, along the north line of the SE¼ of said Section 10, a distance of 1977.36 feet to the Northeast corner of the W½ NE¼ SE¼ of said Section 10; thence S 0°11'30" W, along the east line of the W½ NE¼ SE¼, a distance of 956.81 feet; thence N 89°48'30" W, a distance of 687.58 feet; thence S 9°14'06" W, a distance of 349.15 feet; thence S 34°13'11" W, a distance of 576.21 feet; thence N 81°27'53" W, a distance of 341.72 feet; thence S 8°58'14" W, a distance of 70.55 feet; thence N 75°33'30" W, a distance of 580.65 feet to a point on the east line of the SE¼ SW¼ of said Section 10, thence N 89°54'46" W and parallel to the north line of SE¼ SW¼ of said Section 10, a distance of 1317.71 feet to a point on the west line of the SE¼ SW¼ of said Section 10; thence N 0°08'45" E, a distance of 329.31 feet to the Northwest corner of the SE¼ SW¼ of said Section 10; thence continuing N 0°08'45" E, a distance of 1323.86 feet to the Northwest corner of the NE¼ SW¼ of said Section 10; thence S 89°54'20" E, a distance of 1318.24 feet to the Point of Beginning; said described tract containing 114.26 acres, more or less.**

**And,**

**The surface only of:**

**The E½ of the W ½ and the NW¼ of the NE¼ in Section 9, Township 1 North, Range 4 East, Murray County, State of Oklahoma, containing 200 acres, more or less.**

**And,**

**The North Half (N½) of Blocks 56, 57 and 58, in the Town of Scullin, Murray County, State of Oklahoma.**

**And,**

**Lots 2 and 3 in Block 28; and Lot 7 in Block 54, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 in Block 56; and Lots 1, 2, 3, 4, 5 and 6 in Block 58; and Lot 6 in Block 97; and Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 in Block 98; all in the Town of Scullin, Murray County, State of Oklahoma, containing 30 acres, more or less.**

**(Funding from Water Development Fund)**

Mr. Holcomb stated the Contract for consideration was for the purchase of Water Rights over the Aquifer, approximately 344 acres of land in Murray County.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to purchase approximately 344 acres of water rights from M & L Cattle, LLC for the sum of \$103,200.00 (\$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 in the Contract and located in Murray County, 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 amendment to Ordinance No. 20-13, which amended Section 62-137, "Coronavirus (COVID19)" of Article IV, "Emergency Management" of Chapter 62, "Public Safety"; and declaring an emergency**

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

Council Members discussed the current ordinance in place concerning the Coronavirus, discussing if necessary amendments were needed to the present ordinance.

Council Members allowed citizens in attendance to speak on the Ordinance in consideration.

After considerable discussion, a motion was made by **Councilman Sewell**, seconded by **Councilman McFarlane** to enact **Ordinance No. 20-16, AN ORDINANCE AMENDING ORDINANCE 20-06 AND SUBSEQUENT AMENDMENTS, WHICH ADDED/AMENDED SECTION 62-137, "CORONAVIRUS (COVID19)" TO ARTICLE IV, "EMERGENCY MANAGEMENT" OF CHAPTER 62, "PUBLIC SAFETY", BY AMENDING AND REPLACING THE EXISTING SECTION 62-137 IN ITS ENTIRETY WITH CERTAIN RESTRICTIONS UPON BUSINESSES AND CITIZENS OF THE CITY OF ADA FOR THE PROTECTION OF THE PUBLIC HEALTH; SETTING FINE FOR THE VIOLATION OF SAID REQUIREMENTS, DUTIES AND RESTRICTIONS; ESTABLISHING ORDINANCE END DATE; AUTHORIZING CITY MANAGER TO MODIFY CITY SERVICES AS NEEDED IN RESPONSE TO THE STATE OF EMERGENCY, INCLUDING, BUT NOT LIMITED TO, HOURS OF OPERATION, PUBLIC**

**ACCESS, AND EMPLOYEE WORKING CONDITIONS; ALLOWING FOR SEVERABILITY; 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 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**

Ms. Lisa Bratcher, Public Information Officer, provided information concerning "Cruising Main" on August 21<sup>st</sup> on Main Street, with the showing of the movie "The Outsiders" at East Central University football parking lot on the same evening.

City Manager Holcomb expressed his appreciation to those involved in the reconstruction of the City Hall Council Chambers.

### **Persons to be heard on any matter not on the agenda**

Mr. Wayne Dulin, 313 West Cottage, discussed with the Council the mask mandate, and the problems the mask has costed him by losing jobs because of mask wearing.

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Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to recess the meeting of the Ada City Council. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

Following the meeting of the Ada Public Works Authority, motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to reconvene the meeting of the Ada City Council. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

**Executive session for discussion of annual performance evaluation of the City Manager [as provided in Title 25 O.S. Section 307(B)(1)]**

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to go into Executive Session for discussion of annual performance evaluation of the City Manager provided in Title 25.O.S. Section 307(B)(1)]. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

Council Members left the Council Chamber at 7:41 p.m.

The Council Members returned from Executive Session at 9:40 p.m.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Sewell** to reconvene the meeting of the Ada City Council. 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 Employment Agreement for City Manager**

Motion was made by **Councilman McFarlane**, seconded by **Councilman Sewell** to continue an Employment Agreement with City Manager, Robert Cody Holcomb. Mayor Landrum called for a vote taken with the following result:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion Carried 5-0.

**Adjournment**

There being no further business to become before the Ada City Council, Mayor Landrum adjourned the meeting at 9:43 p.m.

Attest: Sally Pool, City Clerk

Tre' Landrum, Mayor