

**CITY OF ADA
REGULAR MEETING
NOVEMBER 7, 2016**

The Ada City Council met in regular session, Monday, November 7, 2016 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, November 4, 2016 at 11:55 a.m.

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

Council Members Absent: None

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

Mayor Sewell led the audience in the Pledge of Allegiance.

Vice Mayor Preston Draper gave the invocation.

Discussion of and action on Consent Agenda

- 1. Consideration of the Minutes (October 17, 2016 meeting and October 19, 2016 special called meeting).**
- 2. Consideration of Contract for Services with Christmas Creators.**
- 3. Consideration of transfer of appropriations to the General Fund Park budget.**
- 4. Consideration of authorization to proceed to Small Claims Court on Robert Arthurton for a delinquent account in the amount of \$156.68, including collection fees, for a total of \$211.52.**
- 5. Consideration of receipt of committee/board recommendations and reports:

Ada Metropolitan Area Planning and Zoning Minutes of October 20, 2016**
- 6. Written reports from departments.**

Motion was made by **Councilman Draper**, 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 a resolution setting dates for City Council filing and election

Motion was made by **Councilman Draper**, seconded by **Councilman McFarlane** to adopt **Resolution No. 16-18A, a resolution setting dates for City Council filing and election**. 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 appointments to the Ada Housing Authority

Motion was made by **Councilman Morris**, seconded by **Councilman Draper** to reappoint Kevin Holland, Kurt Sweeney, Sue Gutierrez, Custer McFalls, and Sue Kaiser to the Ada Housing Authority for another three year term. 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 appointments to the Airport Commission

Motion was made by **Councilman Draper**, seconded by **Councilman Morris** to approve the reappointment of Don Childers, and Rodney Lowry to a five year term on the Airport Commission. 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 appointments to the Board of Zoning Adjustment

Motion was made by **Councilman Draper**, seconded by **Councilman Morris** to reappoint Amy Elliott, Russ Gurley, and Terry Scott to a three year term on the Board of Zoning Adjustment. 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 to replat a portion of the Hoppe Addition, located on the following described property:

All of Lot 1 and the north 98.00 feet of Lot 2, Block 1, Hoppe Addition, an Addition to the City of Ada, Pontotoc County, Oklahoma, being part of the

East Half of Section 27, Township 4 North, Range 6 East, of the Indian Meridian, Pontotoc County, Oklahoma.

This property is located at the southeast corner of North Texas and Lonnie Abbott Boulevard.

City Manager Holcomb advised he had received a request from Vaquero Ada Partners, LP, to replat a portion of the Hoppe Addition, explaining Vaquero Ada Partners, LP, had purchased the property at the southeast corner of North Texas and Lonnie Abbott Boulevard and are planning to replat the lot and a portion of another to make one lot.

Motion was made by **Councilman Draper**, seconded by **Councilman McFarlane** to approve to replat a portion of the Hoppe Addition, located at the southeast corner of North Texas and Lonnie Abbott Boulevard. 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 to Professional Services Agreement with LandPlan Consultants, Inc. for Construction Administration Services for the Glenwood and Wintersmith Pool Replacement Project

The City Manager advised the Amendment was necessary, stating the original contract secured their services for both the Glenwood and Wintersmith Aquatic Center, and at the time the contract was approved, the projection was the pools would be built simultaneously. City Manager Holcomb reported following additional design and study, the decision was made to build Wintersmith and wait until the following year to build Glenwood, so that a pool would remain open during the summer of 2016. The City Manager stated due to the change in plans, LandPlan Consultants, Inc. will be working an additional year to administer the construction of Glenwood Aquatic Center and additional fees are required in the amount of \$39,700.00 for administration of the project.

Motion was made by **Councilman Draper**, seconded by **Councilman McFarlane** to approve the Amendment to Professional Services Agreement with LandPlan Consultants, Inc. for Construction Administration Services for the Glenwood and Wintersmith Pool Replacement Project. 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 Professional Engineering Services Agreement with Infrastructure Solutions Group, LLC for Wintersmith Lake Silt Removal Project

Parks and Public Facilities Director, Scott Lowrance, discussed with Council the agreement for silt removal at Wintersmith Lake.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to approve Professional Engineering Services Agreement with Infrastructure Solutions Group, LLC for Wintersmith Lake Silt Removal Project. 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 Professional Engineering Services Agreement with Cowan Group Engineering, LLC for East Main Street Improvements

City Engineer, Gary Kinder, provided information on the Agreement with Cowan Group Engineering, reporting the Agreement would provide planning, design, bidding, and construction administration services for the East Main Street Improvements, from North Mississippi Avenue west, approximately 1200 feet. Mr. Kinder reported during the improvements to East Main, the roadway, the sidewalks, the waterline running underneath the roadway, and the storm drain located at Ada Paper Co. would all be addressed.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Draper** to approve Professional Engineering Services Agreement with Cowan Group Engineering, LLC for East Main Street Improvements. 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 Professional Design and Bidding Services Agreement with Burgess and Niple, Inc. for Fourteenth Street Bridge Project

City Manager Holcomb reported an Agreement had been negotiated with Burgess and Niple, Inc. for professional design and bidding services for the East 14th Street Bridge, located over the bike trail.

Motion was made by **Councilman Draper**, seconded by **Councilman McFarlane** to approve Professional Design and Bidding Services Agreement with Burgess and Niple, Inc. for Fourteenth Street Bridge Project. 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 bids for micro surfacing project

Public Works Director Carl Allen, discussed the micro surfacing project with the Council Members, reporting ten designated streets had been selected during the street evaluation process.

Motion was made by **Councilman Draper**, seconded by **Councilman McFarlane** to approve the bid from Vance Brothers of Oklahoma City, as the lowest responsible bid for the City of Ada, for micro surfacing project. 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 Collective Bargaining Agreement between the City of Ada and the Fraternal Order of Police, Lodge No. 111, for the 2016-2017 Fiscal Year

City Attorney Frank Stout reported the only change to the Agreement was a two percent salary increase over last year's Agreement.

Motion was made by **Councilman Morris**, seconded by **Councilman Draper** to approve Collective Bargaining Agreement between the City of Ada and the Fraternal Order of Police, Lodge No. 111, for the 2016-2017 Fiscal Year. 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 Amendment and Addendum to Contract for Sale of Real Estate with Lisa Phillips and Dunn's Fish Farm of Arkansas, Inc. for the purpose of purchasing real property; authorization for Mayor to execute said Amendment and Addendum and all other documents required for the closing of the purchase of said real property; said real property being described as: 17774 County Road 1600, Pontotoc County, Oklahoma, a/k/a Dunn's Fish Farm

Motion was made by **Councilman Draper**, seconded by **Councilman Morris** to approve Amendment and Addendum to Contract for Sale of Real Estate with Lisa Phillips and Dunn's Fish Farm of Arkansas, Inc. for the purpose of purchasing real property; authorization for Mayor to execute said Amendment and Addendum and all other documents required for the closing of the purchase of said real property; said real property being described as: 17774 County Road 1600, Pontotoc County, Oklahoma, a/k/a Dunn's Fish Farm. 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 levying a three-fourths (3/4) of one percent (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 streets and alleys, water system, and sewer system of the City; providing effective date; providing ending date; providing the provisions are cumulative; and providing for severability

City Manager Holcomb reported the Ordinance and the one following agenda item, also known as Prop 1 and Prop 2, are for the extension of the current infrastructure three-fourths of one percent tax, and one-fourth of one percent tax for economic development, which would be expiring in April 30, 2018, and these ordinances would be for the extension of both of these taxes, and not an additional tax.

Motion was made by **Councilman Draper**, seconded by **Councilman McFarlane** to enact **Ordinance No. 16-22, an ordinance levying a three-fourths (3/4) of one percent (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 streets and alleys, water system, and sewer system of the City; providing effective date; providing ending date; providing the provisions are cumulative; and providing for severability.** 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 levying a one-fourth (1/4) of one percent (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 economic development; providing effective date; providing ending date; providing the provisions are cumulative; and providing for severability

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to enact **Ordinance No. 16-23, an ordinance levying a one-fourth (1/4) of one percent (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 economic development; providing effective date; providing ending date; providing the provisions are cumulative; and providing for severability.** 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 authorizing the calling and holding of an election in the City of Ada, Oklahoma, on the 10th day of January, 2017, 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. 16-22, levying a three-fourths (3/4) of one percent (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 streets and alleys, water system, and sewer system of the City; providing effective date; providing ending date; providing the provisions are cumulative; providing for severability; and Ordinance No. 16-23, levying a one-fourth (1/4) of one percent (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 economic development; providing effective date; providing ending date; providing the provisions are cumulative; providing for severability

City Manager Holcomb reported the proposed resolution would authorizing the calling and holding of an election on January 10, 2017 to for the approval of Prop 1 and Prop 2.

Motion was made by **Councilman Draper**, seconded by **Councilman McFarlane** to adopt **Resolution No. 16-19A**, a resolution authorizing the calling and holding of an election in the City of Ada, Oklahoma, on the 10th day of January, 2017, 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. 16-22, levying a three-fourths (3/4) of one percent (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 streets and alleys, water system, and sewer system of the City; providing effective date; providing ending date; providing the provisions are cumulative; providing for severability; and Ordinance No. 16-23, levying a one-fourth (1/4) of one percent (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 economic development; providing effective date; providing ending date; providing the provisions are cumulative; providing for severability. Mayor Sewell called for the vote recorded as follows:

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

Reports by City Manager

Ms. Lisa Bratcher, Public Information Director, reported the Christmas Lights at Wintersmith Park, would be lighted on Tuesday, November 22, 2016 at 6:00 p.m., beginning with a Santa Stroll around the park, and with Governor Anotubby lighting the Christmas tree in front of Wintersmith Lodge.

Ms. Bratcher also reported an Open House for the new City of Ada Police Station would be held on Tuesday, November 29th from 5 – 7 p.m.

City Manager Holcomb introduced the new Community Development Director, Mr. Roger Abbott.

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 Sewell requested members reconvene as the governing board of the Ada Public Works Authority.

Attest: Sally Pool, City Clerk

Guy Sewell, Mayor
