

**CITY OF ADA
REGULAR MEETING
DECEMBER 3, 2018**

The Ada City Council met in regular session, Monday, December 3, 2018 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 30, 2018 at 2:45 p.m.

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

Council Members Absent: None

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

Mayor Landrum led the Pledge of Allegiance.

Mayor Landrum called for a moment of silence.

Discussion of and action on Consent Agenda

- 1. Consideration of the Minutes (November 5, 2018 meeting).**
- 2. Consideration of supplemental appropriation to the Special Revenue Fund Park/Tree Donations budget.**
- 3. Consideration of supplemental appropriation to the General Fund Park budget.**
- 4. Consideration of receipt of committee/board recommendations and reports:**

Ada Metropolitan Area Planning & Zoning Commission Minutes November 13, 2018
- 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 approval of Ada City Council 2019 Calendar Year Schedule of Regular Meetings

Motion was made by **Councilman McFarlane**, seconded by **Councilman Morris** to approve Ada City Council 2019 Calendar Year Schedule of Regular Meetings. Mayor Landrum called for a vote taken with the following results:

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 A-2, Suburban District, to C-1, Neighborhood Commercial District, Planned Unit Development, and declaring an emergency for the following described property:

A part of the W/2 of the south 3/4 of the E/2 SE/4 SE/4 of Section 26, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows: commencing at the southeast corner of said Section 26; thence S 89°30'50" W a distance of 329.83 feet to the southeast corner of the W/2 of the south 3/4 of the E/2 SE/4 SE/4; thence N 00°33'12" W along the east line of said tract a distance of 415.00 feet to the point of beginning; thence S 89°30'50" W a distance of 329.84 feet; thence N 00°33'16" W a distance of 312.04 feet to the northwest corner of said tract; thence N 89°29'54" E a distance of 329.84 feet to the northeast corner of said tract; thence S 00°33'12" E a distance of 312.13 feet to the point of beginning, containing 2.36 acres, more or less.

This property is also known as 2828 East Arlington.

(If passed, must consider Emergency Clause.)

City Manager Cody Holcomb presented the proposed resolution for consideration, stating the request to rezone the property on East Arlington was for the purpose of constructing a new motel. Mr. Holcomb advised this request had been recommended for approval by the Planning and Zoning Commission at their recent meeting on November 15, 2018.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Sewell** to adopt **Ordinance No. 18-14, an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from A-2, Suburban District, to C-1, Neighborhood Commercial District, Planned Unit Development, and declaring an emergency** for property known as 2828 East Arlington. Mayor Landrum called for a vote taken and is recorded as follows:

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 and the results are 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-2, Two-Family District, to AD-R, Arts District Residential Overlay District, and declaring an emergency for the following described property:

The west 2.7' of Lot 2 and all of Lots 3 and 4, Block 12, College Addition to the City of Ada, Oklahoma.

This property is also known as 909-921 East 14th Street.

(If passed, must consider Emergency Clause.)

City Manager Holcomb addressed the request for rezoning the property in the 900 Block of East 14th, reporting it is currently zoned R-2, Two Family District. Mr. Holcomb explained the request is to rezone to AD-R, Arts District Residential Overlay, with future plans to construct new apartments at this location. The City Manager advised the City Staff and the Planning and Zoning Commission recommended approval of the request, with a Use Permitted on Review for apartments.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to enact **Ordinance No. 18-15, an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from R-2, Two-Family District, to AD-R, Arts District Residential Overlay District, and declaring an emergency.** Mayor Landrum called for a vote taken and the results are as follows:

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 and the results are as follows:

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 an AD-R, Arts District Residential Overlay District, within the City of Ada for a Use Permitted on Review for apartments on the following described property:

The west 2.7' of Lot 2 and all of Lots 3 and 4, Block 12, College Addition to the City of Ada, Oklahoma.

This property is also known as 909-921 East 14th Street.

Motion was made by **Councilman Morris**, seconded by **Councilman McFarlane** to adopt **Resolution 18-24A, a resolution authorizing the use of certain property in an AD-R, Arts District Residential Overlay District, within the City of Ada for a Use Permitted on Review for apartments** for property known as 909-921 East 14th Street. Mayor Landrum called for a vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell

NAY: None

Motion carried 5-0.

Discussion of and action on an ordinance amending Chapter 42, “Licenses and Business Regulations”, by adding Article XV, “Medical Marijuana”, which establishes regulations for retail medical marijuana establishments, commercial marijuana growing and processing facilities, marijuana growing facilities for personal use, prohibition against smoking or vaping marijuana on City property; providing for severability; repealing all ordinances to the contrary and declaring an emergency

(If passed, must consider Emergency Clause.)

City Attorney Frank Stout stated he had composed two versions of the ordinance, with one version including the 300-foot setback between medical marijuana related businesses and churches and the other version omitted it.

Mayor Landrum called for those in the audience wanting to address the Council, to please come to the podium stating their name and address, discussing their pros and cons of the proposed ordinance.

Motion was made by **Councilman Sewell**, seconded by **Councilman McFarlane** to enact **Ordinance No. 18-16, an ordinance amending Chapter 42, “Licenses and Business Regulations”, by adding Article XV, “Medical Marijuana”, which establishes regulations for retail medical marijuana establishments, commercial marijuana growing and processing facilities, marijuana growing facilities for personal use, prohibition against smoking or vaping marijuana on City property; providing for severability; repealing all ordinances to the contrary and declaring an emergency, adding the 300 foot church distance restriction.** Mayor Landrum called for a vote taken and the results are as follows:

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

Motion was made by **Councilman Sewell**, seconded by **Councilman McFarlane** to invoke the emergency clause. Mayor Landrum called for the vote taken and the results are as follows:

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

Discussion of and action on an ordinance amending “Chapter 58 – Planning, Zoning and Development” of the City of Ada Code of Ordinances by adding “Subdivision III. – Medical Marijuana Zoning” to Division 4 of “Article III. – Zoning”; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency

(If passed, must consider Emergency Clause.)

City Manager Holcomb stated this proposed ordinance would amend our current zoning ordinances to include zoning districts where medical marijuana growing, processing, and dispensing would be allowed.

Mayor Landrum once again called for those of the audience who wanted to discuss the pros and cons of the proposed zoning to come to the podium.

Motion was made by **Councilman McFarlin**, seconded by **Councilman Sewell** to enact **Ordinance 18-17, an ordinance amending “Chapter 58 – Planning, Zoning and Development” of the City of Ada Code of Ordinances by adding “Subdivision III. – Medical Marijuana Zoning” to Division 4 of “Article III. – Zoning”; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency**, to include the zoning for Growing in A-1, A-2 , I-2, and I-3, Processing in I-2 and I-3, and Dispensing zoned as C-2.

There was further discussion among the Council on considering Use Permitted on Review in I-2 zoning.

Councilman McFarlin amended his motion to enact **Ordinance 18-17, an ordinance amending “Chapter 58 – Planning, Zoning and Development” of the City of Ada Code of Ordinances by adding “Subdivision III. – Medical Marijuana Zoning” to Division 4 of “Article III. – Zoning”; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency**, to include the zoning for Growing in A-1, A-2 , I-2 with Use Permitted on Review, and I-3, Processing in I-2 with Use Permitted on Review, and I-3, and Dispensing zoned as C-2. The motion was seconded by **Councilman Sewell**. Mayor Landrum called for the vote taken and the results are as follows:

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

Motion was made by **Councilman McFarlin**, seconded by **Councilman Sewell** to invoke the emergency clause. Mayor Landrum called for the vote taken and the results are as follows:

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

Discussion of and action on request to surplus inventory for online auction, sale or disposal

The following items were considered as surplus inventory:

Inventory Tag #	ADA #	Year	Item Description	Serial Number	Dept	Location
3-41485	R4	1997	Chevy 1T Rescue Truck	1GBJK34F0VF023401	07	Yard
3-35145	3916	1992	GMC Water Truck	J8DM7A1UXN3200554	39	Yard
3-25529	3420	1987	Chevy ½ R10 PU	1GCDR14H8HS143601	34	Yard
010516		2002	Warren Sanding Unit	SC14321	09	Yard
010928			Ice Machine		30	Yard
			¾" Water Meters	Qty-31		
			1" Water Meters	Qty-2		
			½" Water Meters	Qty-1		
*			60' Rohn 25 Antenna			

*See Attached request to donate the antenna to the Town of Byng which will improve County wide radio communication and assist as a backup.

Motion was made by **Councilman McFarlane**, seconded by **Councilman Sewell** to approve request to surplus inventory for online auction, sale or disposal. Mayor Landrum called for the vote taken and the results are as follows:

AYE: Landrum, McFarlane, McFarlin, Morris, Sewell
NAY: None
Motion carried 5-0.

Reports by City Manager

There were no reports by City Manager Holcomb.

Public Information Officer Lisa Bratcher provided information on upcoming holiday activities.

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