

**CITY OF ADA
REGULAR MEETING
NOVEMBER 2, 2015**

The Ada City Council met in regular session, Monday, November 2, 2015 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 30, 2015 at 12:35 p.m.

Council Members Present: Preston Draper, Greg McCortney,
Bryan Morris, Guy Sewell

Council Members Absent: Ben McFarlane

Councilman Greg McCortney gave the invocation.

Discussion of and action on Consent Agenda

1. Consideration of the Minutes (October 19, 2015 special called meeting and October 19, 2015 regularly scheduled meeting).
2. Consideration of Memorandum of Understanding with the Ada Boys and Girls Club, Inc. to allow for waiver of landfill fees in exchange for use of parking lot for Matthews Park events.
3. Consideration of receipt of Oklahoma State Department of Health Permit No. 62150133, for the construction of the Wintersmith Pool facility.
4. Consideration of supplemental appropriation to the General Fund Police budget (Police Reserve Program).
5. Consideration of transfer of appropriations within the General Fund Police budget (Police Reserve Program).
6. Consideration of supplemental appropriation to the General Fund Police budget (Radar Trailer w/Radar Gun – Grant).
7. Consideration of supplemental appropriation to the General Fund Street budget.
8. Consideration of supplemental appropriation to the Special Revenue Fund Sales Tax-Infrastructure Asphalt Plant budget.
9. Consideration of authorization to proceed to Small Claims Court on Penny Boney for a delinquent account in the amount of \$74.81.
10. Consideration of authorization to proceed to Small Claims Court on Jason Odom for a delinquent account in the amount of \$64.68.

11. Consideration of receipt of committee/board recommendations and reports:None
12. Written reports from departments.

The motion was made by **Councilman Draper and** seconded by **Councilman Morris** to approve the Consent Agenda as presented. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, 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.

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-1, Neighborhood Commercial District, and declaring an emergency for the following described property:

All of Lot 1 and Lot 2, of Keel Subdivision to the City of Ada, Oklahoma.

This property is also known as 1228 and 1230 North Texas.

(If passed, must consider Emergency Clause.)

City Manager Holcomb reported this rezoning request was from Mr. Lynne Hoppe, dba CDE Holdings, to change the zoning of two lots with single-family houses on the east side of Texas Street, at the far north end. The City Manager reported the plans of Mr. Hoppe are to construct a commercial parking lot that will be used for the recently constructed offices on Hoppe Boulevard. City Manager Holcomb advised that the Planning & Zoning Commission had recommended approval of the rezoning request.

Councilman Draper discussed the mayhem of traffic accessing Lonnie Abbott Boulevard.

Motion was made by **Councilman Morris** and seconded by **Councilman McCortney** to enact **Ordinance No. 15-22, 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, Neighborhood Commercial District, and declaring an emergency.** Mayor Sewell called for the vote recorded as follows:

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

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

AYE Draper, McCortney, Morris, Sewell

NAY: None

Motion carried 4-0.

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 and I-1, Light Industrial District, to C-2, General Commercial District, and declaring an emergency for the following described property:

A tract of land in the NW/4 of Section 27, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, and being more particularly described as follows: Commencing at the northeast corner of said NW/4 of Section 27; thence S 0°01'20" W along the east line of said NW/4 a distance of 289.08 feet to the point of beginning, said point being on the approximate centerline of Little Sandy Creek; thence along said centerline as follows: N 59°34'33" W a distance of 69.65 feet; thence N 70°13'49" W a distance of 206.59 feet; thence S 61°35'05" W a distance of 361.23 feet; thence N 66°58'17" W a distance of 78.86 feet; thence N 6°34'14" E a distance of 272.19 feet; thence S 79°04'29" W a distance of 239.66 feet; thence S 58°56'24" W a distance of 290.53 feet; thence N 82°26'37" W a distance of 101.22 feet; thence S 31°18'28" W a distance of 258.27 feet; thence S 25°09'52" W a distance of 155.70 feet; thence S 14°23'32" W a distance of 206.75 feet; thence S 82°36'47" W a distance of 91.57 feet; thence S 37°53'15" W a distance of 280.57 feet; thence N 79°15'55" W a distance of 164.00 feet; thence S 70°15'25" W a distance of 83.82 feet; thence S 22°08'09" W a distance of 73.74 feet; thence S 30°45'35" E a distance of 102.09 feet; thence S 36°48'22" W a distance of 161.97 feet to a point on the north line of the SW/4 NW/4 of said Section 27; thence N 89°52'01" W along said north line a distance of 615.98 feet to a point on the west line of said NW/4 of Section 27; thence S 0°10'22" E along said west line a distance of 299.97 feet; thence N 89°54'04" E a distance of 865.00 feet; thence S 22°27'27" W a distance of 108.97 feet; thence S 38°26'25" W a distance of 50.58 feet; thence S 53°28'16" W a distance of 166.48 feet; thence S 41°56'16" W a distance of 80.44 feet; thence S 0°01'20" W a distance of 305.83 feet; thence S 83°38'58" E a distance of 60.37 feet; thence N 0°01'20" E a distance of 214.13 feet; thence S 88°57'27" E a distance of 200.00 feet; thence N 0°01'20" E a distance of 234.66 feet; thence S 88°36'24" E a distance of 40.87 feet; thence S 51°15'16" E a distance of 110.62 feet to a point on the west line of North Hills Shopping Center property; thence N 0°01'20" E a distance of 786.55 feet; thence N 45°01'20" E a distance of 385.00 feet; thence S 44°58'40" E a distance of 115.00 feet; thence S 89°58'40" E a distance of 620.00 feet; thence N 45°01'20" E a distance of 240.00 feet; thence S 44°58'40" E a distance of 290.00 feet; thence S 0°01'20"

W a distance of 345.00 feet; thence S 89°58'40" E a distance of 120.00 feet to a point 180.00 feet west of the east line of the NW/4 of said Section 27; thence S 0°01'20" W and parallel with the east line of said NW/4 a distance of 689.95 feet to a point on the north right-of-way line of the Pontotoc County Industrial Access Road; thence easterly along a curve to the right having a radius of 5809.56 feet and a central angle of 9°10'19", an arc distance of 180.53 feet to a point on the east line of said NW/4 of Section 27; thence N 0°01'20" E along said east line a distance of 1639.90 feet to the point of beginning, containing 36.97 acres, more or less.

And,

A tract of land located in the Southeast Quarter of the Northeast Quarter of the Northwest Quarter (SE/4 NE/4 NW/4) and the Southeast Quarter of the Northwest Quarter (SE/4 NW/4) of Section Twenty-Seven (27), Township Four (4) North, Range Six (6) East of the Indian Base and Meridian, Pontotoc County, Oklahoma, being more particularly described as follows: commencing at the southeast corner of the Northwest Quarter (SE/cor. NW/4) of Section Twenty-Seven (27), Township Four (4) North, Range Six (6) East of the Indian Base and Meridian, Pontotoc County, Oklahoma; thence N 0°01'20" E, along the east line of said NW/4, a distance of 710.63 feet, to a point on the north right-of-way line of Lonnie Abbott Industrial Boulevard, said point being the point of beginning; thence along the north right-of-way line of said Lonnie Abbott Industrial Boulevard, on a non-tangent curve to the left having a radius of 5809.56 feet, a chord length of 180.66 feet and a chord bearing of S 85°36'26" W, a distance of 180.67 feet; thence N 0°01'20" E, parallel with the east line of said NW/4, a distance of 732.92 feet; thence S 89°58'40" E, a distance of 180.12 feet, to a point on the east line of said NW/4; thence S 0°01'20" W, along the east line of said NW/4, a distance of 719.02 feet, to the point of beginning; said tract containing 3.0 acres of land, more or less.

And,

A tract of land located in the Southeast Quarter of the Northeast Quarter of the Northwest Quarter (SE/4 NE/4 NW/4) of Section Twenty-Seven (27), Township Four (4) North, Range Six (6) East of the Indian Base and Meridian, Pontotoc County, Oklahoma, being more particularly described as follows: commencing at the southeast corner of the Northwest Quarter (SE/cor. NW/4) of Section Twenty-Seven (27), Township Four (4) North, Range Six (6) East of the Indian Base and Meridian, Pontotoc County, Oklahoma; thence N 0°01'20" E, along the east line of said NW/4, a distance of 1429.65 feet, to the point of beginning; thence N 89°58'40" W, a distance of 180.12 feet; thence S 0°01'20" W, parallel with the east line of said NW/4, a distance of 42.97 feet; thence N 89°58'40" W, a distance of 120.00 feet; thence

N 0°01'20" E, parallel with the east line of said NW/4, a distance of 315.76 feet; thence S 89°58'40" E, a distance of 300.12 feet, to a point on the east line of said NW/4; thence S 0°01'20" W, along the east line of said NW/4, a distance of 272.79 feet, to the point of beginning; said tract containing 2.0 acres of land, more or less.

Less and Except,

A tract of land in the SW/4 of NW/4 of Section 27, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows; beginning at the northwest corner of said SW/4 of NW/4 a distance of 511.00 feet; thence S 00°10'12" E a distance of 237.90 feet; thence S 89°54'04" W a distance of 511.00 feet to a point on the west line of said SW/4 of NW/4; thence N 00°10'22" W along said west line a distance of 239.97 feet to the point of beginning, containing 2.80 acres, more or less.

This property is located around the east, north, and west sides of the perimeter of North Hills Shopping Center.

(If passed, must consider Emergency Clause.)

City Manager Holcomb presented the rezoning request of Mr. Brian Van Horn to change the zoning of the property surrounding North Hills Shopping Center on all sides except the south side, for the construction of a hotel and apartments. The City Manager advised the Planning and Zoning Commission recommends approval of the request.

Mr. Todd Kennemer, Community Development Director, discussed with Council the location of the property, stating it is surrounded by the flood plain on one side and commercial development on the other sides.

Motion was made by **Councilman Morris** and seconded by **Councilman McCortney** to enact **Ordinance No. 15-23, an ordinance providing for the re-zoning of certain property within the City of Ada, Oklahoma, from R-1, One-Family District and I-1, Light Industrial District, to C-2, General Commercial District, and declaring an emergency.** Mayor Sewell called for the vote recorded as follows:

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

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

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

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:

Lots 1, 2 and 3 in Block 5, Sunset Addition to the City of Ada, Oklahoma.

This property is located on the southwest corner of 12th and Maywood.

(If passed, must consider Emergency Clause.)

City Manager Holcomb discussed the request of Mr. Orville Cottrell to rezone the property at 1001-1005 West 12th Street. Mr. Holcomb advised the Planning & Zoning Commission had recommended approval of the request.

Mr. Cottrell addressed the Council concerning this rezoning request, and his plans to construct apartments at this location.

The Council discussed re-zoning to R-3, Multiple-Family District instead of C-2 General Commercial District.

Motion was made by **Councilman Draper** and seconded by **Councilman McCortney** to enact **Ordinance No. 15-24, 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.** Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, Morris, Sewell

NAY: None

Motion carried 4-0.

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

AYE Draper, McCortney, Morris, Sewell

NAY: None

Motion carried 4-0.

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:

The west 150 feet of Lot 28 of Sunnyside Acres Subdivision of Blocks 13, 14, 15 and 16 of Arlington Addition to the City of Ada, Oklahoma, according to the recorded plat thereof.

This property is located in the 700 Block of Gardena, south side, adjacent to/east of the old bowling alley.

(If passed, must consider Emergency Clause.)

City Manager Holcomb reported the re-zoning request had been made by Sovereign Properties Holdco, LLC, a subsidiary of the Chickasaw Nation. The plans are to soon convert the old bowling alley building into offices, and the property at 731 East Gardena will be for additional parking spaces. Mr. Holcomb advised the Planning and Zoning Commission had recommended approval of the request.

Motion was made by **Councilman McCortney** and seconded by **Councilman Morris** to enact **Ordinance No. 15-25, 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.** Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, Morris, Sewell

NAY: None

Motion carried 4-0.

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

AYE Draper, McCortney, Morris, Sewell

NAY: None

Motion carried 4-0.

Discussion of and action on request from Dr. Bryan Blanck for site plan approval for a medical office in a C-1, Neighborhood Commercial District, Planned Unit Development, to be located on the following described property:

Lot 5, Block 2, Norris Hills Addition, City of Ada, Oklahoma.

This property is located west of Citizen's Bank on Arlington, also known as 1631 Arlington.

Mr. Holcomb reported this site plan had been approved by the Planning and Zoning Commission, providing the ingress/egress, drainage, sidewalk, and landscaping items had been addressed. City Manager Holcomb advised all of the items had been addressed, except the landscaping, which is not required and the site plan does meet the City of Ada's requirements.

Motion was made by **Councilman McCortney** and seconded by **Councilman Morris** to approve the request from Dr. Bryan Blanck for site plan approval for a medical office in a C-1, Neighborhood Commercial District, Planned Unit Development, for property located west of Citizen's Bank on Arlington, also known as 1631 Arlington. Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on Change Order No. 3 to contract with MacHill Construction Company, Inc., for Ada Sports Complex

The City Manager advised MacHill Construction had encountered rock that would need to be excavated before the work could continue. Mr. Holcomb advised the Change Order would be a not-to-exceed amount of \$151,600.00.

Motion was made by **Councilman Morris** and seconded by **Councilman Draper** to approve Change Order No. 3 to contract with MacHill Construction Company, Inc., for Ada Sports Complex. Mayor Sewell called for the vote recorded as follows:

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

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

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

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

Discussion of and action on a resolution concerning bridge inspection responsibility by local government for compliance with National Bridge Inspection Standards

Motion was made by **Councilman Draper** and seconded by **Councilman McCortney** to approve **Resolution No. 15-22A, a resolution concerning bridge inspection responsibility by local government for compliance with National Bridge Inspection Standards**. Mayor Sewell called for the vote recorded as follows:

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

Discussion of and action on Amendment No. Nine-Revised (9R) to Professional Services Agreement with Delta Airport Consultants, Inc. in the Not-to-Exceed amount of \$59,500.00 for services associated with the development of the Airport Industrial Park

City Manager Holcomb advised this Amendment was for services associated with studying the future development of the east side of the airfield, and for developing noise contour data in accordance with the FAA's request. The cost is a not-to-exceed amount of \$59,500.00.

Motion was made by **Councilman McCortney** and seconded by **Councilman Morris** to approve Amendment No. Nine-Revised (9R) to Professional Services Agreement with Delta Airport Consultants, Inc. in the Not-to-Exceed amount of \$59,500.00 for services associated with the development of the Airport Industrial Park. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, Morris, Sewell

NAY: None

Motion carried 4-0.

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

Finance Director, Donna Doolen, discussed the revised fee resolution, removing the two percent online payment fee for credit card payments.

Motion was made by **Councilman Draper** and seconded by **Councilman McCortney** to approve **Resolution No. 15-23A, on a resolution establishing miscellaneous fees and charges as provided by the Code of Ordinances of the City of Ada, Oklahoma.** Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, Morris, Sewell

NAY: None

Motion carried 4-0.

Discussion of and action on approval to surplus various items for E-Waste recycling

Motion was made by **Councilman Morris** and seconded by **Councilman Draper** to surplus various items listed in the agenda for E-Waste recycling. Mayor Sewell called for the vote recorded as follows:

AYE Draper, McCortney, Morris, Sewell

NAY: None

Motion carried 4-0.

Reports by City Manager

Parks and Public Facilities Director, Randy McFarlin, reported the construction of a temporary foot bridge to be installed and used until the sidewalk bridge behind the dam at Wintersmith Park could be repaired.

Mr. McFarlin presented the trophy awarding the Tobacco Settlement Endowment Grant, and \$100,000.00 to the City of Ada, stating the grant funds would be used for replacement of lights around Wintersmith Park.

Fire Chief Rob Johnson gave an update on the emergency warning sirens.

Lisa Bratcher reported the “Trail of Lights” at Wintersmith Park would be turned on Monday, November 23, 2015 at 6:00 p.m. The night would host a Santa Stroll to view the lights, and returning to the Wintersmith Lodge for the lighting of the thirty foot Christmas Tree, following with children’s activities and pictures with Santa inside Wintersmith Lodge.

Persons to be heard on any matter not on the agenda

Councilman Draper applauded the efforts of who made the recent special called meeting of the Ada City Council happen at Willard Grade Center.

Adjournment

There being no further business to come before the Ada City Council, Mayor Sewell adjourned the meeting and requested members reconvene as the governing body of the Ada Public Works Authority.

Attest: Sally Pool, City Clerk

Guy Sewell, Mayor