

CITY OF ADA COUNCIL AGENDA

Dr. Ray L. Stout City Council Chamber
City Hall - 231 South Townsend

Monday, December 7, 2020

5:45 p.m.

If special interpretive services are needed, please contact the City Manager's office no later than 9:00 a.m. on December 4, 2020.

1. Call to order.
2. Pledge of Allegiance.
3. Invocation.
4. Discussion of and action on Consent Agenda.
5. Discussion of and action on items removed from the Consent Agenda.
6. Discussion of and action on approval of Ada City Council 2021 Calendar Year Schedule of Regular Meetings.
7. Discussion of and action on an ordinance amending Chapter 58, Planning, Zoning and Development, of the Code of Ordinances of the City of Ada, Oklahoma, by amending Section 58-542, "Certification of Design", of Article IV, Division 2. "Plats", to add the requirement of signature by surveyor and delete the requirement of signature by registered engineer preparing the plat; providing for repealer; providing for severability; and declaring an emergency.

(If passed, must consider Emergency Clause.)

8. Discussion of and action on an ordinance amending Chapter 58, Planning, Zoning and Development, of the Code of Ordinances of the City of Ada, Oklahoma, by amending Section 58-543, "Contents of Preliminary Plat", of Article IV, Division 2. "Plats", to add to Subsection (3) the requirement of signature by registered surveyor and delete the requirement of signature by registered engineer preparing the plat; providing for repealer; providing for severability; and declaring an emergency.

(If passed, must consider Emergency Clause.)

9. Discussion of and action on an ordinance amending Chapter 58, Planning, Zoning and Development, of the Code of Ordinances of the City of Ada, Oklahoma, by amending Section 58-548, "Contents of Final Plat", of Article IV, Division 2. "Plats", to add to Subsection (13)(b), the requirement of signature by surveyor and delete the requirement of signature by engineer; providing for repealer; providing for severability; and declaring an emergency.

(If passed, must consider Emergency Clause.)

10. Discussion of and action on an ordinance amending Chapter 58, Planning, Zoning and Development, of the Code of Ordinances of the City of Ada, Oklahoma, by amending Section 58-98, "Procedure", of Subdivision II. "Board of Adjustment", to change the number of concurring votes required for certain actions; providing for repealer; providing for severability; and declaring an emergency.

(If passed, must consider Emergency Clause.)

11. Public hearing and discussion of and action on a resolution authorizing the use of certain property in an I-2, Light Industrial District, within the City of Ada for a Use Permitted on Review in an I-2, Light Industrial District, for a medical marijuana grow, on the following described property:

A part of the SE/4 of NE/4 of NW/4 and a part of the NE/4 of SE/4 of NW/4 of Section 32, Township Four (4) North, Range Six (6) East, Pontotoc County, Oklahoma, being more particularly described as follows:

Commencing at the northwest corner of the NE/4 of SE/4 of NW/4 of Section 32; thence S 00°42'39" E along the west line of said NE/4 of SE/4 of NW/4 a distance of 20.25 feet to the point of beginning; thence continuing S 00°42'39" E a distance of 269.75 feet; thence N 89°30'05" E and parallel with the north line of said NE/4 of SE/4 of NW/4 a distance of 200.00 feet to the southwest corner of a tract of land described in Book 1017, Page 338; thence N 41°06'39" E a distance of 171.00 feet to a point on the southeasterly right-of-way line of old State Highway No. 19; thence northwesterly along said right-of-way on a curve to the right, having a radius of 1472.7 feet for a distance of 271.56 feet (having a Chord Bearing of N 47°13'13" W and a Chord distance of

271.18 feet); thence N 42°46'48" W along said right-of-way a distance of 47.93 feet; thence S 46°23'08" W a distance of 116.28 feet to the point of beginning, containing 1.65 acres, more or less.

This property is located at 1315, 1319, and 1325 Sandy Creek Drive.

12. Discussion of and action on review and approval of the final plat of a residential subdivision to be known as "Timber Lake" on the following described property:

A part of the N/2 SE/4 SE/4 and part of the S/2 NE/4 SE/4 and all that part of the E/2 SW/4 SE/4 and the NW/4 SE/4 lying east of U.S. Highway 377 right-of-way in Section 8, Township 4 North, Range 6 East, Pontotoc County, Oklahoma, more particularly described as follows: commencing at the southeast corner of said Section 8; thence N 00°47'35" W a distance of 659.74 feet to the southeast corner of the N/2 SE/4 SE/4; thence S 89°14'11" W along the south line of the N/2 SE/4 SE/4 a distance of 842.52 feet to the point of beginning; thence continuing S 89°14'11" W along said south line a distance of 477.34 feet to the southwest corner of the N/2 SE/4 SE/4; thence S 00°48'12" E a distance of 659.81 feet to the southeast corner of the E/2 SW/4 SE/4; thence S 89°14'00" W a distance of 369.91 feet to a point on the east right-of-way of U.S. Highway 377; thence along said right-of-way on a curve to the right having a radius of 3544.72 feet for a distance of 2047.28 feet (Chord Bearing: N 10°35'17" E, Chord Distance: 2018.94 feet) to a point on the north line of the S/2 NE/4 SE/4; thence N 89°14'32" E along the north line of the S/2 NE/4 of SE/4 a distance of 963.75 feet; thence S 00°47'34" E a distance of 630.99 feet to a point on a centerline a 50' road and utility easement; thence N 88°48'21" W along said centerline a distance of 127.46 feet; thence S 84°06'52" W along said centerline a distance of 239.79 feet; thence along said centerline on a curve to the left having a radius of 400.00 feet for a distance of 155.97 feet (Chord Bearing: S 72°56'36" W, Chord Distance: 154.99 feet); thence S 00°47'35" E a distance of 627.99 feet to the point of beginning, containing 34.37 acres, more or less.

This property is located at the northeast corner of the intersection of State Highway 377 and County Road 1510. (The property is located mainly in the County

with a 200' strip along the western side that is in the city limits of Ada.)

13. Discussion of and action on site plan approval in a C-2, General Commercial District, Planned Unit Development, for a commercial development at the following described location:

A part of Lot 3, Block 1, of Stone Creek Addition.

This property is located at 1400 Lonnie Abbott Industrial Boulevard.

14. Discussion of and action on approval of Agreement with Pontotoc County Rural Water District No. 6.
15. Discussion of and action on the purchase of approximately 204 acres of water rights from Johnathan and Linda Eager for the sum of \$61,200.00 (\$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:

Pontotoc County, Oklahoma, to-wit:

In and to a part of the S 1/2 of Section 14, Township 1 North, Range 5 East, more particularly described as follows to-wit: Beginning at the southeast corner of Section 14, thence north approximately 2640 feet to the northeast corner of said S 1/2 of Section 14; thence west along the north line of said S 1/2 of Section 14, a distance of 3225 feet; thence southerly approximately 2655.7 feet to a point on the south line of said S 1/2 of Section 14, said point being 3513 feet west of the point of beginning; thence east 3513 feet to the point of beginning, Pontotoc County, Oklahoma, LESS AND EXCEPT the old Horseshoe Cemetery located on said property with rights of ingress and egress perpetually reserved thereto, said property containing 204 acres, more or less.

(Funding from Water Development Fund)

16. Discussion of and action on the purchase of approximately 1442.45 acres of water rights from Roger Kite, Rhonda Kay Fields (nee Kite), Rhonda Kay Fields, as Trustee of Haskell A. Kite Testamentary Trust for benefit of Joshua Dean Fields and Jace Darrell Kite Fields for the sum of

\$432,735.00 (\$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:

The East Half of the Northeast Quarter (E 1/2 NE 1/4) of Section 9, Township 1 South, Range 4 East, Murray County, Oklahoma, containing 80 acres more or less, LESS AND EXCEPT the oil, gas and other minerals and mineral rights previously reserved or conveyed of record.

All that part of the E 1/4 of the NE 1/4 lying west of State Highway #12 (now Highway #1) and east of the Frisco Railroad (now Burlington Northern and Santa Fe Railway), right-of-way, in Section 23, 1N, 4E, of the Indian Base and Meridian, in Murray County, State of Oklahoma. (21 acres)

The SE/4 NE/4 SE/4 and E/2 SE/4 SE/4 and all that part of the NE/4 NE/4 SE/4 lying east of the railroad right-of-way, Section 14, 1N, 4E, Murray County, Oklahoma. (30 acres)

The E/2 SE/4 NW/4 SE/4; NE/4 SW/4 SE/4; SE/4 NW/4 SW/4 SE/4; E/2 SW/4 SW/4 SE/4; SW/4 SW/4 SW/4 SE/4; SE/4 SW/4 SE/4 and W/2 SE and SE SE and S/2 NE SE of Section 3, Township 1 North, Range 3 East, Indian Base Meridian, Murray County, Oklahoma; LESS AND EXCEPT all of the oil, gas, and other minerals. (83 acres)

Also, premises situated in Johnston County, Oklahoma, to-wit:

The northwest 8.06 acres of Lot 4, Less 2.83 acres for the St. Louis and San Francisco Railway right-of-way, in Section 2; and all the remaining portion of the W/2 of Section 2 lying west of said railroad right-of-way, LESS AND EXCEPT a tract located in the south half of Section 11 more particularly described as follows; Beginning at the southwest corner of said Section 11, thence east along the south section line 736.82 feet, thence north a distance of 30 feet to the point of beginning of said tract on the right-of-way of said county road, thence north a distance of 1300 feet, thence east a distance of 2089.85 feet to a point on

the west right-of-way of the St. Louis & San Francisco Railroad, thence along a curve to the left of radius 3107.93 feet and Delta angle of 29°35' a distance of 1604.71 feet along said railroad right-of-way to a point at the intersection of the railroad right-of-way and the county road right-of-way, thence west along the county road right-of-way a distance of 3000 feet to the point of beginning; and ALL of Section 3; and the north half (N/2) of Section 10, all in Township 1 South, Range 4 East, JOHNSTON COUNTY, OKLAHOMA, containing 1228.45 acres more or less, LESS AND EXCEPT the oil, gas and other minerals and mineral rights previously reserved or conveyed of record.

(Funding from Water Development Fund)

17. Discussion of and action on the purchase of approximately 79 acres of water rights from Phyllis and James Silva for the sum of \$23,700.00 (\$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:

Pontotoc County, Oklahoma, to-wit:

The SE SE and S/2 NE SE and E/2 SW SE less 1 acre for cemetery of Section 32, Township 2 North, Range 6 East, Pontotoc County, Oklahoma, containing 79 acres, more or less.

(Funding from Water Development Fund)

18. Discussion of and action on an ordinance amending Section 2-64, titled "Salaries Generally" of the Code of Ordinances of the City of Ada, Oklahoma, and declaring an emergency.

(If passed, must consider Emergency Clause.)

19. Discussion of and action on a resolution authorizing a one-time merit bonus and additional day off for employees of the City of Ada and the Ada Public Works Authority; providing for approval of the Police and Fire Unions; providing for effective date; and providing for payment date.
20. Discussion of and action on amendment to Ordinance No. 20-28, 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.)

21. Reports by City Manager and/or City Staff.
22. Persons to be heard on any matter not on the agenda.
23. Adjournment.

ADA PUBLIC WORKS AUTHORITY AGENDA

Date: Monday, December 7, 2020

Time: Immediately following adjournment of Ada City Council meeting.

1. Call to order.
2. Discussion of and action on Consent Agenda.
3. Discussion of and action on items removed from the Consent Agenda.
4. Discussion of and action on approval of Ada Public Works Authority 2021 Calendar Year Schedule of Regular Meetings.
5. Discussion of and action on approval of Agreement with Pontotoc County Rural Water District No. 6.
6. Discussion of and action on the purchase of approximately 204 acres of water rights from Johnathan and Linda Eager for the sum of \$61,200.00 (\$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:

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approximately 2655.7 feet to a point on the south line of said S 1/2 of Section 14, said point being 3513 feet west of the point of beginning; thence east 3513 feet to the point of beginning, Pontotoc County, Oklahoma, LESS AND EXCEPT the old Horseshoe Cemetery located on said property with rights of ingress and egress perpetually reserved thereto, said property containing 204 acres, more or less.

(Funding from Water Development Fund)

7. Discussion of and action on the purchase of approximately 1442.45 acres of water rights from Roger Kite, Rhonda Kay Fields (nee Kite), Rhonda Kay Fields, as Trustee of Haskell A. Kite Testamentary Trust for benefit of Joshua Dean Fields and Jace Darrell Kite Fields for the sum of \$432,735.00 (\$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:

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The E/2 SE/4 NW/4 SE/4; NE/4 SW/4 SE/4; SE/4 NW/4 SW/4 SE/4; E/2 SW/4 SW/4 SE/4; SW/4 SW/4 SW/4 SE/4; SE/4 SW/4 SE/4 and W/2 SE and SE SE and S/2 NE SE of Section 3, Township 1 North, Range 3 East, Indian Base Meridian, Murray County, Oklahoma; LESS AND EXCEPT all of the oil, gas, and other minerals. (83 acres)

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10. Reports by Authority Manager and/or APWA Staff.
11. Persons to be heard on any matter not on the agenda.
12. Adjournment.