

# OWASSO CITY COUNCIL

## MINUTES OF REGULAR MEETING Tuesday, May 17, 2016

The Owasso City Council met in regular session on Tuesday, May 17, 2016 in the Council Chambers at Old Central, 109 N Birch, Owasso, Oklahoma per the Notice of Public Meeting and Agenda filed in the office of the City Clerk and posted on the City Hall bulletin board at 6:00 pm on Friday, May 13, 2016.

### 1. Call to Order

Mayor Lyndell Dunn called the meeting to order at 6:30 pm.

### 2. Invocation

The invocation was offered by Student Pastor Rueben Herrin of Friendship Baptist Church.

### 3. Flag Salute

Councilor Bush led the flag salute.

### 4. Roll Call

Present	Absent
Mayor – Lyndell Dunn	None
Vice-Mayor – Chris Kelley	
Councilor – Doug Bonebrake	
Councilor – Bill Bush	
Councilor – Jeri Moberly	

A quorum was declared present.

Staff:

City Manager - Warren Lehr  
City Attorney - Julie Lombardi

Mayor Dunn recognized Boy Scout Troop #840 and Pack #840 of Owasso.

### 5. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the City Council to be routine and will be enacted by one motion. Any Councilor may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)

#### A. Approve minutes

- May 3, 2016, Regular Meeting
- May 10, 2016, Regular Meeting

#### B. Approve claims

#### C. Approve Ordinance 1077, annexing property located on the north side of E 76<sup>th</sup> St N approximately ¾ miles west of N 161<sup>st</sup> E Ave (OA-16-02)

#### D. Declare a 1977 Chevrolet C30 1-Ton Flat Bed as surplus to the needs of the City of Owasso and approve its disposal via online auction

#### E. Accept the following tracts of land from the Larkin Bailey Foundation

- A tract of land located at the NE corner of E 96<sup>th</sup> St N & N Mingo Rd
- A tract of land located to the east of McCarty Park
- A tract of land to the SE of McCarty Park, extending to E 76<sup>th</sup> St N

Ms. Moberly moved, seconded by Mr. Bonebrake to approve the Consent Agenda with claims totaling \$380,163.54 and addendum total of \$76.15.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**6. Consideration and appropriate action relating to items removed from the Consent Agenda**  
None

**7. Consideration and appropriate action relating to Ordinance 1078, annexing property located at 7347 N 115<sup>th</sup> E Ave (OA-16-03)**

Bronce Stephenson presented the item recommending approval of Ordinance 1078, annexing property located at 7347 N 115<sup>th</sup> E Ave and applying the current county zoning of IL (Industrial Light) and RE (Residential Estate).

There were no comments from the audience. After discussion, Mr. Bush moved, seconded by Mr. Bonebrake to approve Ordinance 1078, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**8. Consideration and appropriate action relating to Ordinance 1079, annexing property located at 7400 N Mingo Valley Expressway (OA-16-04)**

Bronce Stephenson presented the item recommending approval of Ordinance 1079, annexing property located at 7400 N Mingo Valley Expressway and applying the current county zoning of IL (Industrial Light).

There were no comments from the audience. After discussion, Ms. Moberly moved, seconded by Mr. Bonebrake to approve Ordinance 1079, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**9. Consideration and appropriate action relating to Specific Use Permit (SUP-16-01), Charity Auto Sales located at 11595 E 116<sup>th</sup> St N**

Bronce Stephenson presented the item recommending approval of the Specific Use Permit with the following conditions:

- An 8-foot tall opaque screening fence be required adjacent to the residential properties abutting the subject property on the north and east boundaries. The fence shall be double-sided;
- The only allowable signage shall be a 4-foot tall monument sign or signage on the face of the building;
- Additional mature landscaping be required abutting the residential properties;
- Full brick façade be required on the southern and western building elevations;
- No additional signage, flags, balloons;
- Hours of operation be restricted to 7:00 am to 8:00 pm;
- Non-essential lot lighting be turned off from 8:00 pm to 7:00 am;
- At least four planters be required along the building frontage; and
- Awnings required above each of the doorways facing south.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Dr. Kelley to approve SUP-16-01 with conditions, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**10. Consideration and appropriate action relating to Change Order No. 5 – 106<sup>th</sup> & Garnett Rd Intersection Improvements**

Dwayne Henderson presented the item recommending approval of Change Order No. 5 for ODOT Project #STP-172A (462) IG in the amount of \$52,358.67.

There were no comments from the audience. After discussion, Mr. Bush moved, seconded by Mr. Bonebrake to approve Change Order No. 5 in the amount of \$52,358.67, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**11. Consideration and appropriate action relating to an agreement for land acquisition services for the 76<sup>th</sup> St N Improvements Project right-of-way**

Dwayne Henderson presented the item recommending approval of a Right-of-Way Consultant Agreement with Meshek and Associates for the 76<sup>th</sup> St N (US Hwy 169 to N 129<sup>th</sup> E Ave) project in the amount of \$208,350 (\$166,680 is the responsibility of ODOT and \$41,670 is the responsibility of the City of Owasso) and authorization of the Mayor to execute the agreement.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Ms. Moberly to approve the agreement in the amount of \$208,350 with Meshek and Associates, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**12. Consideration and appropriate action relating to the International Association of Firefighters (IAFF) contract**

Michele Dempster presented the item recommending approval of the 2016-2017 contract between the City of Owasso and the International Association of Firefighters Local #2789, and authorization for the Mayor to execute the contract.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Ms. Moberly to approve the contract, and authorize the Mayor to execute the contract, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**13. Consideration and appropriate action relating to Ordinance 1080, changing the use tax rate levied to a rate equal to the sales tax**

Sherry Bishop presented the item recommending approval of Ordinance 1080.

There were no comments from the audience. After discussion, Mr. Bush moved, seconded by Dr. Kelley to approve Ordinance 1080, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**14. Consideration and appropriate action relating to Resolution 2016-06, designating the Citizens' Sales Tax Watchdog Committee to provide oversight for the Vision for Owasso sales tax funds**

Sherry Bishop presented the item recommending approval of Resolution 2016-06.

There were no comments from the audience. After discussion, Dr. Kelley moved, seconded by Mr. Bonebrake to approve Resolution 2016-06, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**15. Presentation of a the proposed FY 2016-2017 annual operating budget**

Warren Lehr presented the proposed FY 2016-2017 annual operating budget.

There were no comments from the audience. After discussion, it was explained that an item will be on the June 7, 2016 Council meeting for a Public Hearing, an item will be on the June 14, 2016 Worksession, and an item will be on the June 21, 2016 Council meeting for adoption of the budget.

**16. Consideration and appropriate action relating to a request for an executive session for the purpose of discussing the annual employment evaluation and personnel matters of the City Attorney, such executive session provided for in Title 25, O.S. Section § 307(B)(1)**

The City Council will meet in executive session to discuss an employment contract with the City Attorney.

**17. Consideration and appropriate action relating to a a request for an executive session for the purpose of discussing the annual employment evaluation and personnel matters of the City Manager, such executive session provided for in Title 25, O.S. Section § 307(B)(1)**

The City Council will meet in executive session to discuss an employment contract with the City Manager.

**18. Consideration and appropriate action relating to a request for an executive session for purposes of discussing confidential communications between the City Council and the City Attorney concerning potential litigation as provided for in Title 25, O.S. Section § 307(B)(4)**

Mayor Dunn presented Items 16, 17, and 18 to be voted together, Mr. Bonebrake moved, seconded by Mr. Bush to enter into executive session.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

At 7:40 pm, the Council, along with Warren Lehr entered into executive session.

At 8:25 pm, Warren Lehr exited executive session.

At 8:36 pm, Julie Lombardi entered into executive session.

At 8:54 pm, began consideration of Item 17, entered into executive session.

At 9:08 pm, began consideration of Item 18, along Warren Lehr, Julie Lombardi, and Roger Steven entered into executive session.

At 9:32 pm, the Council returned to open session.

**19. Consideration and appropriate action relating to Resolution 2016-05, resolving the necessity of instituting and prosecuting condemnation procedures to obtain permanent right-of-way and temporary and permanent easements for the N Garnett Rd Widening Project (96<sup>th</sup> St N to 106<sup>th</sup> St N)**

Julie Lombardi presented the item recommending approval of Resolution 2016-05.

There were no comments from the audience. After discussion, Mr. Bush moved, seconded by Ms. Moberly to approve Resolution 2016-05, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

**20. Report from City Manager**

Mr. Lehr acknowledged recent city events.

**21. Report from City Attorney**

None

**22. Report from City Councilors**

Councilors acknowledged efforts of staff.

**23. Official Notices to Council (documents for acknowledgment or information only, no discussion or action will be taken)**

- Payroll Payment Report – Pay Period Ending Date 4/30/2016
- Health Care Self-Insurance Claims – dated as of 5/12/16
- Monthly Budget Status Report - April 2016

**24. New Business (New Business is any item of business which could not have been foreseen at the time of posting of the agenda)**

None

**25. Adjournment**

Mr. Bonebrake moved, seconded by Ms. Moberly to adjourn the meeting.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried 5-0 and the meeting adjourned at 9:37 pm.

  
Lyndell Dunn, Mayor

  
Juliann M. Stevens, Minute Clerk