

OWASSO CITY COUNCIL

MINUTES OF REGULAR MEETING

Tuesday, April 17, 2018

The Owasso City Council met in regular session on Tuesday, April 17, 2018, 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 at City Hall, 200 S Main St, at 6:00 pm on Friday, April 13, 2018, and Addendum filed in the office of the City Clerk and posted at City Hall, 200 S Main St, at 12:00 pm on Monday, April 16, 2018.

1. Call to Order

Mayor Lyndell Dunn called the meeting to order at 6:31 pm.

2. Invocation

The invocation was offered by Bill Ascol, Senior Pastor of Bethel Baptist Church.

3. Flag Salute

Councilor Bonebrake 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

5. Presentation of Proclamation

The City Council presented a proclamation declaring Tuesday, April 17, 2018, as Owasso High School Lady Rams Basketball Day in recognition of winning the Class 6A State Championship Title.

6. Presentation of the Employee of the Quarter

Warren Lehr presented Employee of the Quarter, Laura Evans, Finance Department.

7. 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 – April 3, 2018, Regular Meeting
- B. Approve claims
- C. Approve the Regional 911 Board's Third Amended Interlocal Agreement and authorize the execution of all necessary documents
- D. Accept donations from Public Service Company of Oklahoma (AEP-PSO) in the amount of \$5,000 and Oklahoma Natural Gas Company (ONG) in the amount of \$2,500 and approve a budget amendment in the Hotel Tax Fund, increasing the estimated revenue and the appropriation for expenditures by \$7,500

Ms. Moberly moved, seconded by Mr. Bonebrake to approve the Consent Agenda with claims totaling \$619,329.11.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn
NAY: None
Motion carried: 5-0

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

PUBLIC HEARING

9. **The City Council will conduct a public hearing for the purpose of receiving citizen input relating to proposed amendments to the Owasso Zoning Code**

Bronce Stephenson presented the item. The Mayor opened the public hearing for comment. There were no comments or questions from the audience. The Mayor closed the public hearing.

10. **Consideration and appropriate action relating to the purchase of dispatch consoles for the 911 Communication Center**

Jason Woodruff presented the item recommending approval to purchase dispatch consoles from Xybix Systems, Inc. of Littleton, Colorado, in the amount of \$60,469, utilizing the Houston-Galveston Area Council's "HGACBuy" program.

There were no comments from the audience. After discussion, Dr. Kelley moved, seconded by Mr. Bush to approve the purchase of dispatch consoles, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn
NAY: None
Motion carried: 5-0

11. **Consideration and appropriate action relating to the relocation and installation of the dispatch radio equipment for the 911 Communication Center**

Jason Woodruff presented the item recommending approval of a contract with Total Radio of Broken Arrow, Oklahoma, for the relocation and installation of the dispatch radio equipment in an amount not to exceed \$29,646.

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

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn
NAY: None
Motion carried: 5-0

12. **Consideration and appropriate action relating to Ordinance 1128, approving rezoning application OZ 18-02, for property located at 9309 N 129 E Ave**

Morgan Pemberton presented the item recommending approval of Ordinance 1128, rezoning the subject property from AG (Agriculture) to OM (Office Medium).

There were no comments from the audience. After discussion, Ms. Moberly moved, seconded by Mr. Bush to approve Ordinance 1128, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn
NAY: None
Motion carried: 5-0

13. **Consideration and appropriate action relating to the re-plat of a portion of Garrett Creek Commercial Center Phase II, located south of E 116 St N and west of HWY 169**

Karl Fritschen presented the item recommending approval of the Replat for Lot 2, Block 1 of Garrett Creek Center Phase II.

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

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

14. Consideration and appropriate action relating to the award of a bid for construction of Redbud Festival Park (109 N Main Street)

Larry Langford presented the item recommending the award of a bid to Builders Unlimited of Tulsa, Oklahoma, to include the base bid and alternates 1 through 7, in the amount of \$2,260,741 and authorization to execute the construction contract.

There were no comments from the audience. After discussion, Ms. Moberly moved, seconded by Mr. Bush to award the base bid and alternates, and authorize the execution of the contract, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

15. Consideration and appropriate action relating to the award of a bid for construction of Block 22 Original Town Alley Improvements (FY 2017-2018 Street Rehabilitation Project)

Daniel Dearing presented the item recommending the award of a bid to Gradeline Construction, LLC in the amount of \$186,295 and authorization to execute all necessary documents.

There were no comments from the audience. After discussion, Mr. Bush moved, seconded by Ms. Moberly to award the bid and authorize the execution of documents, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

16. Consideration and appropriate action relating to a Supplemental Engineering Services Agreement between Poe and Associates, Inc. and the City of Owasso for the E 76 St N Roadway Improvements Project

Dwayne Henderson presented the item recommending approval of the Supplemental and Modification Agreement No. 2 with Poe and Associates, Inc. for additional engineering services, and authorization to execute all necessary documents.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Dr. Kelley to approve the Supplemental and Modification Agreement No. 2, and authorize the execution of documents, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

17. Consideration and appropriate action relating to a Supplemental Finance Agreement between the Oklahoma Department of Transportation (ODOT) and the City of Owasso for the E 76 St N Roadway Improvements Project

Dwayne Henderson presented the item recommending approval of the Supplemental Contract No. 2 Finance Agreement with ODOT, authorization to execute all necessary documents, and authorization for payment to ODOT in the amount of \$10,178 for the local match requirement of 20% to fund additional engineering services as referenced in Agenda item #16.

There were no comments from the audience. Ms. Moberly moved, seconded by Dr. Kelley to approve the Supplemental Contract No. 2 Finance Agreement, authorize the execution of documents, and authorize payment, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

18. Consideration and appropriate action relating to a right-of-way acquisition for the Garnett Roadway Improvements Project from E 106 St to E 116 St N

Roger Stevens presented the item recommending approval of an agreement with Bob Allen for the acquisition of right-of-way, easement, and compensation for damages in the amount of \$29,412.78 and authorization for payment.

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

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

19. Consideration and appropriate action relating to a right-of-way acquisition for the Garnett Roadway Improvement Project from E 106 St to E 116 St N

Roger Stevens presented the item recommending approval of an agreement with James Bailey, Bobbie Bailey and Leo Plummer for the acquisition of right-of-way, easement, and compensation for damages in the amount of \$29,413.67 and authorization for payment.

There were no comments from the audience. After discussion, Dr. Kelley moved, seconded by Mr. Bonebrake to approve the agreement and authorize payment, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

20. Consideration and appropriate action relating to a right-of-way acquisition for the E 116 St N Roadway Improvements from Garnett Road to N 129 E Ave

Roger Stevens presented the item recommending approval of an agreement with Sandra Brooks for the acquisition of right-of-way, easement, and compensation for damages in the amount of \$325,000 and authorization for payment.

There were no comments from the audience. After discussion, Dr. Kelley moved, seconded by Mr. Bush to approve the agreement and authorize payment, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

21. Consideration and appropriate action relating to Resolution 2018-04, establishing rates, fees and charges for Parks, Community Center, Police Records Division, Fairview Cemetery and Old Central Building and establishing an effective date

Sherry Bishop presented the item recommending approval of Resolution 2018-04.

There were no comments from the audience. After discussion, Mr. Bush moved, seconded by Ms. Moberly to approve Resolution 2018-04, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

22. 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 pending litigation as provided for in Title 25, O.S. § 307(B)(4)

Julie Lombardi presented the item, Mr. Bonebrake moved, seconded by Dr. Kelley to enter into executive session.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

At 8:12 pm, the Council, along with Julie Lombardi, Warren Lehr, and Michele Dempster entered into executive session.

At 8:25 pm, the Council returned to open session.

23. Consideration and appropriate action related to the settlement of a tort claim and authorization for payment

Michele Dempster presented the item recommending authorization to settle a tort claim and make payment to Kathleen and Felixander Diaz in the amount of \$36,020.72, but not to exceed \$71,000, for restoration costs.

There was one comment from the audience. After discussion, Mr. Bush moved, seconded by Ms. Moberly to authorize settlement of the tort claim and make payment, as recommended.

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried: 5-0

24. Report from City Manager

Mr. Lehr reported on upcoming city events and recognized Assistant City Manager Sherry Bishop for over thirty years of public service with the City of Owasso, announcing a retirement reception would be held on April 26.

25. Report from City Attorney

None

26. Report from City Councilors

Councilors recognized Jeri Moberly and Sherry Bishop for their service to the Owasso community.

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

- Payroll Payment Report - Pay Period Ending Date 3/31/18
- Health Care Self-Insurance Claims – dated as of 4/12/18
- Monthly Budget Status Report - March 2018

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

None

29. Adjournment

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

YEA: Bonebrake, Bush, Kelley, Moberly, Dunn

NAY: None

Motion carried 5-0 and the meeting adjourned at 8:42 pm.



Lyndell Dunn, Mayor



Lisa Wilson, Minute Clerk