

# OWASSO CITY COUNCIL

## MINUTES OF REGULAR MEETING Tuesday, September 17, 2019

The Owasso City Council met in regular session on Tuesday, September 17, 2019, in the Council Chambers at Old Central, 109 North Birch, Owasso, Oklahoma, per the Notice of Public Meeting filed December 14, 2018, and the Agenda filed in the office of the City Clerk and posted at City Hall, 200 South Main Street, at 6:00 pm on Friday, September 13, 2019.

**1. Call to Order**

Mayor Chris Kelley called the meeting to order at 6:30pm.

**2. Invocation**

The Invocation was offered by Pastor Doug Johnson of Beacon Hill Baptist Church

**3. Flag Salute**

Councilor Dunn led the flag salute.

**4. Roll Call**

Present

Mayor – Chris Kelley

Councilor – Doug Bonebrake

Councilor – Lyndell Dunn

Councilor – Kelly Lewis

A quorum was declared present.

Absent

Vice Mayor – Bill Bush

Staff:

City Manager - Warren Lehr

City Attorney - Julie Lombardi

**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**

- September 3, 2019, Regular Meeting
- September 10, 2019, Regular Meeting

**B. Approve claims**

- C. Acceptance of the cost sharing Assistance to Firefighter Grant in the amount of \$54,508.00 and approval of a budget amendment in the General Fund, increasing the estimate of revenues and the appropriation for expenditures in the Fire Department Budget by \$49,552.72 (federal share)**

Mr. Bonebrake moved, seconded by Ms. Lewis to approve the Consent Agenda as presented with claims totaling \$528,712.16.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

**6. Consideration and appropriate action relating to items removed from the Consent Agenda**

None

**7. Consideration and appropriate action relating to Resolution 2019-18, establishing the Economic Development Incentive Application Fee**

Chelsea Levo Feary presented the item, recommending approval of Resolution 2019-18.

There were no comments from the audience. After discussion, Mr. Bonebrake moved, seconded by Ms. Lewis to approve Resolution 2019-18, as recommended.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

**8. Consideration and appropriate action relating to a contract for the 2019 Community Development Block Grant (CDBG) funding - Hale Acres Sanitary Sewer Improvement Project**

Karl Fritschen presented the item, recommending authorization for the City Manager to execute the 2019 CDBG Contract for Public Improvements between the City of Owasso and Tulsa County in order to receive the allocation of CDBG funds.

There were no comments from the audience. Mr. Dunn moved, seconded by Mr. Bonebrake to authorize the City Manager to execute the contract, as recommended.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

**9. Consideration and appropriate action relating to Specific Use Permit, SUP 19-01, for property located at 11515 East 96<sup>th</sup> Street North**

Karl Fritschen presented the item, recommending approval of Specific Use Permit 19-01, for Time to Shine Car Wash, with the following conditions:

- The entire property shall be platted at one time, delineating all access points and any mutual access easements, and
- Additional screening around site dumpster.

One person addressed the City Council. After discussion, Ms. Lewis moved, seconded by Mr. Bonebrake to approve Specific Use Permit 19-01, as recommended.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

**10. Consideration and appropriate action relating to Ordinance 1153, rezoning approximately 0.24 acres, located at 202 East 3<sup>rd</sup> Avenue, from Residential Single-Family High Density (RS-3) to Downtown Mixed (DM), as referenced in application OZ 19-04**

Morgan Pemberton presented the item, recommending adoption of Ordinance 1153.

There were no comments from the audience. After discussion, Mr. Dunn moved, seconded by Mr. Bonebrake to adopt Ordinance 1153, as recommended.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

- 11. Consideration and appropriate action relating to Ordinance 1154, amending Planned Unit Development, OPUD 17-01, and rezoning approximately 57 acres, located northeast of the East 106<sup>th</sup> Street North and North Garnett Road intersection, from Commercial Shopping (CS), Residential Multi-Family (RM), Residential Neighborhood Mixed (RNX), and Residential Single-Family High Density (RS-3) to Commercial Shopping (CS), Residential Multi-Family (RM), and Residential Single-Family High Density (RS-3), as referenced in application OPUD 17-01A (Parker Village) and OZ 19-05**

Morgan Pemberton presented the item, recommending adoption of Ordinance 1154.

One person addressed the City Council. After discussion, Mr. Bonebrake moved, seconded by Mr. Dunn to adopt Ordinance 1154, as recommended.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

- 12. Consideration and appropriate action relating to the Project Maintenance, Financing and Right-of-Way Agreement for the East 76<sup>th</sup> Street North Roadway Improvement Project (US HWY 169 to North 129<sup>th</sup> East Avenue)**

Roger Stevens presented the item, recommending approval of Supplemental Agreement #1 to the Project Maintenance, Financing and Right-of-Way Agreement between the City of Owasso and the Oklahoma Department of Transportation (ODOT), authorization for the Mayor to execute the agreement, and authorization for payment to ODOT, in the amount of \$3,569,751, as the local match requirement for the construction phase.

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

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

- 13. Consideration and appropriate action relating to a Real Property Lease for property located immediately south of 12150 East 96<sup>th</sup> Street North (North Lot 3, Block 1, of the RCB Center)**

Brian Dempster presented the item, recommending approval of the Lease Agreement between the City of Owasso, and the Owasso Land Trust, L.L.C., and authorization for the City Manager to execute such Lease Agreement.

There were no comments from the audience. Ms. Lewis moved, seconded by Mr. Dunn to approve and authorize the City Manager to execute the lease agreement, as recommended.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

- 14. Consideration and appropriate action relating to Policy Statement 04-2019, amending the Personnel Manual by repealing and replacing Chapter 5: Fringe Benefits, Section 5-3, Vacation Leave and Section 5-4, Sick Leave**

Chris Garrett presented the item, recommending approval of Policy Statement 04-2019.

There were no comments from the audience. After discussion, Ms. Lewis moved, seconded by Mr. Dunn to approve Policy Statement 04-2019, as recommended.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried: 4-0

**15. Report from City Manager**

Warren Lehr advised that members of the Owasso Fire Department were recognized by St. Francis Health System for their life-saving efforts during a vehicle crash; and Oklahoma Governor Kevin Stitt was hosting a public forum on September 19, 2019, at the Tulsa Tech Owasso Campus.

**16. Report from City Attorney**

None

**17. Report from City Councilors**

Councilor Bonebrake commented on Governor Stitt's visit to Owasso and 2019 Annual Block Parties.

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

The Mayor acknowledged receipt of the following:

- Payroll Payment Report – Pay Period Ending Date August 31, 2019
- Health Care Self-Insurance Claims – dated as of September 12, 2019
- Monthly Budget Status Report - August 2019
- Fiscal Year Ending 2019 Annual Financial Report Tax Increment District No. 1, City of Owasso (Redbud TIF District)
- Oklahoma Department of Environmental Quality Construction Permit No. SL000072190694 for the Glover Coffee Creek Sanitary Sewer Line Extension

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

None

**20. Adjournment**

Mr. Bonebrake moved, seconded by Mr. Dunn to adjourn the meeting.

YEA: Bonebrake, Dunn, Lewis, Kelley

NAY: None

Motion carried, 4-0 and the meeting adjourned at 7:41 pm.

Julian M. Stevens, City Clerk



Chris Kelley, Mayor