

**MEETING OF THE CITY COUNCIL
GEORGE FINA MUNICIPAL BUILDING - 314 EDMOND ROAD NORTHWEST
Monday, February 24, 2014 6:30pm**

MEMBERS PRESENT:

Mayor Valerie Thomerson, Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson, Councilman Robert Simpson

ABSENT:

None

STAFF PRESENT:

City Manager Jim Crosby, City Clerk/Treasurer Jennifer Smith, City Attorney Matt Wheatley, City Engineer Pat Garrett, Community Development Director Wade Harden, Police Chief Alex Oblien, Fire Chief Andy Logan and Secretary Mary Ramsey

1. **CALL TO ORDER** – Mayor Valerie Thomerson called the City Council meeting to order at 6:32 pm.
2. **ROLL CALL** – City Clerk/Treasurer Jennifer Smith called roll. A quorum was present and approximately 22 people were in the audience.
3. **FLAG SALUTE** – Flag Salute was led by Lyn Land.
4. **INVOCATION** – Invocation was led by City Manager Jim Crosby.
5. **CONSENT AGENDA** - All items on the consent agenda are non-controversial and may be approved by one motion for items.
 - a. Approval of Minutes for the City Council Meeting on January 27, 2013
 - b. Recognition/Approval of Purchase Order/Disbursements for the City (Claims List).
 - c. Recognition/Approval of January 2014 Financial Statements.

Mayor Pro Tem Charles Coffman made a motion to approve the Consent Agenda, items a,b&c. Motion was **seconded** by Councilman Robert Simpson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

6. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

None

7. HEARING OF CITIZENS - Topics to include those items not listed in the agenda.

Citizen Vernon Woods suggested waiting on upcoming April election of City Charter until the general State election in June. It would cut the cost of the election down and have greater attendance from voters.

On advice of City Attorney Matt Wheatley suggested that discuss of the election become an agenda item for the next meeting.

City Clerk Jennifer Smith explained that ballots have already been printed, City will be out the \$2,000 and the cost of the ads in the newspaper. Ballots will have to be reprinted, the ballots are very length at 4 pages currently.

8. RECOGNITION OF THE PARKS AND RECREATION BOARD OF THE CITY BEING CERTIFIED AS A COMMUNITY WILDLIFE HABITAT.

Mayor Valerie Thomerson asked Citizen Lyn Land to explain what being certified as a community wildlife habitat means. Lyn Land explained that it means our community has made accommodations for the wildlife. Louis Dickerson did a great deal of work on the project. Lyn Land presented the Council with a certificate from the Wildlife Habitat.

9. BUSINESS ITEMS –

a. CONSIDERATION, DISCUSSION, AND ACTION ON APPROVAL OF THE 2012-2013 AUDIT.

Frank Crawford with Crawford and Associates presented the Audit to the City Council. Explained that on a scale of 1 to 10 “how are we doing” with financial health and success. City rated 6.7 for 2013, general fund/rainy day fund is around 31% of budget which is excellent. Business type revenues have improved now receiving .95 for \$1 spending. Raising the rates on revenue source was very helpful to the financial health of the City. Sales tax is down

around 5.5%, this is a one year drop in sales tax, will have to watch for trends in upcoming years.

Audit was found with no material weakness and a clean audit. 6.7 is a well above average score.

Councilman Albert Gleichmann stated that there should have been an opinion as to why the numbers are the way they are and provide an explanation. Analysis should have been provided. All organizations have areas they can improve on.

Mayor Pro Tem Charles Coffman made a motion to approve item 9a 2012-2013 Audit. Motion was **seconded** by Councilman Donnie Robinson.

The Vote was:

AYE: Councilman Donnie Robinson, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: Councilman Albert Gleichmann

- b. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON APPROVING ORDINANCE NO. 597 AMENDING THE EMPLOYESS RETIREMENT SYSTEM DEFINED BENEFIT PLAN FOR CITY OF PIEDMONT & PIEDMONT MUNICIPAL AUTHORITY, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF CITY OF PIEDMONT & PIEDMONT MUNICIPAL AUTHORITY, OKLAHOMA; PERTAINING TO SERVICE CREDIT PRIOR TO ORIGINAL PLAN EFFECTIVE DATE; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.**

City Manager Jim Crosby explained the item is on the agenda due to a clerical error with the paper previously filed for the employee retirement benefit plan and item needed to come back before the Council.

Councilman Donnie Robinson made a motion to approve item b. Motion was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

Councilman Robert Simpson made a motion to declare an emergency. Motion was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

AYE: Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: Councilman Donnie Robinson, Councilman Albert Gleichmann

Motion failed.

MOTION TO OPEN PUBLIC HEARING

Mayor Pro Tem Charles Coffman made a motion to open the Public Hearing at 7:01 pm. Motion was **seconded** by Councilman Bobby Williamson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

Councilman Robert Simpson excused himself from the City Council meeting and left the room, due to personal conflict with Agenda item.

c. PUBLIC HEARING ON A PRELIMINARY PLAT FOR AUTUMN CHASE AND HAWKS LANDING OF TOWN CENTRAL, A 45 LOT SUBDIVISION. THE PROPERTY IS OWNED BY SBS, LLC. AND IS DESCRIBED AS FOLLOWS:

A tract of land in the Northwest Quarter (NW/4) of Section Thirty-three (33), Township Fourteen (14) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter (NW/4); Thence South 00°00'12" East along the West line of said Northwest Quarter (NW/4), distance of 880.00 feet; Thence North 89°59'48" East a distance of 520.00 feet to the POINT OF BEGINNING, said point being the Southeast corner of a tract of land described in Warranty Deed recorded in Book 3131, Page 235; Thence North 00°00'12" West along the East line of said Warranty Deed, a distance of 50.00 feet; Thence North 89°59'48" East a distance of 523.51 feet; Thence North 00°00'12" West a distance of 507.19 feet to a point on the South line of the recorded plat of CORNMAN PROPERTIES NUMBER 1; Thence North 89°36'07" East along the South line of said recorded plat, a distance of 276.43 feet to the Southeast corner of said recorded plat; Thence North 00°00'12" West along the East line of said recorded plat, a distance of 7.50 feet; Thence North 89°59'48" East a distance of 697.98 feet; Thence South 00°00'12" East a distance of 478.79 feet; Thence South 41°16'53" West a distance of 37.57 feet; Thence on a curve to the right

with an arc length of 159.42 feet, a radius of 1325.65 feet, a chord bearing of South 86°33'06" West and a chord length of 159.33 feet; Thence South 89°59'48" West a distance of 595.63 feet; Thence South 00°00'12" East a distance of 100.00 feet; Thence North 89°59'48" East a distance of 95.00 feet; Thence South 00°00'12" East a distance of 335.93 feet; Thence South 89°59'48" West a distance of 120.00 feet; Thence South 85°58'33" West a distance of 50.12 feet; Thence South 89°59'48" West a distance of 124.40 feet; Thence North 00°00'12" West a distance of 339.45 feet; Thence South 89°59'48" West a distance of 518.45 feet to a point on the East line of a tract of land described in Warranty Deed recorded in Book 2907, Page 788; Thence North 00°00'12" West along the East line of said Warranty Deed, a distance of 50.00 feet to the Northeast corner of said Warranty Deed; Thence South 89°59'48" West along the North line of said Warranty Deed, a distance of 0.60 feet to the POINT OF BEGINNING.

(Basis of bearing is South 00°00'12" East along the West line of the Northwest Quarter (NW/4) of Section Thirty- three (33), Township Fourteen (14) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma.)

This property is more commonly known to be located South of Edmond Road Northeast and East of Piedmont Road N with access to the site provided by Gooder Simpson Boulevard, approximately 835 feet south of Edmond Road Northeast off the east side of Piedmont Road North.

Citizen Ron Cardwell addressed Council about concerns with development. He is concerned with the Attorney's opinion on the amendment of the PUD that rezoned the development. There was a change in ownership of some of the land that changed the boundaries of the PUD. The letter the Attorney wrote refers to PUD 297 that is incorrect it should be PUB 510, PUD was originally approved in Feb. 2008, boundary change occurred in Aug. of 2012. Modification to the PUD need to taken seriously because now we have the 2030 Comp plan in place and in 2008 the 2030 plan was still being developed. Glad to see development is occurring but development has to pay for development.

Second concern is we have a 6" water line running along Piedmont rd and the development is putting in a 12" line. That is not going to work. Development needs to pay for development.

Citizen Vernon Woods address City Council about how the agenda item was written, the agenda item does not mention the word PUD it mentions 45 homes. He wants to make sure that the item is correct and it is a PUD. December 28, 2009 Special City Council meeting wanted the PUD amended and the amendment was declined. Later July 26, 2010 Mr. Heckal had his land taken out of the PUD, which lead to a major reduction in the land of the PUD. The Attorney at the July 2010 meeting stated that the PUD was to be null and voided. Issue is invalid.

MOTION TO CLOSE PUBLIC HEARING

Councilman Bobby Williamson made a motion to close the public hearing at 7:15pm. Councilman Donnie Robinson **seconded** motion.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

d. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON A PRELIMINARY PLAT FOR AUTUMN CHASE AND HAWKS LANDING OF TOWN CENTRAL, A 45 LOT SUBDIVISION. THE PROPERTY IS OWNED BY SBS, LLC.

REFERENCE THE PREVIOUS LEGAL DESCRIPTION

Mayor Pro Tem Charles Coffman made a motion to open item for discussion. Motion was **seconded** by Councilman Donnie Robinson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

Councilman Donnie Robinson would like to see the item go back to Planning Commission to get it right. Concerned about the 12" line water line hooking into the 6" water line. Concerned about infrastructures and how it is going to affect people who are already tied into the line.

Mayor Pro Tem Charles Coffman would like to see the development get started. Asked about the legal opinion.

Attorney Matt Wheatley explained that in Attorney Mike Segler's legal opinion the land reduction was done correctly and the PUD is valid.

Mayor Pro Tem Charles Coffman asked about specific requirements for the water line, acceleration lanes, and sewer/drainage.

Councilman Donnie Robinson asked about traffic study, was one conducted?

Community Development Director Wade Harden explained that a no traffic study was conducted. Also, explained that studies have been conducted on the water lines, for the 45 homes that are being considered the 6" water line is sufficient. With the addition of additional homes the water line will have to be studied again.

Councilman Bobby Williamson suggested sending item back to Planning Commission so that answers can be provided to questions and concern of Council.

Warren Peacock addressed Council answering some of the questions. Understand that a larger water line will have to be installed as development occurring. For the first 45 lots the 6" water line is sufficient. Developer is having to provide improvements to the Cities lift station. Taking care of detention ponds, have spoken with City about fencing for the development. Right now we are focusing on the 45 lots and will deal with additional development needs as the development grows.

Mayor suggested a workshop with the Planning Commission and the City Council to better understand the development and get answers to any concerns or questions.

Mayor Pro Tem Charles Coffman made a motion to table item until the next City Council meeting and schedule a meeting with the Planning Commission, Fire Department, City Engineers and staff to discuss concerns. Motion was **seconded** by Councilman Donnie Robinson.

The Vote was:

AYE: Councilman Donnie Robinson, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: Councilman Albert Gleichmann

Councilman Robert Simpson re-entered the room.

MOTION TO RECESS TO EXECUTIVE SESSION

Councilman Donnie Robinson made a motion to recess to executive session. Motion was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

10. EXECUTIVE SESSION

- a. **DISCUSSION AND CONSIDERATION OF THE CITY MANAGER'S COMPENSATION AND PERFORMANCE AS REQUIRED BY CONTRACT. [25 OS sec. 307(B)(1)]**

MOTION TO ADJOURN TO RECONVENE TO CITY COUNCIL MEETING

Councilman Donnie Robinson made a motion to adjourn Executive Session and reconvene regular City Council meeting. Motion was **seconded** by Councilman Albert Gleichman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

11. BUSINESS ITEMS –

- a. **DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO AMEND CITY MANAGER'S CONTRACT INCLUDING, BUT NOT LIMITED TO AN INCREASE IN COMPENSATION.**

Mayor Pro Tem Charles Coffman made a motion to amend City Managers contract to an increase of \$7,000 a year and is to be retroactive back to January 1, 2014. Also \$1,000 a month in expense with receipts. Motion was **seconded** by Councilman Donnie Robinson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

12. NEW BUSINESS –

- a. **Unplanned Items – Requires 4/5ths Majority to Declare “New Business.”**

Councilman Robert Simpson made a motion to discuss upcoming election. Motion was **seconded** by Councilman Donnie Robinson.

Council discussed the upcoming election and the cost of rescheduling the election to a later election date for higher turnout at the polls. Cost of reprinting the ballots, foot traffic at the polls, understanding of the items on the ballots were all discussed.

City Manager suggested going forward with the election as it is currently scheduled. He is concerned with how long/wordy the ballot is, it will be difficult with voters to understand everything they are voting on. If the charter questions are the only question on the ballot then people can understand better.

Councilman Donnie Robinson made a motion to have City Manager research the cost of rescheduling the vote and bring the information back to the Council. Motion was **seconded** Councilman Robert Simpson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

MOTION TO RECESS TO THE PIEDMONT MUNICIPAL AUTHORITY MEETING

Councilman Robert Simpson made a motion to recess to the Piedmont Municipal Meeting. Motion was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

13. PIEDMONT MUNICIPAL AUTHORITY

MOTION TO ADJOURN TO PIEDMONT SPECIAL PROJECTS AUTHORITY

Mayor Pro Tem Charles Coffman made a motion to adjourn to Special Projects Authority. Motion was **seconded** by Councilman Robert Simpson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

14. PIEDMONT SPECIAL PROJECTS AUTHORITY

MOTION TO ADJOURN TO RECONVENE TO REGULAR CITY COUNCIL MEETING

Councilman Donnie Robinson made a motion adjourn Special Projects Authority and reconvene to regular City Council meeting. Motion was **seconded** by Councilman Robert Simpson.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

15. CITY MANAGER REPORT –

City Manager Jim Crosby provided an update on the water meter from the Oklahoma City water line. Meeting with Oklahoma City again to look at usage. Reminded Council that Oklahoma City water rates expire and are estimated to increase up to 75%. Will keep the Council informed at things continue to progress.

16. ADMINISTRATION REPORT –

None

Police Chief Oblen updated on the OSBI officer now on site at the Piedmont Police department. Everything is going well, on site and no additional cost.

17. COUNCILMEMBER COMMENTS-

Councilman Bobby Williamson – none

Councilman Robert Simpson - None

Mayor Pro Tem Charles Coffman – appreciated the Fire department Banquet, Great

people.

Councilman Albert Gleichmann – Nice banquet with the Fire Department. Looking forward to spring.

Councilman Donnie Robinson – Enjoyed Fire Department banquet, fire department saved my life 9 years ago. Pleased to be serving with great group of people. Glad to be in 2014. Follow up with continuing education throughout the year.

Mayor Valerie Thomerson – Happy that Councilman Robinson and Gleichmann are on the Council moving forward, looking forward to the year ahead, enjoy working with such a professional group of people.

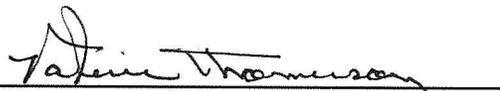
18. ADJOURN –

Councilman Bobby Williamson made a motion to adjourn City Council meeting at 8:29 pm. Motion was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None



Mayor, Valerie Thomerson



Secretary, Mary Ramsey