

**MEETING OF THE CITY COUNCIL
GEORGE FINA MUNICIPAL BUILDING - 314 EDMOND ROAD NORTHWEST
Monday, August 26, 2013 6:30pm**

MEMBERS PRESENT:

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

ABSENT:

None

STAFF PRESENT:

City Manager Jim Crosby, City Clerk / Treasurer Jennifer Smith, City Attorney Mike Segler, Community Development Director Wade Harden, Public Works Superintendent Bud Stuber, Fire Chief Andy Logan, Police Chief Alex Oblen, City Engineer Joe Davis and Secretary Mary Ramsey

1. **CALL TO ORDER** - Mayor Valerie Thomerson called City Council meeting to order at 6:30 p.m.
2. **ROLL CALL** - City Clerk Jennifer Smith called roll. There was a quorum present and approximately 80 people in the audience.
3. **FLAG SALUTE** – Flag salute was led by Mayor Valerie Thomerson.
4. **INVOCATION** – Invocation was led by Rev. Sam Powers
5. **OATH OF OFFICE -**

a. Administer the Oath of Office to Bobby Williamson, Councilman Elect, Ward 2.

Oath was administered by Mayor Valerie Thomerson.

RECESS FOR RECEPTION HONORING COUNCILMAN WILLIAMSON

City Council meeting took a break at 6:35 p.m. for reception to honor new incoming Councilman Bobby Williamson. Meeting reconvened at 6:46 p.m.

6. **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 July 22, 2013.
 - b. Recognition/Approval of Purchase Order/Disbursements for the City (Claims List).
 - c. Recognition/Approval of June 2013 Financial Statements.

7. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

Councilman Donnie Robinson asked that item 6a be pulled. – Councilman Donnie Robinson was documented in the minutes as voting AYE on item 8j of the July 22, 2013 City Council meeting. Councilman Donnie Robinson was out of the room during the vote and did not vote.

Mayor Pro Tem Charles Coffman made a motion to approve item 6a.with the correction. Motion was **seconded** by Councilman Albert Gleichmann.

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 Albert Gleichmann asked that item 6b and 6c be pulled.

Item 6b.

Councilman Albert Gleichmann asked about the expense with the Alternator on Engine 1.

Fire Chief Andy Logan explained that Engine 1 needed a new Alternator and the \$875.00 was just for the Alternator the fire department installed it themselves and saved the City \$600 on labor.

Councilman Albert Gleichmann asked the cost associated with 24.6 Asphalt.

Director of Public Works Bud Stuber explained the Asphalt was purchased to repair roads.

Councilman Albert Gleichmann asked about the \$1500 cost for Windmill repairs.

City Manager Jim Crosby explained the cost was to repair the second Windmill on Piedmont Rd.

Councilman Albert Gleichmann made a motion to approve item 6b. 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

Item 6c.

Councilman Albert Gleichmann asked \$635.99 expense on Vehicle Maintenance.

City Manager Jim Crosby Smith explained that the expense was from the prior month.

Councilman Albert Gleichmann made a motion to approve item 6c. 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

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

None

9. BUSINESS ITEMS –

a. PRESENTATION OF CERTIFICATE OF APPRECIATION TO ANGEL OCHOA FOR DONATION OF SOD TO THE POLICE DEPARTMENT.

Angel Ochoa was not present during meeting. Certificate will be given to Angel Ochoa at a later time.

b. PRESENTATION OF THE WATER CONSERVATION PLAN.

City Manager Jim Crosby gave a presentation on current water situation from the Oklahoma City supply. The water conservation plan will be to continue to with odd/even water indefinitely. Restriction will continue as water levels reduce.

c. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON RESOLUTION 08-26-2013A OF THE CITY COUNCIL OF PIEDMONT, OKLAHOMA, AMENDING THE 2030 COMPREHENSIVE PLAN ESTABLISHING THE SINGLE FAMILY-3 (RS-3) ZONING DISTRICT AS A DISTRICT ONLY COMPATIBLE WITH THE HIGH DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION.

Community Development Director Wade Harden gave a presentation and provided maps of the Single Family RS-3. Planning Commission is recommending changing the 2030 Comprehensive plan to be compatible with the high density residential future land use.

Mayor Pro Tem Charles Coffman made a motion to approve change to the 2030 Comprehensive plan. 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

d. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON ORDINANCE NO. 590 AMENDING THE ZONING ORDINANCE OF THE CITY OF PIEDMONT, OKLAHOMA, SECTION 5-13.19 PERTAINING TO OPEN DISPLAY; PROVIDING FOR PURPOSE, AUTHORIZATION, PROVIDING FOR REPEALER AND SEVERABILITY.

Community Development Wade Harden provided additional information on the City Zoning Ordinance. Planning Commission approved changed 4 to 0. City Staff also supports change in Ordinance.

Councilman Donnie Robinson made a motion to accept change to Ordinance. 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

- e. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION TO ADOPT RESOLUTION #08-26-2013B OF THE CITY COUNCIL OF THE CITY OF PIEDMONT TO DECREASE THE SPEED LIMIT FOR WESTBOUND TRAFFIC ON WASHINGTON AVENUE EAST OF PIEDMONT ROAD FROM FORTY-FIVE (45) MILES PER HOUR TO THIRTY-FIVE (35) MILES PER HOUR.

Councilman Albert Gleichmann asked for discussion on item.

Councilman Albert Gleichmann explained that the way the ordinance reads we have two different speed limits going to difference directions.

Councilman Donnie Robinson made a motion to table item until wording can be corrected in ordinance stating traffic will be 35mph in both directions east and west. 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

- f. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON WAIVING BUILDING PERMIT AND APPLICABLE FEES FOR THE VETERAN'S BUILDING.

Item was removed from agenda prior to meeting beginning.

- g. PRESENTATION BY THE CITY MANAGER FOR THE DISCUSSION AND CONSIDERATION REGARDING WARD REDISTRICTING WITH RECOMMENDATIONS BY STAFF FOR PUBLIC HEARING.

City Manager Jim Crosby explained item and provided a map of the new redistricting. Also, explaining that a public hearing is necessary for this item.

- h. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON CROWN CASTLE CONSTRUCTION (GLOBAL SIGNAL ACQUISITIONS IV, LLC) AGREEMENT.

City Manager Jim Crosby explained that the City has been contacted by Crown Castle. Currently Crown Castle pays the city a fee of \$1,300 a month; they are asking that instead of a month payment they will pay \$168,000 for a 30 years lease.

Mayor Pro Tem Charles Coffman may the observation that the \$312,000 is about half of the value.

Councilman Robert Simpson suggested a minimum offer should be 2/3 of the 30 year lease,

Mayor Pro Tem Charles Coffman made a proposal to counter offer at \$312,000. Motion was **seconded** by Councilman Albert Gleichmann.

The Vote was:

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

NAYE: None

i. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON RESOLUTION #08-26-2013C OF THE CITY COUNCIL OF THE CITY OF PIEDMONT ADOPTING THE CANADIAN COUNTY MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN.

City Manager Jim Crosby explained item 8i. Explained that the Council must adopt plan if the City was to ever need to apply to FEMA.

Councilman Donnie Robinson made a motion to approve item 8i. 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

MOTION TO RECESS TO EXECUTIVE SESSION

Councilman Donnie Robinson expressed concerned with items listed for Executive session. He understands the State Statute to say that the items should not be discussed in Executive Session.

City Attorney Mike Segler explained that he did look into the concern and shows the items are available to be discussed in Executive Session.

Mayor Pro Tem Charles Coffman made a motion to recess to Executive Session. Motion was **seconded** by Councilman Bobby Williamson.

The Vote was:

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

NAYE: Councilman Donnie Robinson

Councilman Donnie Robinson did not attend the Executive Session.

10. EXECUTIVE SESSION

a. **DISCUSSION AND CONSIDERATION ON POTENTIAL LITIGATIONS. (25 OS SEC 309 B4)**

b. **DISCUSSION ON POLICE CONTRACTS. (25 OS SEC 307 B2)**

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE TO REGULAR CITY COUNCIL MEETING

Mayor Pro Tem Charles Coffman made a motion to adjourn Executive Session at 8:50 p.m. Motion was **seconded** by Councilman Albert Gleichmann.

The Vote was:

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

NAYE: None

RECONVENED TO REGULAR CITY COUNCIL MEETING

EXECUTIVE SESSION BUSINESS ITEMS RECONVENE TO REGULAR CITY COUNCIL MEETING

- a.1 **ACTION ON ORDINANCE 591 AMENDING THE CITY OF PIEDMONT CODE OF ORDINANCES BY AMENDING SECTIONS 5-801 THROUGH 5-819 AND ADDING SECTION 5-820 TO DECLARE THE CONSTRUCTION, MAINTENANCE AND MODIFICATION OF INDUSTRIAL WIND ENERGY CONVERSION SYSTEMS TO BE A PUBLIC NUISANCE; PROVIDING FOR ABATEMENT; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.**

Mayor Pro Tem Charles Coffman made a motion to approve item 10 a.1 from Executive Session. Motion was **seconded** by Councilman Bobby Williamson.

Councilman Donnie Robinson commented that we cannot enforce anything outside our city limits. We have a Planning Commission and we have a Windmill Ordinance as well as a nuisance ordinance. We have an ordinance in place that states wind turbines can not be placed within City limits.

Councilman Albert Gleichmann commented that he has concerns with how our current Wind Turbine ordinance is designed. He does not think 10% is enough, if a 150 foot tower were to fall over it will still cause damage. It would be listed at 150%.

The Vote was:

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

NAYE: Councilman Donnie Robinson

ABSTAIN: Councilman Albert Gleichmann

Mayor Pro Tem Charles Coffman made a motion to declare item a.1 and emergency. Motion was **seconded** by Councilman Bobby Williamson.

The Vote was:

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

NAYE: Councilman Donnie Robinson

- a.2 **ACTION ON RESOLUTION 08-26-2013D OF THE CITY COUNCIL OF THE CITY OF PIEDMONT AUTHORIZING LEGAL ACTION AGAINST APEX WIND ENERGY AND KINGFISHER WIND, LLC TO ENJOIN CONSTRUCTION OF INDUSTRIAL WIND TURBINES WITHIN A THREE-MILE RADIUS OF THE MUNICIPAL LIMITS OF THE CITY OF PIEDMONT; AND APPROVING JOINT-PROSECUTION AGREEMENT BETWEEN THE CITY OF PIEDMONT AND THE CENTRAL OKLAHOMA PROPERTY RIGHTS ASSOCIATION.**

Councilman Donnie Robinson asked how the City is to enforce something outside of its jurisdiction.

City Attorney Mike Segler explained that State Statue allows for such enforcement.

Councilman Donnie Robinson stated that is not how he understands the State Statue.

Mayor Pro Tem Charles Coffman made a motion to approve item 10 a.2. Motion was **seconded** by Councilman Bobby Williamson.

The Vote was:

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

NAYE: Councilman Donnie Robinson

ABSTAIN: Councilman Albert Gleichmann

11. NEW BUSINESS –

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

Mayor Valerie Thomerson asked for vote on New Business item for sewer line leak. Expenditure amount exceeds City Managers approval limits.

Councilman Donnie Robinson made a motion to approve \$14,503 for sewer line repair with Brewer Construction. 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

MOTION TO RECESS TO PIEDMONT MUNICIPAL AUTHORITY

Councilman Albert Gleichmann made a motion to recess Piedmont Municipal Authority at 9:03 p.m. 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

12. PIEDMONT MUNICIPAL AUTHORITY

MOTION TO ADJOURN PIEDMONT MUNICIPAL AUTHORITY AND TO RECONVENE TO REGULAR CITY COUNCIL MEETING

Councilman Albert Gliedmann made a motion to adjourn Piedmont Municipal Authority and reconvene to regular City Council meeting at 9:03 p.m. 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. CITY MANAGER REPORT –

No Report

14. ADMINISTRATION REPORT –

Community Development Director Wade Harden commented on a USDA loan fund application, Referred back to Memo that he prepared and sent out to Council.

15. COUNCILMEMBER COMMENTS-

Councilman Donnie Robinson – commented vote your conscience, we have hired a City Manager to run the City and we expect him to do that within a budget. Will not waive fees for new construction.

Councilman Albert Gliedman - Road repair on Waterloo Rd are excellent. We are starting to actually do things, we need more grater power.

Mayor Pro Tem Charles Coffman – Street repairs never end but the road repair crews are doing an excellent job.

Councilman Bobby Williamson – Honored to be here, love Piedmont and hope my decisions reflect that.

Councilman Robert Simpson – Agree with all other comments, appreciate work done on Edmond Rd making road more passable.

Mayor Valerie Thomerson – Welcome to new Councilman Bobby Williamson, excited about the next 2 years and thank you to the community for showing up and voicing their thoughts, Piedmont has an empathic community.

16. ADJOURN –

Mayor Pro Tem Charles Coffman made a motion to Adjourn City Council meeting at 9:09 p.m. 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



Mayor Valerie Thomerson



Secretary Mary Ramsey