

**AGENDA SUMMARY – MEETING OF THE CITY COUNCIL
GEORGE FINA MUNICIPAL BUILDING - 314 EDMOND ROAD NORTHWEST
Monday, August 24, 2015 6:30pm**

MEMBERS PRESENT: Mayor Valerie Thomerson, Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Robert Simpson and Councilman Bobby Williamson.

ABSENT: None

STAFF PRESENT: City Manager Jim Crosby, City Clerk/Treasurer Jennifer Smith, Attorney Mike Segler, City Engineer Pat Garrett, Fire Chief Andy Logan, Police Chief Scott Singer, Community Development Director John Moore and Public Works Director Bud Stuber

1. **CALL TO ORDER** – Mayor Valerie Thomerson called the City Council meeting to order at 6:31 pm.
2. **ROLL CALL** – City Treasurer/Clerk Jennifer Smith called roll. A quorum was present.
3. **FLAG SALUTE** - Flag salute was led by Councilman Robert Simpson.
4. **INVOCATION** –Invocation was led by Ron Cardwell
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 July 27, 2015.
 - b. Designation of Official City of Piedmont Founder’s Day Coordinating Committee and their respective Committee Members.
 - c. Approval of request by the Police Department to surplus Used and Outdated radios.
 - d. Approval of request by the Police Department to surplus Miscellaneous Used Equipment.
 - e. Approval of Renewal of Subscription Agreement between Tyler Technologies, Inc, and the City of Piedmont.
 - f. Recognition/Approval of Purchase Order/Disbursements for the City (Claims List).
 - g. Recognition/Approval of July 2015 Financial Statements.

Mayor Pro Tem Donnie Robinson made a motion to approve item b,c,d,e,& g of the Consent Agenda. Motion was **seconded** by Councilman John Brown.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

6. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

Councilman John Brown asked for items a of the Consent Agenda to be pulled.

Councilman Albert Gliemann asked for item f of the Consent Agenda to be pulled.

Councilman John Brown addressed item a of the Consent Agenda. During the voting on the Voltera PUD of the July City Council meeting agenda item 8c. He recalls making a motion to approve the PUD with the removal of the pond and turn it into a retention pond. Minutes do not reflect this vote. Item was voted on and failed 3 to 2. Meeting took a break and during the break the City Attorney advised the motion was too far off of the agenda and item was re-voted on.

City Treasurer/Clerk Jennifer Smith explained she will have the minutes corrected.

City Attorney Mike Segler suggested tabling the item until the next meeting.

Councilman John Brown made a motion to table Consent Agenda item 5a until the next City Council meeting so that corrections can be made. Motion was **seconded** by Councilman Bobby Williamson.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

Councilman John Brown asked page 3, tab 7 \$2,500 for poker run.

City Manager Jim Crosby explained the cost was for a poker run the downtown merchants conducted as a fund raiser for the Park project.

Councilman John Brown asked about the charge for Laserfiche software.

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City Treasurer Jennifer Smith explained the cost is to upgrade to the newest software version and add 2 new users.

Councilman John Brown asked about the 6 month Digiticket cost.

City Treasurer Jennifer Smith explained the cost is for the Police department ticketing system.

Councilman John Brown asked about the cost \$35,383.00 for Cab/Chassis.

City Manager Jim Crosby explained the cost is for the new Fire Brush truck.

Councilman John Brown asked about the 1st monthly payment for 2015-2016 \$4,046.00.

City Treasurer Jennifer Smith explained that is the monthly payment for EMSA.

Councilman Albert Glechmann asked about the \$3,101.92 charge for K-9 unit.

Police Chief Scott Singer explained the cost is to replace and refit one of the Police units to properly care for the dog.

Councilman Albert Gleichmann made a motion to approve Consent Agenda item 5g. Motion was **seconded** by Councilman John Brown.

The Vote was:

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

NAYE: None

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

None

8. BUSINESS ITEMS –

- a. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON ORDINANCE 610 AN ORDINANCE AMENDING THE CITY OF PIEDMONT CODE OF ORDINANCES BY AMENDING SECTIONS 11-101A, 12-101, AND CITY OF PIEDMONT ZONING ORDINANCE SECTION 7-1 TO PROVIDE THAT A MEMBER OF THE PARK AND RECREATION BOARD, PLANNING COMMISSION, BOARD OF ADJUSTMENT, LIBRARY MUNICIPAL BOARD,**

PIEDMONT ECONOMIC AUTHORITY, AND ALL OTHER BOARDS MAY BE REMOVED FROM OFFICE IN ADDITION TO THE REASONS SET FORTH IN SAID SECTION, BY A FOUR-FIFTHS VOTE OF THE CITY COUNCIL; PROVIDING FOR REPEALER AND SEVERABILITY.

Councilman Albert Gliemann discussed language in Section 12-101, Members may be removed by the city council only for inefficiency, neglect of duty or malefaction in office or by a vote of four-fifths (4/5) of the city council.

Councilman Albert Gliemann concern with the language is that a board member can just be removed for no reason and with a vote.

City Attorney Mike Segler explained that he was instructed to write it that way. Board members can be removed for any reason listed or no reason with the vote of the city council.

Councilman Albert Gliemann explained that he does not like how this is written and would like to see the language changed. He would like the word and added instead of or.

City Attorney Mike Segler explained that changing the language could cause an ambiguity. This could cause confusion in the future.

Mayor Valerie Thomserson explained that sometimes the council may select someone to serve on a board and we later learn that the individual may not be the right fit for the board. They may not be following the rule of the board and listening to the City Manager. The intension of this language was to help the council correct an error in selecting a board member.

Councilman Donnie Robinson made a motion to table business item 8a until next City Council meeting. Councilman Bobby Williamson **seconded** by motion.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

b. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON ORDINANCE 611 AND ORDINANCE PROVIDING FOR A FEE TO DEFRAY COSTS OF COLLECTING DELINQUENT FINES, FEES, COURT COSTS, AND

MANDATORY STATE FEES PURSUANT TO 11 OKLAHOMA STATUTE §22-138.

MOTION TO APPROVE OR REJECT ON FIRST READING

Councilman John Brown made a motion to approve business item 8b. Motion was **seconded** by Mayor Pro Tem Donnie Robinson.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

c. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON THE FINAL PLAT FOR AUTUMN CHASE AT TOWN CENTRAL & HAWK'S LANDING AT TOWN CENTRAL.THE PROPERTY IS FURTHER 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 S 00°00'12" E along the West line of said Northwest Quarter (NW/4), distance of 880.00 feet; Thence N 89°59'48" E 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 N 00°00'12" W along the East line of said Warranty Deed, a distance of 50.00 feet; Thence N 89°59'48" E a distance of 523.51 feet; Thence N 00°00'12" W a distance of 507.19 feet to a point on the South line of the recorded plat of CORNMAN PROPERTIES NUMBER 1; Thence N 89°36'07" E along the South line of said recorded plat, a distance of 276.43 feet to the Southeast corner of said recorded plat; Thence N 00°00'12" W along the East line of said recorded plat, a distance of 7.50 feet; Thence N 89°59'48" E a distance of 697.98 feet; Thence S 00°00'12" E a distance of 478.79 feet; Thence S 41°16'53" W 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 S 86°33'06" W and a chord length of 159.33 feet; Thence S 89°59'48" W a distance of 595.63 feet; Thence S 00°00'12" E a distance of 100.00 feet; Thence N 89°59'48" E a distance of 95.00 feet; Thence S 00°00'12" E a distance of 325.03 feet; Thence S 89°59'48" W a distance of 294.40 feet; Thence N 00°00'12" W a distance of 325.03 feet; Thence S 89°59'48" W 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 N 00°00'12" W along the East line of said Warranty Deed a distance of 50.00 feet to the Northeast corner of said

Warranty Deed; Thence S 89°59'48" W along the North line of said Warranty Deed, a distance of 0.60 feet to the POINT OF BEGINNING.

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.

John Moore provided Council with an update on this development.

At the request of the Planning Commission the following items have been addressed

3 temporary easements have been established

Turn around for the fire department on the south end.

Easement for the detention pond

Easement for the drainage slim west of the subdivision

Phase one added to the final plat because it has extended so far out and they wanted to keep it separate from the other phases.

Maintenance bond on water lines has been received.

Councilman John Brown made a motion to approve. Motion was **seconded** by Councilman Bobby Williamson.

Planning Commissioner Ron Cardwell addressed the Council with his overall concerns of the development. He provided the Council with documentation of his concerns along with photos.

Final plat was not included in City Council packet.

- Commissioner wanted to make sure that communication was clear between the Planning Commission and the City Council.
- PUD is now all single family – which is minor amendment #4.
- Item 4, 70 to 80 in 2010 land were sold, attachment in packets show that Community Development Director communicated that this was not a minor change and that it needed to go before the Planning Commission, item did not pass
- PUD has changed considerably from the beginning.
- The flume across the Blvd is not allowed according to ordinance
- Pond is not sodded, has erosion problems and stability issues.
- Staff needs to follow pond ordinance
- PUD states that sidewalks will run the entire length of the blvd, it does not
- Generator to the sewer has not been installed. .

City Manager Jim Crosby – noted that Ron Cardwell is represented the Planning Commission, however the Planning Commission did approve this item with the items that John Moore has already addressed.

Councilman John Brown asked several questions in relation to Ron Cardwell concerns to City staff. Each item was addressed and answered.

The Vote was:

AYE: Councilman John Brown and Councilman Bobby Williamson

ABSTAIN: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, and Councilman Robert Simpson

NAYE: None

Item does not pass.

- d. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON A FORMAL APPLICATION FOR REZONING AND SUBMISSION OF A PUD MASTER DESIGN STATEMENT OF SKYLINE NORTH ADDITION, REQUESTED BY WINDING CREEK LIMITED PARTNERSHIP FOR A 30.446 ACRE RESIDENTIAL USE OF THE FOLLOWING DESCRIBED PROPERTY:**

Basis of Bearing is N 89°31'30" E along the North line of the Northwest Quarter (NW/4) of Section Thirty-two (32), Township Fourteen (14) North, Range Five West of the Indian Meridian, Canadian County, Oklahoma.

A tract of land in the Northwest Quarter (NW/4) of Section THIRTY-TWO (32), Township FOURTEEN (14) North, Range FIVE (5) West of the Indian Meridian, Canadian County, Oklahoma, and being more particularly described as follows: Commencing at the Northwest corner of said Northwest Quarter (NW/4);

THENCE N 89°31'30" E along the North line of said Northwest Quarter (NW/4) a distance of 461.40 feet to the POINT OF BEGINNING; Thence continuing N 89°31'30" E along the North line of said Northwest Quarter (NW/4), a distance of 355.33 feet; Thence S 00°01'22" E a distance of 534.84 feet; Thence N 89°31'30" E parallel with the North line of said Northwest Quarter (NW/4), a distance of 501.49 feet to a point on the East line of the West Half (W/2) of said Northwest Quarter (NW/4); Thence S 00°01'22" E along the East line of the West Half (W/2) of said Northwest Quarter

(NW/4), a distance of 1496.77 feet; Thence N 89°54'48" W a distance of 753.15 feet; Thence N 12°18'37" W a distance of 91.79 feet; Thence N 04°00'58" W a distance of 98.45 feet; Thence N 15°12'07" W a distance of 79.08 feet; Thence N 58°09'25" W a distance of 250.74 feet; Thence N 26°12'13" E a distance of 344.10 feet; Thence N 89°59'56" E a distance of 74.21 feet; Thence N 00°00'04" W a distance of 259.07 feet; Thence N 90°00'00" W a distance of 115.26 feet; Thence N 00°00'00" W a distance of 176.34 feet; Thence N 90°00'00" E a distance of 111.81 feet; Thence N 13°51'45" W a distance of 102.48 feet; Thence on a curve to the left with an arc length of 40.00 feet, a radius of 250.00 feet, a chord bearing of N 18°26'46" W and a chord length of 39.96 feet; Thence N 23°01'48" W a distance of 75.99 feet; Thence N 00°00'00" W a distance of 675.40 feet to the POINT OF BEGINNING. Said tract contains an area of 1461003.54 square feet or 33.540 acres, more or less. The property is located at the SE Corner of Edmond Road and Cemetery Road.

Business item 8d, pulled from Agenda.

9. NEW BUSINESS –

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

MOTION TO RECESS TO PIEDMONT MUNICIPAL AUTHORITY

Councilman Robert Simpson made a motion to adjourn to Piedmont Municipal Authority @ 7:14 pm. Motion was **seconded** by Councilman Bobby Williamson.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None

10. PIEDMONT MUNICIPAL AUTHORITY

MOTION TO ADJOURN TO RECONVENE TO REGULAR CITY COUNCIL MEETING

Councilman John Brown made a motion to reconvene to regular city council meeting @ 7:15 pm. Motion was **seconded** by Mayor Pro Tem Donnie Robinson.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliemann, Councilman John Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

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NAYE: None

11. CITY MANAGER REPORT –

Repairs on E. Moffat almost done. Repairs to W. Moffat will begin soon.

Road work on Waterloo will begin after Founders Day and should be completed by the end of September.

12. ADMINISTRATION REPORT –

None

13. COUNCILMEMBER COMMENTS-

Councilman Bobby Williamson – Appreciate the update on 234th, Keep the Castello family in your prayers.

Councilman Robert Simpson – thinking about the Casetllo family.

Mayor Pro Tem Donnie Robinson – Thank you to Bud, John and the City Staff. Headed into retirement soon, will be driving the roads more.

Councilman John Brown – has concerns with Planning Commissioner coming before the Council representing himself on the behalf of the Planning Commission. He should have come before the Council with the vote of the Commission.

Councilman Albert Gleichmann – Disagree with Councilman John Brown and thinks that the Planning Commissioner was doing his job by coming before the Council and communicating his concerns.

Mayor Valerie Thomerson – asked Planning Commissioner Ron Cardwell to have the Planning Commission send a report to the City Council each meeting. However, the report should be from the Chairman.

14. ADJOURN –

Mayor Pro Tem Donnie Robinson made a motion to adjourn City Council meeting at 7:25 pm. Motion was **seconded** by Councilman Bobby Williamson.

The Vote was:

AYE: Mayor Pro Tem Donnie Robinson, Councilman Albert Gliedmann, Councilman John

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Brown, Councilman Bobby Williamson and Councilman Robert Simpson.

NAYE: None



Mayor, Valerie Thomerson



Secretary, Mary Ramsey