

**MEETING OF THE CITY COUNCIL
GEORGE FINA MUNICIPAL BUILDING - 314 EDMOND ROAD NORTHWEST
Tuesday, May 28, 2013 6:30pm**

MEMBERS PRESENT: Mayor Valerie Thomerson, Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods, 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 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 / Treasurer Jennifer Smith call roll. There was quorum present. There were approximately 29 people in the audience.
3. **FLAG SALUTE** - Flag salute was led by John Brickerstaff.
4. **INVOCATION** – The 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. Appointment of Vice Mayor (Mayor Pro-Tem).
 - b. Appointment of two (2) Board of Adjustment members.
 - c. Appointment of one (1) Library Municipal Board member.
 - d. Appointment of two (2) Park and Recreation Board members.
 - e. Appointment of one (1) Planning Commission members.
 - f. Approval of Minutes for the City Council Meeting on April 22, 2013.
 - g. Approval of Minutes for the Special City Council Meeting on April 29, 2013.
 - h. Approval of agreement between the City of Piedmont and Crawford & Associates, P.C. for accounting and consulting services.
 - i. Approval of contract for Audit services with HBC for Fiscal Year July 1, 2012, to June 30, 2013.
 - j. Recognition/Approval of Purchase Order/Disbursements for the City (Claims List).
 - k. Recognition/Approval of April 2013 Financial Statements.

Councilman Vernon Woods asked for items a,b,c,d,e,f,h,j & k of the Consent Agenda to be pulled.

Councilman Donnie Robinson made motion to approve items f,g, & l of the Consent Agenda. It was **seconded** by Councilman Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Councilman Charles Coffman, Councilman Vernon Woods, and Councilman Robert Simpson.

NAYE: None

Item 5A - Appointment of Vice Mayor (Mayor Pro-Tem).

Councilman Charles Coffman was appointed as Mayor Pro Tem.

The Vote was:

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

NAYE: None

Item 5B - Appointment of two (2) Board of Adjustment members.

Bobby Williams and Brad Ness were appointed to Board of Adjustments.

The Vote was:

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

NAYE: None

Item 5C - Appointment of one (1) Library Municipal Board member.

Ken Sauers was appointed to Library Municipal Board.

The Vote was:

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

NAYE: None

Item 5D - Appointment of two (2) Park and Recreation Board members.

Amy Hirom and Melissa Percy were appointed to the Parks and Recreation Board.

The Vote was:

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

NAYE: None

Item 5E - Appointment of one (1) Planning Commission members.

Ron Cardwell was reappointed to the Planning Commission.

The Vote was:

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

NAYE: None

Item 5H - Approval of agreement between the City of Piedmont and Crawford & Associates, P.C. for accounting and consulting services.

Councilman Vernon Woods asked for clarification of the Scope of Available Services language. Specifically, (Restricted for Management Use Only).

City Attorney Mike Segler explained that the language is in place so that no one other than the City of Piedmont can rely upon the findings or the compilation of the findings. Third parties cannot rely upon it, once it is given over to the City the City can do with the information as they wish. The information is then made available to the Council and Public.

Councilman Vernon Woods made a motion to approve item H. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

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

NAYE: None

Item 5J - Recognition/Approval of Purchase Order/Disbursements for the City (Claims List).

Councilman Vernon Woods still has issues with what has been paid to TRIAD according to the reports provided since September. The reports do not balance. He asked for an explanation of the difference and has not received one. His point is that the reports are unreliable and will continue to vote no until explanation can be provided.

City Clerk/Treasurer Jennifer Smith explained that Mr. Woods had been given an

explanation as well as the rest of the council. The information has been provided in the form of a spreadsheet showing all bills that had been received and paid. All of TRIAD's invoices are available for his review and have been given to Mr. Woods in the past. She noted that there was a duplication of a couple of checks that had been voided that he did not originally have in the first report. She stated she had also explained this to Mr. Woods.

Councilman Vernon Woods continued to state that there were numerous amounts that did not make sense to him.

City Manager Jim Crosby suggested postponing the item until agenda can be pulled and reviewed.

Councilman Vernon Woods explained that his point is the reports are unreliable and he will continue to vote no on this item until explanations are provided.

City Manager Jim Crosby explained that the reports are correct and no one has been under or over paid.

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

The Vote was:

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

NAYE: Councilman Vernon Woods

Item 5K - Recognition/Approval of April 2013 Financial Statements.

Councilman Vernon Woods has same concern that statements information is unreliable.

Mayor Pro Tem Charles Coffman made a motion to approve item 5K. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

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

NAYE: Councilman Vernon Woods

6. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

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

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Citizen Don Rubley asked what the performance standards are for the Lobbyist that was hired for the City of Piedmont. What are we getting for our money?

Councilman Donnie Robinson explained that there is ongoing work being done and the process takes time. In the past this process has brought the City of Piedmont over 4 million dollars.

8. CONDUCT A PUBLIC HEARING FOR CITIZENS COMMENTS ON THE 2013-2014 CITY OF PIEDMONT FISCAL YEAR BUDGET.

Councilman Vernon Woods questioned if a legal publication was placed in the newspaper.

City Clerk / Treasures Jennifer Smith answered yes. A copy of the paper was provided with the legal notification.

Nothing heard from Citizens.

9. BUSINESS ITEMS –

- a. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON RESOLUTION NO 05-28-2013A CALLING FOR A RECALL ELECTION OF A COUNCILMEMBER FROM WARD TWO (2) FOR THE CITY OF PIEDMONT, OKLAHOMA, TO BE HELD ON AUGUST 13,2013; PROVIDING FOR A FILING PERIOD AND REQUESTING THE CANADIAN COUNTY ELECTION BOARD TO CONDUCT SAID ELECTION; AND PROVIDING FOR NOTICE OF ELECTION.**

Councilman Vernon Woods made a motion to approve item 9a. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

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

NAYE: None

- b. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON ADOPTING AN ORDINANCE NO. 583 REGARDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED BENEFIT PLAN FOR THE CITY OF PIEDMONT & PIEDMONT MUNICIPAL AUTHORITY, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF CITY OF**

PIEDMONT & PIEDMONT MUNICIPAL AUTHORITY, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A COMMITTEE AND PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER INCORPORATED CITIES, TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENT AS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR NON-ALIENATION OF BENEFITS AND LOSS OF BENEFITS FOR CAUSE; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE; PROVIDING FOR EMPLOYER PICKUP OF MANDATORY CONTRIBUTIONS; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Charles Coffman made a motion to discuss item 9b. It was **seconded** by Councilman Robert Simpson.

City Manager Jim Crosby explained that this plan will increase employees retirement benefit by 1.12%. Nothing has changed about the plan except for the percent of benefit to the employee is increasing by 1.12%. The total cost to the City is \$24,000.

Councilman Vernon Woods asked if the benefit was defined?

City Manager Jim Crosby explained yes the benefit is defined.

Mayor Pro Tem Charles Coffman made a motion to approve item 9b. It was **seconded** by Councilman Vernon Woods.

The Vote was:

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

NAYE: None

City Attorney Mike Segler explained that if no emergency is declared the entire ordinance has to be printed in the paper and that is very costly. If an emergency is declared only the title has to be printed in the paper which is much more cost effective.

Councilman Albert Gleichmann made a motion to declare an emergency. It was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

AYE: Councilman Albert Gleichmann and Mayor Pro Tem Charles Coffman.

NAYE: Councilman Donnie Robinson, Councilman Vernon Woods and Councilman Robert Simpson.

The emergency clause did not pass.

- c. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON ORDINANCE NO. 584 AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE CITY OF PIEDMONT & PIEDMONT MUNICIPAL AUTHORITY, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF PIEDMONT & PIEDMONT MUNICIPAL AUTHORITY, OKLAHOMA; PERTAINING TO THE DEFINITION OF COMPENSATION; PERTAINING TO PLAN DESIGN; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.**

Mayor Pro Tem made a motion for discussion of item 9c. It was **seconded** Councilman Robert Simpson.

City Manager Jim Crosby explained that item 9c is a sister item to 9b. This item is to end the current Employee Retirement fund and begin the new Employee Retirement fund.

Mayor Pro Tem Charles Coffman made a motion to approve item 9c. It was **seconded** by Councilman Robert Simpson.

The Vote was:

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

NAYE: None

No emergency declared. No vote.

- d. **CONDUCT A PUBLIC HEARING ON A REQUEST TO REZONE PROPERTY**

OWNED BY RAFTER H OPERATING LLC, THERESA ELAINE SCHULTE, MARK STEVEN SIMPSON, ROBERT THOMAS SIMPSON, MARY NELL BRUEGGEN, JOHN MICHAEL SIMPSON, TONI L. SCHWARZ F/K/A TONI L. SIMPSON, WILLIAM DONALDSON II, A/K/A WILLIAM DONALDSON, JR., TRUSTEE, AND HELMS & UNDERWOOD, AN OKLAHOMA PARTNERSHIP. THE PROPERTIES ARE DESCRIBED AS FOLLOWS:

Being approximately 552 acres located on the SW corner of Piedmont Road and Washington Avenue and being approximately 382 acres located on the SE corner of Piedmont Road and Washington Avenue.

Commercial Tract 1 is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **C-2 (General Commercial District) and RS-2 (Single-Family Residential District)** for the property described as:

Section 4, Township 13N, Range 5 WIM A tract or parcel of land lying in the Northwest Quarter (NW/4) and the North Half of the North Half of the Southwest Quarter (N/2 N/2 SW/4) of Section Four, Township Thirteen (13) North, Range Five (5) W.I.M., Canadian County, Oklahoma, more particularly described as follows: Commencing at the Northwest corner of said Section 4, Thence N 89°31'30" E along the north line of said section, a distance of 65.00 feet to a point on the east right-of-way line of State Highway 4, said point being the Point or Place of Beginning; Thence Southwesterly along said right-of-way, and along a curve to the right having a radius of 22,983.31 feet, a chord bearing of S 01°06'12" W, a chord distance of 728.93 feet, for an arc length of 728.96 feet to a point of reverse curvature; Thence Southwesterly continuing along said right-of-way, and along a curve to the left having a radius of 22,853.31 feet, a chord bearing of S 01°41'19" W, a chord distance of 257.01 feet, for an arc length of 257.01 feet; Thence S 89°48'17" E, a distance of 424.01 feet; Thence S 00°11'43" W, a distance of 506.00 feet; Thence N 89°48'17" W, a distance of 437.76 feet, to a point on the above mentioned right-of-way line; Thence S 00°11'43" W along said right-of-way line a distance of 1,182.05 feet to a point on the South line of the Northwest Quarter of Section 4; Thence continuing along said rightof-way line S 00°11'55" W, a distance of 653.69 feet to a point on the south line of the North Half of the North Half of the Southwest Quarter (N/2 N/2 SW/4); Thence S 89°49'10" E along the above said south line a distance of 2,623.58 feet, said point being the Southeast corner of the North Half of the North Half of the Southwest Quarter; Thence N 00°06'08" W along the east line of said North Half of the North Half of the Southwest Quarter a distance of 657.62 feet, said point being the Northeast corner of the North Half of the North Half of Section 4; Thence continuing N 00°06'08" W along the east line of the Northwest Quarter a distance of 1,314.12 feet, to a point being the Southeast corner of Government Lot 3; Thence S 89°56'37"W along the South line of said Government Lot 3 a distance of 661.58 feet; Thence N 00°01'42" W, a distance of 690.21 feet; Thence S 89°44'05"W a distance of 660.70 feet, to a point on the West line of said Government Lot 3; Thence N 00°02'44"E along said West line of Government Lot 3, a distance of 687.80 feet to the Northwest corner of Government Lot 3, said point being on the North line of said Section 4; Thence S 89°31'30" W, along said North line, a distance of 1,254.64 feet to the Point or Place of Beginning, and containing 7,124,089.60 square feet, or 163.547 acres of land more or less.

Commercial Property Tract 2 is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **C-2 (General Commercial District)** for the property described as:

Section 4, Township 13N, Range 5 WIM A tract or parcel of land lying in Government Lot 1 of Section Four (4), Township Thirteen (13) North, Range Five (5) W.I.M., Canadian County, Oklahoma, and being more particularly described as follows: Beginning at the Northeast corner of said Government Lot 1, said point being the Point or Place of Beginning; Thence S 00°30'02" E, along the East line of Said Government Lot 1, a distance of 466.69 feet; Thence S 89°31'45" W and parallel to the North Line of said Government Lot 1, a distance of 466.69 feet; Thence N 00°30'02" W, and parallel to the East line of said Government Lot 1, a distance of 466.69 feet to a point on the North line of said Government Lot 1; Thence N 89°31'45"E, along the North line of Government Lot 1, a distance of 466.69 feet to the Point or Place of Beginning, and containing 217,799.53 square feet, or 5.00 acres more or less.

Residential Tract is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **RE-2 (Minimum-Size Rural Estates Residential District)** for the property described as:

Section 4, Township 13N, Range 5 WIM A tract or parcel of land lying in a part of the Northwest Quarter (NW/4), a part of the Northeast Quarter (NE/4), and a part of the North Half of the North Half of the Southeast Quarter (N/2 N/2 SE/4) of Section Four (4), Township Thirteen (13) North, Range Five (5) W.I.M. , Canadian County, Oklahoma, and more particularly described as follows: Commencing at the Northwest corner of said Section 4, Thence N 89°31'30" E along the north line of said section, a distance of 1,319.64 feet to the Northwest corner of Government Lot 3, said point being the Point or Place of Beginning; Thence S 00°02'44" W, along the West line of Government Lot 3, a distance of 687.80 feet; Thence N 89°44'05" E, a distance of 660.70 feet; Thence S 00°01'42" E a distance of 690.21 feet, to a point on the south line of said Government Lot 3; Thence N 89 °56'37" E along the South line of said Government lot 3, a distance of 661.58 feet to the Northwest corner of the South Half of the Northeast Quarter (S/2 NE/4); Thence S 00°06'08" E, along the west line of said South Half of the Northeast Quarter a distance of 1,314.12 feet to a point being the Northwest Corner of the North Half of the North Half of the Southeast Quarter; Thence S 00°06'08" E continuing along the west line of the North Half of the North Half of the Southeast Quarter, a distance of 657.62 feet; Thence S 89°49'15" E, along the South line of the North Half of the North Half of the Southeast Quarter, a distance of 1,572.40 feet; Thence N 00°14'12"W, a distance of 659.95 feet, to a point on the North line of the North Half of the North Half of the Southeast Quarter; Thence S 89°54'19" E, along said north line a distance of 1,089.04 feet, to the Northeast corner of the North Half of the North Half of the Southeast Quarter; Thence N 00°30'02" W, along the East line of the Northeast Quarter, a distance of 2,258.87 feet; Thence S 89°31'45" W, and parallel to the North line of the Northeast Quarter a distance of 466.69 feet; Thence N 00°30'02"W, and parallel to the East line of the Northeast Quarter a distance of 466.69 feet, to a point on the North line of the Northeast Quarter; Thence S 89°31'45" W, along the North line of the Northeast Quarter, a distance of 1,646.28 feet; Thence S 00°06'08" E, and parallel to the West line of the Northeast Quarter a distance of 351.00 feet; Thence S 89°31'45" W, and parallel to the North line of the Northeast Quarter, a distance of 267.00 feet; Thence N 00°06'08" W, and parallel to the West line of the Northeast Quarter a distance of 351.00 feet, to a

point on the North line of the Northeast Quarter; Thence S 89°31'45" W, along the North line of the Northeast Quarter, a distance of 261.00 feet to the Northwest corner of the Northeast Quarter; Thence S 89°31'30" W along the North line of the Northwest Quarter a distance of 1,319.64 feet to the point or place of beginning, and containing 9,281,415.10 square feet, or 213.072 acres more or less;

Residential Tract is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **RE-2 (Minimum-Size Rural Estates Residential District)** for the property described as:

Section 5, Township 13N, Range 5 W.I.M. A tract or parcel of land lying in a part of Section Five (5), Township Thirteen (13) North, Range Five (5) W.I.M., Canadian County, Oklahoma, and more particularly described as follows: Commencing at the Northeast corner of Said Section 5, Thence S 89°41'40" W, along the North line of the Northeast Quarter a distance of 1385.00 feet to the Point or Place of Beginning; Thence S 89°41'40" W a distance of 1,254.77 feet; Thence S 89°32'35" W a distance of 2,637.42 feet to the Northwest Corner of Section 5; Thence S 00°20'00" E along and following the West line of the Northwest Quarter of said Section 5 a distance of 2,703.60 feet to a point, said point being the Southwest corner of the Northwest Quarter of Section 5; Thence N 89°24'26" E along the North line of Northwood Lake Estates Addition a distance of 1,320.17 feet to a point, said point being the Northeast corner of the West Half of the Southwest Quarter of Section 5 per the recorded plat thereof; Thence S 00°22'08" E along the East line of Northwood Lake Estates Addition a distance of 2,647.91 feet to a point on the South line of Section 5, said point being the Southeast corner of the West Half of the Southwest Quarter of Section 5; Thence N 88°45'00" E a distance of 2,586.75 feet; Thence N 00°30'22" W a distance of 5,309.262 feet to the Point or Place of Beginning, and containing 17,315,950.00 Square feet or 397.519 Acres more or less.

Commercial Tract is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **C-2 (General Commercial District)** for the property described as:

Section 5, Township 13N, Range 5 W.I.M. A tract or parcel of land lying in a part of Section Five (5), Township Thirteen (13) North, Range Five (5) W.I.M., Canadian County, Oklahoma, and more particularly described as follows: Commencing at the Southeast corner of Said Section 5, Thence S 88°45'00" W along the South line of said Section 5 a distance of 1,320.21 feet, to a point, and point also being the Point or Place of Beginning; Thence North 88°45'00" E a distance of 1,232.20 feet; Thence N 00°11'55"E along the West right-of- way line of State Highway 4 a distance of 2,615.18 feet to a point on the North line of the Southeast Quarter; Thence N 00°11'43" E continuing along said West right-of-way line of State Highway 4 a distance of 1,222.82 feet to a point of curvature; Thence Northeasterly along said right-of-way, and along a curve to the right having a radius of 22,983.31 feet, a chord bearing of N 01°06'09" E, a chord distance of 728.09 feet for an arc length of 728.12 feet to a point of reverse curvature; Thence continuing Northeasterly along said right-of-way line, and along a curve to the left having a radius of 22,853.31 feet, a chord bearing of N 01°42'21" E a chord distance of 241.61 feet, for an arc length of 241.61 feet; Thence N 43°42'53" W along the said right-of-way line a distance of 28.24 feet to a point of curvature; Thence Northeasterly along the said right-of-way and along a curve to the left having a radius of 22,833.31 feet; a chord bearing of N 01°10'04" E, a chord length of 149.44 feet, for an arc length of 149.44 feet; Thence N 46°02'53" E, along said right-of-way

line, a distance of 28.24 feet to a point of curvature; Thence continuing Northeasterly along said right-of-way line and along a curve to the left having a radius of 22,853.11 feet, a chord bearing of N 00°33'44" E, a chord length of 292.36 feet, for an arc length of 292.36 feet to a point on the North line of Section 5; S 89°41'40" W a distance of 1,320 feet along the North line of Section 5; Thence S 00°30'22" E a distance of 5,309.262 feet to the Point or Place of Beginning, and containing 6,714,153.00 square feet or 154.136 acres more or less.

Councilman Robert Simpson excused himself from the room due to personal involvement of this item.

Danny Weir representing Skyline Homeowners Association spoke. Most of the neighbors are not aware of the rezoning occurring across the street. Concerns are the current condition of the roads, drainage issue and traffic flow issues. Wanted to hear feedback on concerns.

Mayor Valerie Thomerson asked Community Development Wade Harden to provide information on the rezoning. The certified letters were mailed out to residence surrounding the area. 8 protests were received, 7 of the protest had concerns about the commercial rezoning. The protests were given to the Planning Commission and the landowner made revisions to request in order to accommodate the concerns of the residents. The request is in accordance with the Comp plan. Roads, traffic, drainage will be addressed at the time of the Platt. The public will be notified when the Platt is completed. The Platt will go before the Planning Commission and the public will be given the opportunity to speak again.

Public hearing closed.

- e. **CONSIDERATION AND POSSIBLE ACTION ON A REQUEST TO REZONE PROPERTY OWNED BY RAFTER H OPERATING LLC, THERESA ELAINE SCHULTE, MARK STEVEN SIMPSON, ROBERT THOMAS SIMPSON, MARY NELL BRUEGGEN, JOHN MICHAEL SIMPSON, TONI L. SCHWARZ F/K/A TONI L. SIMPSON, WILLIAM DONALDSON II, A/K/A WILLIAM DONALDSON, JR., TRUSTEE, AND HELMS & UNDERWOOD, AN OKLAHOMA PARTNERSHIP. REFERENCE THE ABOVE LEGAL DESCRIPTION.**

Councilman Donnie Robinson made a motion to discuss item 9e. It was **seconded** by Mayor Pro Tem Charles Coffman.

Councilman Vernon Woods asked for clarification on RE2.

Community Development Director Wade Harden explained the development concept.

Mayor Pro Tem Charles Coffman made a motion to approve item 9e. It was

seconded by Councilman Albert Gleichmann.

The Vote was:

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

NAYE: None

Mayor Valerie Thomerson called for a break at 7:37 p.m.

City Council meeting reconvened at 7:47 p.m.

f. CONSIDERATION AND POSSIBLE ACTION ON THE FINAL PLAT OF CIRCLE V RANCH ESTATES SECTION V.

Councilman Vernon Woods made a motion for discussion on item 9f. It was **seconded** by Councilman Robert Simpson.

Community Development Director Wade Harden provided history on the Plat and current details on improvements and zoning requirements. All requirements have been met and a recommendation for Plat approval.

Councilman Vernon Woods asked about time limits on getting approvals and completions of projects.

Attorney Mike Segler explained that the standards from 2007 will be applied to this Plat. None of the current fees will be applied for this development.

Councilman Donnie Robinson made a motion to approve final Plat of Circle V Ranch Estates. It was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

AYE: Councilman Donnie Robinson, Mayor Pro Tem Charles Coffman, Councilman Vernon Woods, and Councilman Robert Simpson.

NAYE: Councilman Albert Gleichmann

g. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON RESOLUTION NO. 05-28-2013B OF THE CITY COUNCIL OF PIEDMONT, OKLAHOMA, COMMITTING TO THE CONSTRUCTION OF APPROXIMATELY 135 LINEAR FEET OF 5' SIDEWALK TO CONNECT THE SAFE ROUTES TO SCHOOL SIDEWALK TO THE EXISTING SIDEWALK IN THE OLDE TOWN ESTATES ADDITION.

Community Development Director Wade Harden provided details on project.

Councilman Vernon Woods made a motion to approve sidewalk to connect to Safe Routes to School sidewalk. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

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

NAYE: None

h. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON DILAPITATED BUILDINGS REQUEST FROM NICK KITTREDGE.

Community Development Director Wade Harden provided details on dilapidated building. Requested direction from Council.

Councilman Donnie Robinson recommended that Council wait until house completes foreclosure process. He would like the lending institution to be contacted to see where they are in their process.

Councilman Vernon Woods recommended that the Council move forward with removal of building.

Councilman Albert Gleichmann made a motion to table to item until next City Council meeting. It was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

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

NAYE: Councilman Vernon Woods

i. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON RESOLUTION NO 05-28-2013C OF THE PIEDMONT MUNICIPAL AUTHORITY TO PROVIDE FOR INCREASES IN FEES FOR WATER, SANITARY SEWER AND REFUSE COLLECTION.

Mayor Pro Tem Charles Coffman made a motion to discuss item 9i. It was **seconded** by Councilman Vernon Woods.

Councilman Vernon Woods asked for further explanation on the new rates, are we making money or still in the red. Wants to know where we stand with expensive and rates. Against using utilities as funds for the City.

City Manager Jim Crosby explained that Cities do use utilities as a way to fund Government. The budget has been looked at closely the City is running as efficiently as possible. City of Piedmont needs this increase to keep up with the cost of water from Oklahoma City. Additional increases from Oklahoma City are to be expected again this year.

Councilman Vernon Woods would like to further cost analysis.

Mayor Pro Tem Charles Coffman made a motion to approve item i. It was **seconded** by Councilman Albert Gleichmann.

The Vote was:

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

NAYE: Councilman Vernon Woods

- j. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON ORDINANCE NO. 585 WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF PIEDMONT, OKLAHOMA BY AMENDING SEC. 5-232 TO INCREASE THE NEW INFRASTRUCTURE USE FEE ON RESIDENTIAL FROM SEVEN HUNDRED FIFTY DOLLARS (\$750.00) TO ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00); IMPOSING THE FEE ON ALL NEW PRIVATE COMMERCIAL BUILDINGS AND PUBLIC BUILDINGS; RESTRICTING THE USE OF THE FEE TO EXPANSION AND IMPROVEMENT OF ROADWAYS PROVIDING FOR REPEALER; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Charles Coffman made a motion to discuss item 9j. It was **seconded** by Councilman Robert Simpson.

Councilman Vernon Woods asked how the fee would be applied if the new development was an apartment or school. Those types of buildings create a great deal of traffic.

Community Development Director explained that some Cities apply the fee per

square foot and for multi-use housing per unit.

Attorney Mike Segler suggested tabling item and coming back next month with a residential only ordinance increase from \$750 to \$1200. Instruct Staff to work on a formula for per square foot for private, public and commercial. Directing funds to roadways.

City Manager Jim Crosby suggested bringing item back next month.

Councilman Vernon Woods tabled item to come back at next month's City Council meeting. It was **seconded** by Councilman Albert Gleichmann.

The Vote was:

AYE: Councilman Donnie Robinson, Councilman Albert Gleichmann, Mayor Pro Tem Charles Coffman, and Councilman Robert Simpson and Councilman Vernon Woods

NAYE: None

k. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON RESOLUTION NO 05-28-2013D OF THE CITY COUNCIL OF PIEDMONT, OKLAHOMA, ADOPTING A SCHEDULE OF FINES, COSTS, ASSESSMENTS, AND FEES PAYABLE THROUGH THE ORDINANCE VIOLATIONS BUREAU.

Mayor Pro Tem Charles Coffman made a motion to open item 9k for discussion. It was **seconded** by Councilman Robert Simpson.

City Manager Jim Crosby explained that the City of Piedmont is way below the average on fines assessed to violations. This ordinance would allow for some increases to the current fee schedule.

Councilman Vernon Woods asked for a list of current fees and proposed new fees.

Discuss occurred about the detail of the fees and where the money goes directly.

Councilman Vernon Woods made a motion to table the item until a list of current fees and new fees can be provided. It was **seconded** by Councilman Donnie Robinson.

The Vote was:

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

NAYE: None

I. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON RESOLUTION NO 05-28-2013E OF THE PIEDMONT MUNICIPAL AUTHORITY TO PROVIDE FOR A NECESSARY ROAD MAINTENANCE FEE TO ENSURE SAFE AND MODERN ROADS FOR THE CITY OF PIEDMONT.

Mayor Pro Tem Charles Coffman made a motion to open item 9I for discussion. It was **seconded** by Councilman Robert Simpson.

Discussed occurred on the fees that will be applied to all utilities customers, water, sewer, and trash. The number of customers and the additional revenue that will be generated.

No further discussion, no motion.

Item fails.

Councilman Albert Gleichmann made a motion to reconsider discussing item 9L. It was **seconded** by Mayor Pro Tem Charles Coffman.

Councilman Donnie Robinson made a motion to approve item 9L. It was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

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

NAYE: Councilman Vernon Woods

m. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RESOLUTION NO 05-28-2013F OF THE MAYOR FOR THE CITY OF PIEDMONT, CALLING FOR THE CIVIL DEFENSE PROGRAM TO BE KNOWN AND RECOGNIZED AS THE PIEDMONT EMERGENCY MANAGEMENT OFFICE, A DEPARTMENT WITHIN THE EXECUTIVE BRANCH OF THIS JURISDICTION.

City Manager Jim Crosby explained this item was brought forward by Boyd Emergency Management Manager. He has requested for a name change of the department to a more current title.

Councilman Albert Gleichmann made a motion to discuss item 9m. It was **seconded** by Mayor Pro Tem Charles Coffman.

Discussion occurred on who the Executive Branch entails and the role of the Emergency Management department.

Attorney Mike Segler explained that the title Civil Defense is an out of date term. The current title is Emergency Management office

Councilman Donnie Robinson made a motion to approve item 9m. It was **seconded** by Councilman Robert Simpson.

The Vote was:

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

NAYE: None

n. **DISCUSSION, CONSIDERATION, AND ACTION ON APPROVAL OF A JOINT RESOLUTION NO 05-28-2013G APPROVING THE CITY OF PIEDMONT'S THE PIEDMONT MUNICIPAL AUTHORITY'S AND PIEDMONT'S SPECIAL PROJECT AUTHORITY ANNUAL OPERATING BUDGETS FOR FISCAL YEAR 2013-2014, STARTING JULY 1, 2013, AND ENDING ON JUNE 30, 2014.**

Mayor Pro Tem Charles Coffman made a motion to open item 9n for discussion. It was **seconded** by Councilman Donnie Robinson.

Mayor Pro Tem Charles Coffman asked how much not approving item 9L affected the budget.

City Treasurer Jennifer Smith explained item 9L was budgeted for \$130,000 in PMA. That money was set up to be used in street and alley for road repair. Since the item was not approved the budget will need to be adjusted by that same amount.

Councilman Albert Gleichmann made a motion to reconsider discussing item 9L. **(vote recorded above in item 9L)**

Councilman Donnie Robinson made a motion to approve item 9n. It was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

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

NAYE: Councilman Vernon Woods

10. NEW BUSINESS –

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

None

MOTION TO RECESS TO PIEDMONT MUNICIPAL AUTHORITY

Councilman Donnie Robinson made a motion to recess to Piedmont Municipal Authority. It was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

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

NAYE: None

RECONVENE TO REGULAR CITY COUNCIL MEETING – reconvene at 9:07

11. CITY MANAGER REPORT – None

12. ADMINISTRATION REPORT – None

13. COUNCILMEMBER COMMENTS-

Councilman Robert Simpson asked why the City is charging \$500 for a resident to put an out building. Community Development Director Wade Harden will research reason the charge in place and communicate back with Councilman.

Councilman Vernon Woods asked about the Circle V development being able to use the 2007 code. The housing development is not required to have sidewalks. Questioned road standards.

Councilman Donnie Robinson asked if timeline can be established on developments to ensure that the City does not run into the challenge again.

Councilman Albert Gleichmann seconded Councilman Robert Simpson concerns about the \$500 fee charged on pre-engineered building.

Councilman Charles Coffman thank you to city staff for help out with recent tornados.

Councilman Donnie Robinson – Daughters cancers treatments did not work but she is strong and asked for people to keep her in there prays.

Councilman Donnie Robinson made a motion to adjourn City Council meeting at 9:20 p.m. It was **seconded** by Mayor Pro Tem Charles Coffman.

The Vote was:

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

NAYE: None

14. ADJOURN – 9:20 p.m.



Mayor, Valerie Thomerson



Secretary, Mary Ramsey