

MINUTES
JENKS CITY COUNCIL
TUESDAY, JANUARY 22, 2019, 7:00 P.M.
JENKS CITY HALL, COUNCIL CHAMBERS, 211 NORTH ELM

The Agenda for the Jenks City Council was posted in City Hall, on the City’s website, and sent electronically to the Tulsa World and Oklahoma News Weekly at 2:00 p.m. on January 19, 2019. The meeting was called to order at 7:00 p.m. on the above date with Mayor Josh Wedman presiding. A roll call vote of members was taken as follows:

Craig Murray	Present
Bo Summers	Present
Mike Sharp	Present
Cory Box	Present
Robert Lee	Present
Mayor Josh Wedman	Present

Citizen’s Comments.

- Brian O’Hara from Congressmen Hern’s office addressed the Council.

Business

1. 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 of January 07, 2018
 - B. Approve encumbrances and expenditures
 - C. Monthly reports
 - D. Request to approve Resolution No. 664 authorizing OMAG to return escrow account funds to the City in the amount of \$40,168.40 based upon favorable workers' compensation loss ratio for plan year 2015-2016. [Stewart]

Robert Lee wished to pull Item 1.A. Bo Summers made a motion to approve Items 1.B – 1.D and to pull Item 1.A for further discussion. Robert Lee seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried

2. Consideration and appropriate action relating to items removed from the Consent Agenda. Robert Lee made a motion to approve item 1.A with noted changes Item 3 of the 2019.01.07 minutes. Mike Sharp seconded the motion. A roll call vote of members was taken as follows.

Craig Murray	Yes
Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

3. Request to approve reworked Ordinance No. 1476 Amending Chapter 10 of the Zoning Code of the City of Jenks, “Use Units,” Section 1002 “Use Unit 2 Specific Use Permit Uses,” Subsection 1002.2 “Included Uses” to add “Auto Wash” to list of included uses; Amending Subsection 1002.3(G) “Use Conditions” to include auto wash use conditions; Adding Subsection 1002.3(H) “Use Conditions” to move conditions and criteria currently in Subsection 1002.3(G); Amending Section 1017 “Use Unit 17 Automotive Allied Activities,” Subsection 1017.2 “Included Uses” to delete “Auto Wash”; Amending Chapter 17, Subsection 1017.4 “Off-Street Parking And Loading Requirements” to delete “Auto Wash” from the list of off-street parking and loading requirements; Amending “Index Of Land Use” to change automobile wash use unit; Amending “Uses Allowable In The Ch Zone,” “Use Unit 2” to add “Auto Wash”; Amending “Uses Allowable In The Ch Zone,” “Use Unit 17” to delete “Auto Wash”; Amending Chapter 17 of the Zoning Code of the City Of Jenks “Specific Use Permits,” Section 1702 “Specific Use List,” Subsection 1702.1 “Specific Uses” to include “Auto Wash”; Amending Chapter 18 of the Zoning Code of the City of Jenks “Definitions,” to revise the definition of “Automobile Wash or Laundry;” Providing for Severability; Repealing all ordinances or parts thereof in conflict herewith; And declaring an emergency. [Beach] Jim Beach presented the ordinance to the Council. Shawn Herd [2305 W E St] spoke in support of the ordinance. Robert Lee made a motion to approve Item 3. Cory Box seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	No
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

4. Request to approve Emergency Clause for Ordinance No. 1476. Craig Murray made a motion to approve Item 4. Cory Box seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	No
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

5. **JZ-634/ PUD-114: Request by Bell Land Use to rezone property from RS-3 to CH and PUD to allow higher density residential buildings** **General Location:** South side of Aquarium Place, from 2nd Street to 3rd Street [Beach] Jim Beach presented his staff report and recommended approval with the listed condition. Greg Helms [424 E Main St] addressed the council about the application and provided an updated preliminary site plan to Council. Kay Lynn [208 E Beaver] shared some privacy, traffic, and infrastructure concerns about the development. She found that there is a need for more apartments in Jenks as the vacancy rates at current apartment complexes are very low, and that at a similar project [Trojan Place] the businesses were rented out. Jeff Zoller [207 E Beaver] spoke with concerns about the alley to South of the development that they plan to make into a street with respects to privacy, access to his garage, sewer lines, and utilities. He also had concerns about noise and light pollution, as well as the impact on property taxes. Cindy Eimen [208 E Aquarium Pl] spoke to the Council and gave packets to the Council members. She had three questions she would like considered: 1) why was the need for medium intensity removed to make way for this particular PUD, 2) Why is a mixed PUD with underlying codes requirements of 76 parking places recommended and reached Council with only 48, and 3) where is the trash collection for the project located? Kent Fisher [104 E Beaver] spoke about concerns with the sewer system. Duane Phillips [203 E Main St] spoke to the Council to answers questions. Josh Driskell spoke about the want for mixed-use development in Downtown Jenks. Mike Sharp made a motion to approve Item 5 with the following conditions:

1. Approval of a subdivision plat prior to release of any building permits;
2. Provide parking spaces to meet the current Jenks zoning code requirements for both the apartments and commercial or office uses;
3. Construct the alley between Second and Third Streets to its full intended width and to City standards;
4. Complete sidewalks on Aquarium Place and Third Street to meet ADA requirements and other City standards, or greater, and ensure the beginning and end points are at a finished elevation and location to allow for future continuation in the right-of-way;
5. Provide a sidewalk easement in favor of the City at all locations where the public sidewalk is on the private property of this development;

6. Reconstruct Third Street going south from its intersection with Aquarium Place to the south side of the alley;
7. Provide continuous curb and gutter along both street frontages and connect storm drainage to the nearest storm sewer. The storm water design from the site must address both conveyance and storm water retention in conformance with the City Code and design standards;
8. Improve public waterlines in accordance with needs as determined by the City Engineer and Fire Chief
9. The exterior design of the complex must be 100% masonry on all levels
10. If the developer Construct an area on the roof dedicated to outdoor uses as shown on page 14 of PUD text or page 74 of the City Council agenda, it must be constructed in such a way to prevent visibility to residential areas to the South.

Cory Box seconded the motion. Bo Summers made a motion amend the motion to remove condition number 10. There was no second. A roll call vote of members was taken as follows:

Craig Murray	No
Bo Summers	No
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	No
Mayor Josh Wedman	Yes

Motion failed.

Craig Murray made a motion to reconsider based on the amendments to condition number 2. Mayor Josh Wedman seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	No
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion to reconsider carried.

Mike Sharp made a motion to approve Item 5 with the following conditions:

1. Approval of a subdivision plat prior to release of any building permits;
2. Provide parking spaces to meet the current Jenks zoning code requirements for both the apartments and commercial or office uses;
3. Construct the alley between Second and Third Streets to its full intended width and to City standards;

4. Complete sidewalks on Aquarium Place and Third Street to meet ADA requirements and other City standards, or greater, and ensure the beginning and end points are at a finished elevation and location to allow for future continuation in the right-of-way;
5. Provide a sidewalk easement in favor of the City at all locations where the public sidewalk is on the private property of this development;
6. Reconstruct Third Street going south from its intersection with Aquarium Place to the south side of the alley;
7. Provide continuous curb and gutter along both street frontages and connect storm drainage to the nearest storm sewer. The storm water design from the site must address both conveyance and storm water retention in conformance with the City Code and design standards;
8. Improve public waterlines in accordance with needs as determined by the City Engineer and Fire Chief
9. The exterior design of the complex must be 100% masonry on all levels
10. If the developer Construct an area on the roof dedicated to outdoor uses as shown on page 14 of PUD text or page 74 of the City Council agenda, it must be constructed in such a way to prevent visibility to residential areas to the South.

Cory Box seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	No
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	No
Mayor Josh Wedman	Yes

Motion carried.

A recess was taken at 10:12 p.m. and resumed at 10:27 p.m. No quorum changed.

6. Request to approve Ordinance No. 1478 relating to JZ-634/PUD-114 amending Ordinance Number 1287; amending the Zoning Map of the City of Jenks, Oklahoma and rezoning a tract of land from RS-3 (Residential Single-Family High Density) District to CH (Commercial High Intensity) District and PUD-114 (Planned Unit Development Number 114); repealing all ordinances or parts thereof in conflict herewith; providing for severability; and declaring an emergency. Mike Sharp made a motion to approve Item 6.

Craig Murray seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	No
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	No
Mayor Josh Wedman	Yes

Motion carried.

7. Request to approve Emergency Clause for Ordinance No. 1478. Cory Box made a motion to approve Item 7. Craig Murray seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	No
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

8. **JZ-636/ PUD-115:** Request by Bell Land Use LLC to approve rezoning on a portion of the subject property from RS-3 and CH to CS, and to approve a PUD on the entire subject property to allow multifamily uses. **General Location:** 213 W. A St. [Beach] Jim Beach presented his staff report and recommended approval with listed conditions. Robert Bell [1291 N Birch St] addressed the Council about the application. Mike Sharp made a motion to approve Item 8 with the following conditions:

1. Approval of a subdivision plat prior to release of any occupancy permits. The plat shall be updated with all final dedicated easement and right-of-way locations and dimensions prior to release of the final plat for recording;
2. Document the City's purchase of railroad right-of-way to be used for parking or provide written approval from the railroad to use the right-of-way for parking;
3. Construct the alley between Ash and Birch Streets to its full intended width and to City standards;
4. Complete sidewalks on A Street and Birch Street to meet ADA requirements and other City standards, or greater, and ensure the beginning and end points are at a finished elevation and location to allow for continuation in the right-of-way in the future;
5. Reconstruct Ash Street to City standards between A Street and B Street with connection location to A Street subject to review by the City Engineer;
6. Provide continuous curb and gutter along both street frontages and connect storm drainage to the nearest storm sewer. The storm water design from the site must address both conveyance and storm water retention in conformance with City Code and design standards;
7. Improve public waterlines in accordance with needs as determined by the City Engineer and Fire Marshal;
8. The exterior design of the complex must be 100% masonry on all levels.

Craig Murray seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
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Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

9. Request to approve Ordinance No. 1479 relating to JZ-636/PUD-115 amending Ordinance Number 1287; amending the Zoning Map of the City of Jenks, Oklahoma and rezoning a tract of land from RS-3 (Residential Single-Family High Density) District and CH (Commercial High Intensity) District to CS (Commercial Shopping Center) District and PUD-115 (Planned Unit Development Number 115); repealing all ordinances or parts thereof in conflict herewith; providing for severability; and declaring an emergency. Cory Box made a motion to approve Item 9. Craig Murray seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

10. Request to approve Emergency Clause for Ordinance No. 1479. Cory Box made a motion to approve Item 10. Robert Lee seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

11. **Plat:** request approval of South County Crossing Conditional Final Plat. **General Location:** North side of 121st St., East of Fire Station #2 Jim Beach presented the staff report to Council and recommended approval subject to the Coal Creek Sanitary Sewer Interceptor Payback/Access Charges dated May 20, 2000, which has an access charge for connecting to the sanity sewer of \$969.43 per lot. Mike Sharp made a motion to approve Item 11 with listed conditions. Bo Summers seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

12. Request to approve agreement for Utility Relocation with Public Service Company of Oklahoma (PSO) for the relocation of a PSO/AEP transmission pole located near the southwest corner of the 111th Street and Elwood Avenue intersection [Robinson] Chris Robinson presented Item 12 to the Council. Cory Box made a motion to approve Item 12. Craig Murray seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

13. Request to approve City Council Code of Ethics. [Nowlin] Teresa Nowlin presented Item 13 to Council. Cory Box made a motion to approve Item 13 with the change to item number 5 striking the words “unrelated to the matters currently before the Council.” Mike Sharp seconded the motion. A roll call vote of members was taken as follows:

Craig Murray	Yes
Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried.

Other Business

1. City Manager’s Report.
 (a) Correspondence Chris Shroul updated the Council on planned events and training, and presented his staff report to the Council.

Adjournment. Craig Murray made a motion to adjourn. Robert Lee seconded the motion. A roll call vote of members was taken as follow:

Craig Murray	Yes
Bo Summers	Yes
Mike Sharp	Yes
Cory Box	Yes
Robert Lee	Yes
Mayor Josh Wedman	Yes

Motion carried. The Jenks City Council adjourned at 11:28 p.m.

Josh Wedman, **MAYOR**

Josh McCorkle, **CITY CLERK**