



The City of Del City

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Del City Council

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Ward 2 Councilman

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City Manager

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The City of Del City encourages participation from all citizens. If participation at any public meeting is not possible due to a disability, notification to the city clerk at least 48 hours before the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48-hour rule if signing is not the necessary accommodation.

Posted for public view at **5:00 p.m.** on **September 18, 2015.**

Signed: _____
City Clerk/Deputy City Clerk

PUBLIC NOTICE OF MEETING

Regular Meeting

City Council

3701 SE 15th Street – City Hall
Del City, Oklahoma

September 21, 2015 – 6:00 p.m.

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. INVOCATION

PLEDGE OF ALLEGIANCE

MAYOR'S PRESENTATION:

- Proclamation in Memory of Zacharey Sanders – Recovery Month

4. PUBLIC AND COUNCIL INPUT

(A maximum of thirty (30) minutes has been set aside for those wishing to discuss non-agenda items. Citizens may speak for a maximum of five (5) minutes during this time. Personal character assassination and attacks on City personnel will not be heard or tolerated.)

- A. Public
- B. Council

5. CITY MANAGER'S REPORT
CITY CLERK'S REPORT

6. CONSENT DOCKET

Discussion, consideration, possible action to approve the following items by unanimous consent, with one motion:

(This item is placed on the agenda so the Council, by unanimous consent, may designate those routine agenda items they wish to approve or acknowledge by one motion. If any proposed item does not meet with approval of all Council members, the item will be heard in regular order.)

- A. Approve budget amendment for FY 2014-2015, as shown in Exhibit A to the Council agenda. Requested by City Clerk Carol Noble
- B. Approve budget amendment for FY 2015-2016, as shown in Exhibit B to the Council agenda. Requested by City Clerk Carol Noble
- C. Approve minutes of regular meeting of the Council of September 8, 2015. Requested by City Clerk Carol Noble

7. SPECIAL USE PERMIT – PC/UR 440-15 (4401 S.E. 15TH STREET – VALUE VILLAGE THRIFT)

A. Public Hearing

Discussion, consideration, possible action to approve/deny holding a public hearing with regard to the above-referenced application for a Special Use Permit. Requested by City Planner Monica Cardin

B. Council Action

Discussion, consideration, possible action to approve or approve with modifications or not approve the above-referenced application for a special use permit to permit the use of Retail Sales and Services: Used Merchandise at 4401 S.E. 15th Street in the A-C zoning district. Requested by City Planner Monica Cardin

8. SPECIAL USE PERMIT – PC/UR 436-15 (4619 S.E. 29TH STREET – EASY WIRELESS)

A. Public Hearing

Discussion, consideration, possible action to approve/deny holding a public hearing with regard to the above-referenced application for a Special Use Permit. Requested by City Planner Monica Cardin

B. Council Action

Discussion, consideration, possible action to approve or approve with modifications or not approve the above-referenced application for a special use permit to permit the use of Retail Sales and Services: Used Merchandise at 4619 S.E. 29th Street in the A-C zoning district. Requested by City Planner Monica Cardin

9. DETERMINATION AND ABATEMENT OF PUBLIC NUISANCE –
FANTASY ISLAND – 3220 TINKER DIAGONAL

A. Receipt of Statement as to Existence of a Public Nuisance and Recommendation for Abatement

Discussion, consideration, possible action to approve/deny receiving a statement and accompanying evidence from the Building Official, with the concurrence of the Chief of Police and the Chief of the Fire Department, and with the consent of the City Manager, regarding the business located at 3220 Tinker Diagonal and known as Fantasy Island, as to:

- (1) the existence of a public nuisance as defined by Section 13-86(5), Section 13-86(6), Section 13-86(14), Section 1-86(16), Section 13-86(17), Section 1-6 and/or Section 5-160 of the Del City Code of Ordinances at the business known as Fantasy Island located at 3220 Tinker Diagonal, and
- (2) a recommendation that this nuisance be abated by ordering the business permanently closed.

Requested by City Manager Mark Edwards

B. Public Hearing

Discussion, consideration, possible action to approve holding a public hearing for the purpose of determining whether the alleged public nuisance is a public nuisance in fact and affording any property owners, other responsible persons, and members of the general public an adequate opportunity to be heard regarding both the existence of a public nuisance and the proposed abatement, pursuant Section 13-88(b) of the Del City Code of Ordinances. Requested by City Manager Mark Edwards

C. Determination of Public Nuisance

Discussion, consideration, possible action to approve/deny making a finding that, based on the evidence presented, a public nuisance does

exist in fact at the business known as Fantasy Island located at 3220 Tinker Diagonal. Requested by City Manager Mark Edwards

D. Determination of Nature of Public Nuisance

Discussion, consideration, possible action to approve/deny making a finding that, based on the evidence presented, this public nuisance is of such a nature as to constitute a grave and immediate danger to the public peace, health, safety, morals or welfare of the community. Requested by City Manager Mark Edwards

E. Determination of Means of Abatement

Discussion, consideration, possible action to approve/deny making a finding that, based on the evidence presented, the only appropriate means by which to abate this public nuisance is to order the business known as Fantasy Island to permanently cease adult entertainment at this location. Requested by City Manager Mark Edwards

F. Order of Abatement

Discussion, consideration, possible action to approve or not approve directing the property owner, business owner and any and all persons responsible for the operation of the business known as Fantasy Island to permanently cause all adult entertainment to cease at this location and, given that the public interest would be unduly jeopardized by consequent delay, to approve or not approve directing the City Manager to take any action necessary to enforce this order should the owner and/or responsible parties fail to comply within forty-eight (48) hours, with the costs of such abatement action being assessed against the property. Requested by City Manager Mark Edwards

10. EMERGENCY GRADER SERVICES FOR SNOW REMOVAL

Discussion, consideration, possible action to approve/deny entering into an emergency response agreement with Sandstone Construction, LLC, for grader services during winter storms. The agreement is an on-call arrangement for a maximum of two machines to be charged at cost of \$250.00 for hour for both. Requested by Public Works Director Bill Graham

11. ASSESS ABATEMENT COSTS TO PROPERTY OWNERS

Discussion, consideration, possible action to approve and ratify assessment costs in the total amount of \$10,266.09 to property owners for cleanup of property previously abated, in accordance with Del City Code Sections 13-106 through 13-114. Requested by City Planner Monica Cardin

- (1) 4737 Elmview Drive
Owner: Billy J Messner (Jones, Oklahoma)
Contractor Fee\$950.00
Administrative Expenses\$353.54
Mailings, photos, processing, copying, etc.\$16.00
Total Expenses\$1,319.54
- (2) Location: 3412 Frostwood Terrace
Owner: Charsetta Cobb (Oklahoma City, Oklahoma)
Contractor Fee\$450.00
Administrative Expenses\$353.54
Mailings, photos, processing, copying, etc.\$16.00
Total Expenses\$819.54
- (3) 2512 Glenn Avenue
Owner: Bobby E Stephenson (Del City, Oklahoma)
Contractor Fee\$950.00
Administrative Expenses\$353.54
Mailings, photos, processing, copying, etc.\$16.00
Total Expenses\$1,319.54
- (4) 709 Howard Drive
Owner: Bobby B Christain (Jones, Oklahoma)
Contractor Fee\$450.00
Administrative Expenses\$176.77
Mailings, photos, processing, copying, etc.\$8.00
Total Expenses\$634.77
- (5) 1616 Lariat Ln.
Owner: Soliday Earl E & Aline (Oklahoma City, Oklahoma)
Contractor Fee\$550.00
Administrative Expenses\$176.77
Mailings, photos, processing, copying, etc.\$8.00
Total Expenses\$734.77
- (6) Location: 3416 Lazy Lane
Owner: Emily M Chess (Del City, Oklahoma)
Contractor Fee\$1000.00
Administrative Expenses\$353.54
Mailings, photos, processing, copying, etc.\$16.00
Total Expenses\$1,369.54

- (7) 1400 Mallard Drive
 Owner: Shaney Bright (Del City, Oklahoma)
 Contractor Fee\$750.00
 Administrative Expenses\$176.77
 Mailings, photos, processing, copying, etc.\$8.00
 Total Expenses\$934.77

- (8) 3901 Mallard Drive
 Owner: Beneficial Oklahoma Inc (Del City, Oklahoma)
 Contractor Fee\$475.00
 Administrative Expenses\$176.77
 Mailings, photos, processing, copying, etc.\$8.00
 Total Expenses\$659.77

- (9) 824 Vickie Drive
 Owner: David Allen (Del City, Oklahoma)
 Contractor Fee\$300.00
 Administrative Expenses\$353.54
 Mailings, photos, processing, copying, etc.\$16.00
 Total Expenses\$669.54

- (10) 4118 SE 14th Street
 Owner: Kandas Michealle Darville (Del City, Oklahoma)
 Contractor Fee\$350.00
 Administrative Expenses\$176.77
 Mailings, photos, processing, copying, etc.\$8.00
 Total Expenses\$534.77

- (11) Location: 3110 SE 21st Street
 Owner: Bank of New York Mellon (Coppel, Texas)
 Contractor Fee\$900.00
 Administrative Expenses\$353.54
 Mailings, photos, processing, copying, etc.\$16.00
 Total Expenses\$1,269.54

12. EXECUTIVE SESSION

Discussion, consideration, possible action to approve recessing to executive session pursuant to the Oklahoma Open Meeting Act, 25 O.S. § 301 et seq., for the purpose of the following:

- A. Discussion concerning matters pertaining to economic development, including the transfer of property, financing or the creation of proposal to entice a business to locate within the City of Del City as

provided in 25 O.S. § 307(C)(10). Requested by City Manager Mark Edwards

- B. Discussion concerning the purchase or appraisal of real property pursuant to 25 O.S. § 307(B)(3). Requested by City Manager Mark Edwards
- C. Discussion concerning pending investigations, claims, and actions pursuant to 25 O.S. § 307(B)(4). Requested by City Attorney Jack Fried

13. ACTION FROM EXECUTIVE SESSION

- A. Discussion, consideration, possible action deemed appropriate, if any, arising from discussions held in executive session concerning matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to locate within the City of Del City. Requested by City Manager Mark Edwards
- B. Discussion, consideration, possible action, if any, deemed appropriate arising from discussions held in executive session concerning matters pertaining to the purchase or appraisal of real property. Requested by City Manager Mark Edwards
- C. Discussion, consideration, possible action deemed appropriate, if any, arising from discussions held in executive session concerning pending investigations, claims, and actions. Requested by City Attorney Jack Fried

14. COUNCIL INPUT

15. ADJOURNMENT



PUBLIC NOTICE OF MEETING

Regular Meeting

Del City Municipal Services Authority

September 21, 2015 – 6:00 p.m.

3701 SE 15th Street – City Hall
Del City, Oklahoma

The DCMSA encourages participation from all citizens. If participation at any public meeting is not possible due to a disability, notification to the city clerk at least 48 hours before the scheduled meeting is encouraged to make the necessary accommodations. DCMSA may waive the 48-hour rule if signing is not the necessary accommodation.

Posted for public view at **5:00 p.m. on September 18, 2015.**

Signed: _____
City Clerk/Deputy City Clerk

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC AND TRUSTEE INPUT
 - A. Public
 - B. Trustees

4. MANAGER'S REPORT
5. MINUTES

Discussion, consideration, possible action to approve minutes of regular meeting of the DCMSA of September 8, 2015. Requested by City Clerk Carol Noble

6. TRUST INPUT
7. ADJOURNMENT