

**NOTICE
GLENPOOL BOARD OF ADJUSTMENT
REGULAR MEETING**

A Regular Session of the Glenpool Board of Adjustment will be held at 6:30 p.m. on Monday, September 13th, 2016, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rd Floor, Glenpool, Oklahoma.

The Board of Adjustment welcomes comments from citizens of Glenpool who wish to address any item on the agenda. Speakers are requested to complete one of the forms located on the agenda table and return to the Planning Director "PRIOR TO THE CALL TO ORDER"

AGENDA

- A) Call to Order – Richard Watts, Chairman
- B) Roll Call, declaration of quorum – Rick Malone, Secretary; Richard Watts, Chairman
- C) Scheduled Business
 - 1) Discussion and possible action to approve minutes from June 13th, 2016.
 - 2) Discussion and possible action to approve, conditionally approve, or disapprove: GBOA #447, A request by the City of Glenpool for variance to modify the screening requirement when abutting an RS zoned district located at 13800 South Elm/Peoria Ave.
 - 3) Discussion and possible action to adopt Resolution No. 16-06-04, A Resolution Stating The Board of Adjustment's Concurrence With, And Endorsement Of, The Restated Code Of Ethics And Policy Statement For Elected And Appointed Officials Of The City Of Glenpool, As Adopted By Resolution No. 13-05-01, Dated May 13, 2013, (The "Code Of Ethics") And Directing That All Boards And Commissions Of The City Of Glenpool Shall Review And Endorse The Code Of Ethics, Provided That Such Boards And Commission May Offer Recommendations For Update Of The Code Of Ethics Which The City Council Shall Consider, All As Required By Section 20 Thereof, the Glenpool City Council approved this item on August 1st, 2016 by a vote of 3-1. (Lowell Peterson, City Attorney)
- D) Adjournment

This notice and agenda was posted at Glenpool City Hall Building, 12205 South Yukon Ave, Glenpool, Oklahoma on _____, at _____ am/pm.

Signed: _____
City Planner

MINUTES
BOARD OF ADJUSTMENT MEETING
June 13th, 2016

The Regular Session of the Glenpool Board of Adjustment was held at, Glenpool City Hall, 3rd Floor, 12205 S. Yukon Ave, Glenpool, Oklahoma. Board Members present: Chairman Richard Watts, Vice-Chairman Joyce Calvert, Member Shayne Buchanan, Member Debra Cutsor. Member Howard Nelson was absent.

Staff present: Lynn Burrow, Community Development Director; Rick Malone, City Planner.

A) Chairman Watts called the meeting to order at 6:36pm.

B) Rick Malone, secretary called the roll. Chairman Watts declared a quorum present.

C) Scheduled Business

1) Discussion and possible action to approve meeting minutes for March 14th, 2016.

MOTION: Member Buchanan moved, second by Vice-Chairman Calvert to approve the minutes as written.

FOR: Chairman Watts; Vice-Chairman Calvert; Member Buchanan; Member Debra Cutsor

AGAINST: None

ABSENT: Member Nelson

Motion Carried

2) Discussion and possible action to approve, conditionally approve, or disapprove: GBOA #445, A request by Solid Rock Baptist Church for a Special Exception to allow a Use Unit #5 (Church Use) on their property located at 841 East 141st Street, Glenpool, Ok 74033. This property is zoned AG (Agriculture) and contains 5.2 Acres

MOTION: Member Buchanan moved, second by Member Cutsor to approve GBOA#445.

FOR: Chairman Watts; Vice-Chairman Calvert; Member Buchanan; Member Debra Cutsor

AGAINST: None

ABSENT: Member Nelson

Motion Carried

3) Discussion and possible action to approve, conditionally approve, or disapprove: GBOA #446, A request by Patty Chumbley for a Special Exception to allow a Use Unit #9 (Manufactured Housing) on their property located at 15721 South Peoria Ave Glenpool, Ok 74033. This property is zoned AG (Agriculture) and contains 4.08 Acres

MOTION: Member Buchanan moved, second by Vice-Chairman Calvert to approve GBOA#446 for four years.

FOR: Chairman Watts; Vice-Chairman Calvert; Member Buchanan; Member Debra Cutsor

AGAINST: None

ABSENT: Member Nelson

Motion Carried

D) Adjournment

- Meeting was adjourned at 6:45 p.m

Date

Chairman

ATTEST:

City Planner, Secretary

TO: GLENPOOL BOARD OF ADJUSTMENT
FROM: RICK MALONE, CITY PLANNER
RE: GBOA #447 A request by the City of Glenpool for a variance of the screening requirement when abutting a RS district.
LOCATION: 13800 South Peoria Ave Glenpool, Ok 74033.
ZONING: RS-3 (Residential Single Family High Density)
SIZE: 15 Acres
DATE: September 12th, 2016

BACKGROUND:

While working on adding soccer fields west of the South County Recreation Center, it was noticed that most of the homes on the north side of the Recreation Center property have a 6 foot high wood privacy fence providing a visual separation; however, there are three lots on the northeast corner of the Recreation Center property that do not. One lot has a decorative wrought iron fence and two lots are without a rear fence at all. We talked to a representative from the Glenn Abbey homeowners association and they agreed to take this issue to their board. During their last meeting they discussed the option of having either a 6 foot high wood privacy fence verses some kind of decorative landscaping instead they agreed that decorative landscaping would be preferred. I have attached the letter from the secretary of the Glenn Abbey HOA Board of Directors reflecting their wish to have decorative landscaping.

- GBOA-339 Approved the use "Community Center" 10/2004.
- GSP-04-05 City Council approved the site plan for the Community Center building 11/04.

CODE EXCERPTS:

11-13-4: SETBACKS AND SCREENING REQUIREMENTS:

B. Unenclosed off street parking areas containing six (6) or more spaces which are accessory to uses not required to provide screening shall be screened by the erection of a screening wall or fence on the lot line or lines in common with an RE or RS district; provided, that if the parking area is located more than fifty feet (50') from the RE or RS lot line or lines, the screening requirement shall not apply.

11-4-8: SCREENING:

D. Modifications of Requirements: The board of adjustment, as a variance, may:

1. Modify or remove the screening requirement where existing physical features provide visual separation of uses.
2. Modify the screening requirement where an alternative screening will provide visual separation of uses.

SURROUNDING PROPERTY:

The subject tract is abutted by the following:

North By RS-3 zoned property that contains the first phase of Glenn Abbey Blks 1-6 developed in 2007 and Glenn Abbey Blks 7-13 in 2014.
West: By AG zoned property that is mostly vacant

STAFF REPORT

South: By RD zoned vacant & RM-2 zoned property that contains Glenshire Court Apartments developed in 2002.

East: By AG zoned property that is mostly vacant and outside the city limits of Glenpool.

STAFF COMMENTS:

- Per Code, this case has been advertised in the newspaper, and the property owners with a 300' radius of the tract have been notified that this case is being heard before the Board of Adjustment.

VARIANCE:

The Board shall hold the public hearing and, upon the concurring vote of three members, may grant a variance after finding:

1. That by reasons of extraordinary or exceptional conditions or circumstances that are peculiar to the land, structure, or building involved, the literal enforcement of the terms of the code would result in unnecessary hardship;

Staff: To be determined by the Board of Adjustment.

2. That such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district;

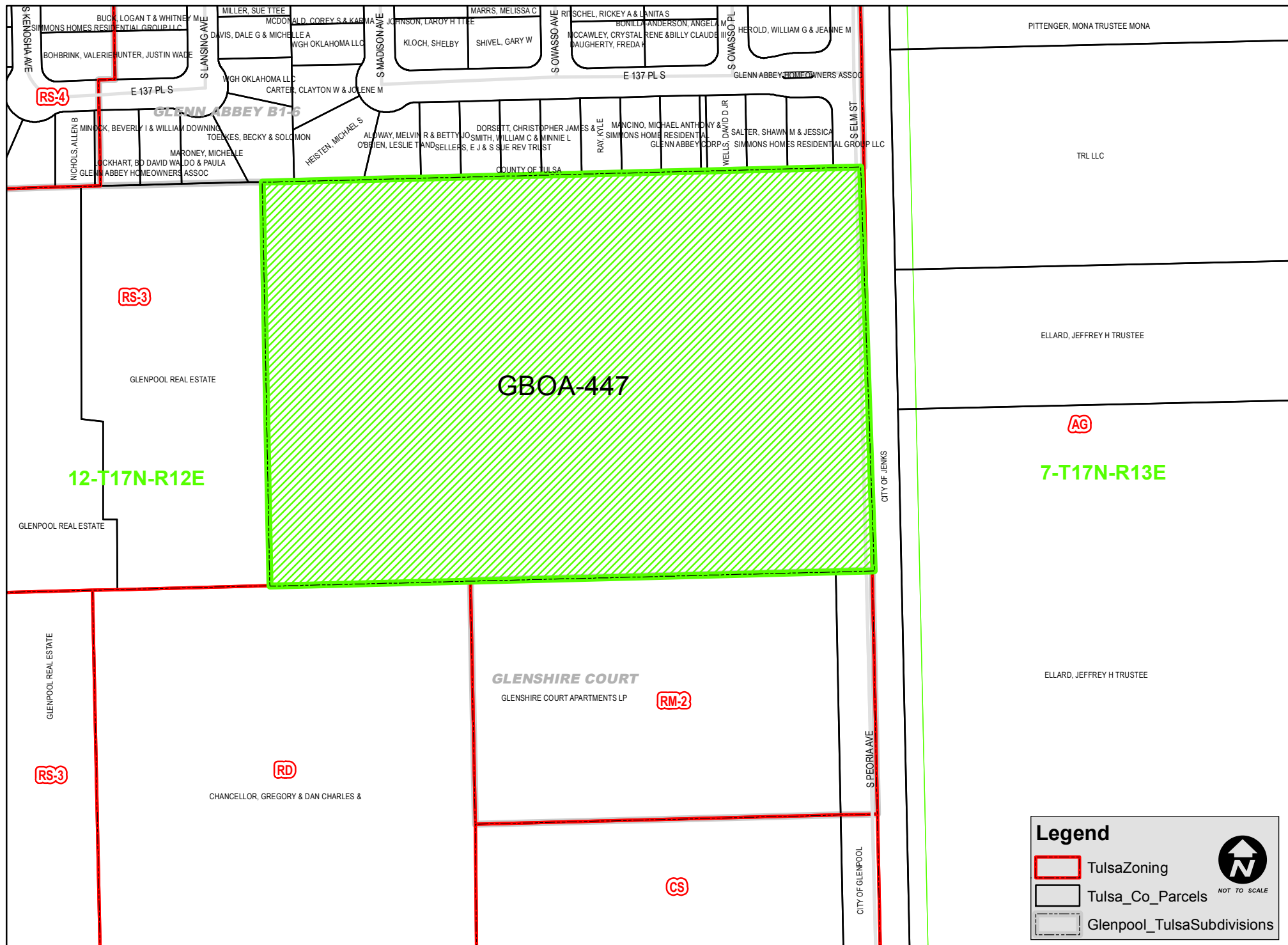
Staff: To be determined by the Board of Adjustment.

3. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit and intent of the code, or the comprehensive plan.

Staff: To be determined by the Board of Adjustment.

ATTACHMENTS:

- Case Map
- Site Photo
- Letter from Glenn Abbey HOA Board of Directors.



GBOA-447

August 18, 2016

City of Glenpool
Roger Kolman, Lynn Burrow, Rick Malone
Re: SoCo soccer field parking screening

Dear City of Glenpool,

The Glenn Abbey HOA Board of Directors meet on August 10, 2016 and discussed the proposed soccer parking lot and the need for screening. A unanimous vote was entered in support of an evergreen landscape adequate to screen sound and light instead of a wooden or block fence.

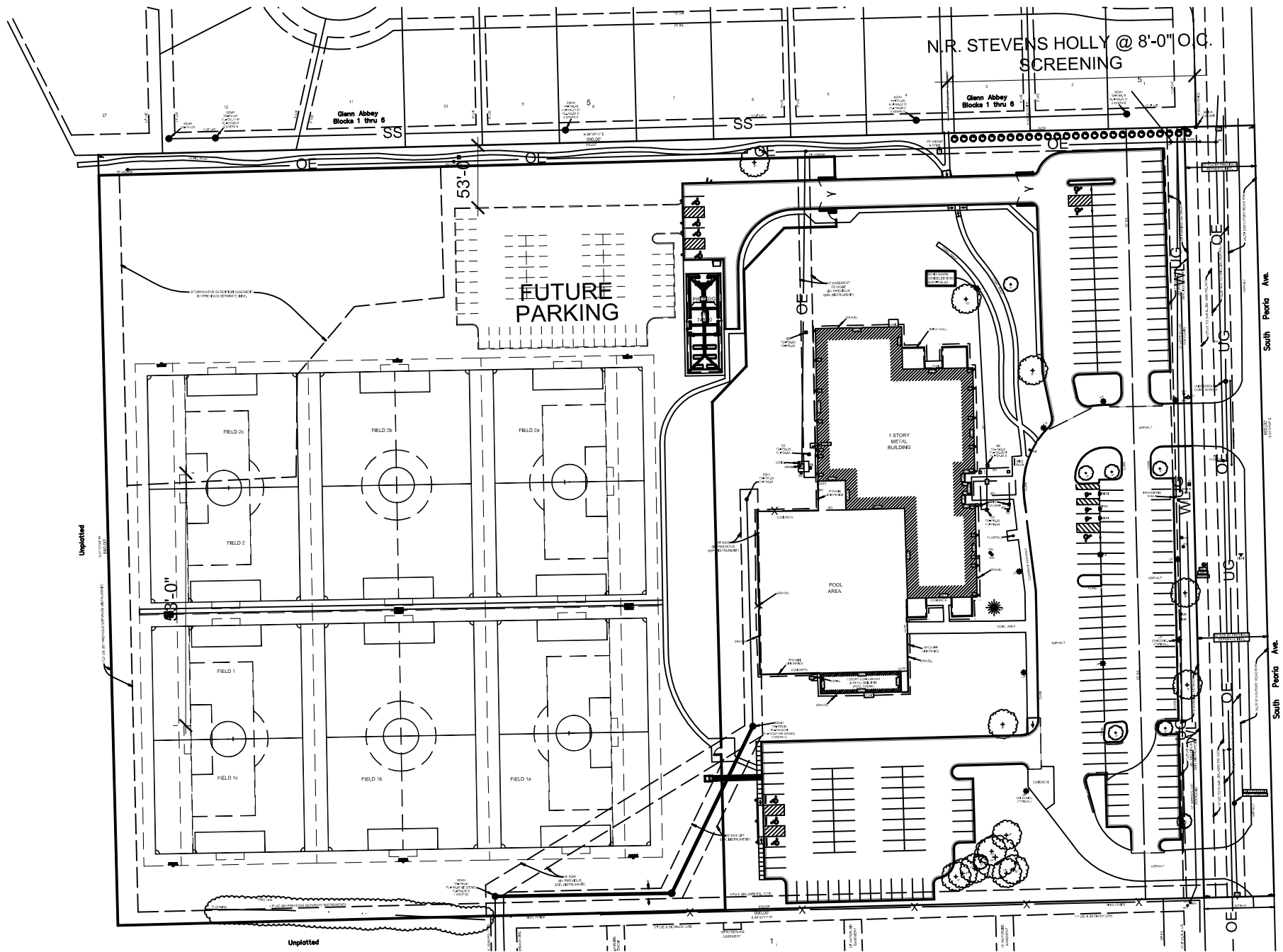
The need for parking screening was discussed with the homeowners, Shawn Salter at 1950 137th Pl and David Wells at 1916 137th Pl on August 13, 2016. Both homeowners were shown the proposed parking plans and unanimously prefer adequate landscape over a fence. **Both homeowners expressed concern of parking light infiltration and the need for tall non-deciduous landscape.**

Examples of landscape screening that the homeowners and HOA would prefer to meet this need include the following shrubs for height, low maintenance, heat and cold tolerance:

- Privet Nobel - Ligustrum japonicum 'Nobilis', great for privacy or sound barrier, evergreen, hardy, fast grower 8-10 feet tall and 3-5 feet wide (OSU/Tulsa Master Gardeners selection for water conservation)
- Bright 'N Tight Carolina Laurel - Prunus caroliniana 'Monus', a compact evergreen, moderate grower to 8-10 feet tall and 6-8 feet wide
- Photina Fraser -Photinia x fraseri, a fast growing dense evergreen to 10 or more tall
- Photina Pink Marble, vigorous grower 6-8 feet tall and wide, adapts to most soil types

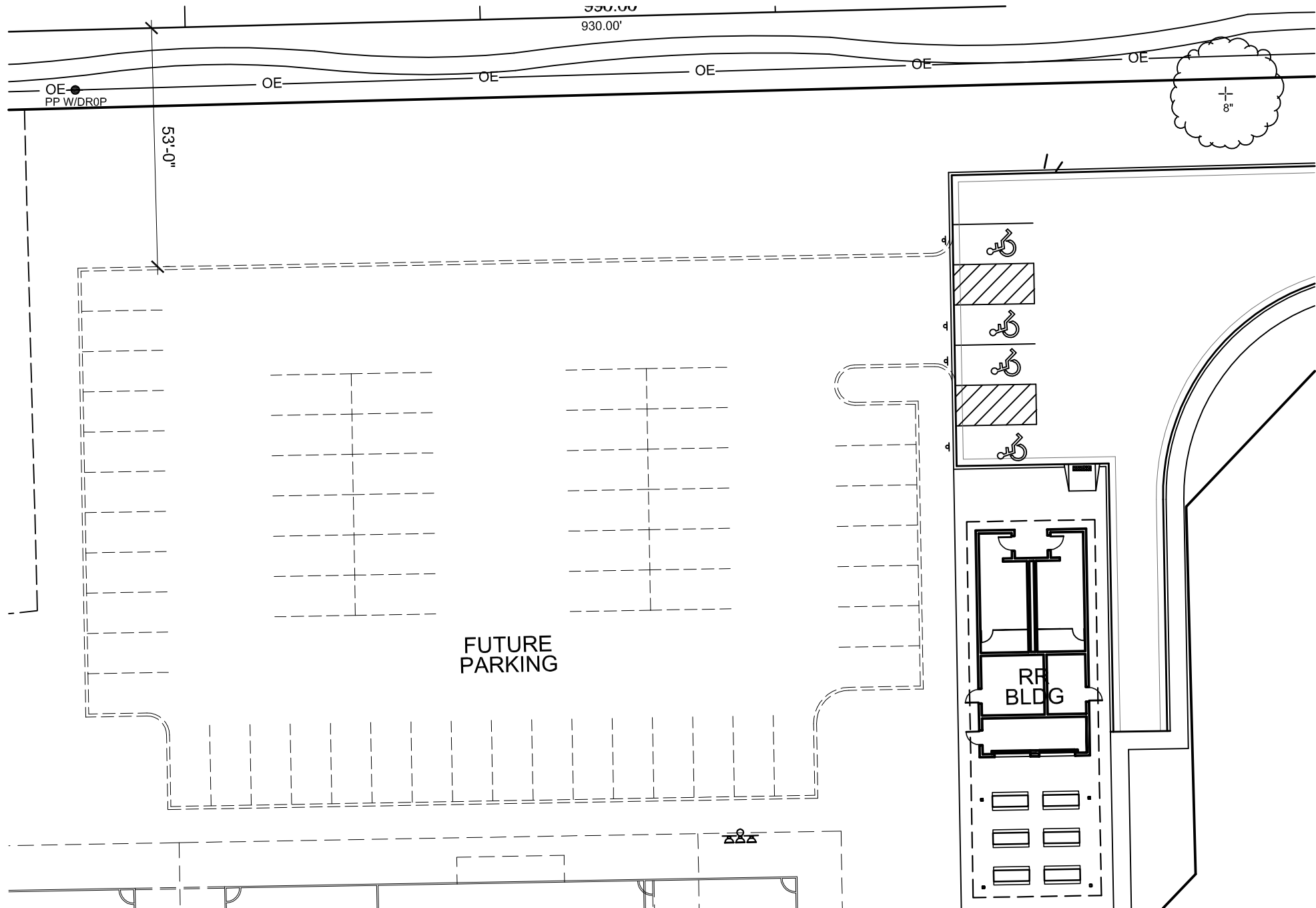
Thank you for considering these options when planning for the required parking lot screening.

Sincerely,
Debra Cutsor, Secretary
Glenn Abbey HOA Board of Directors



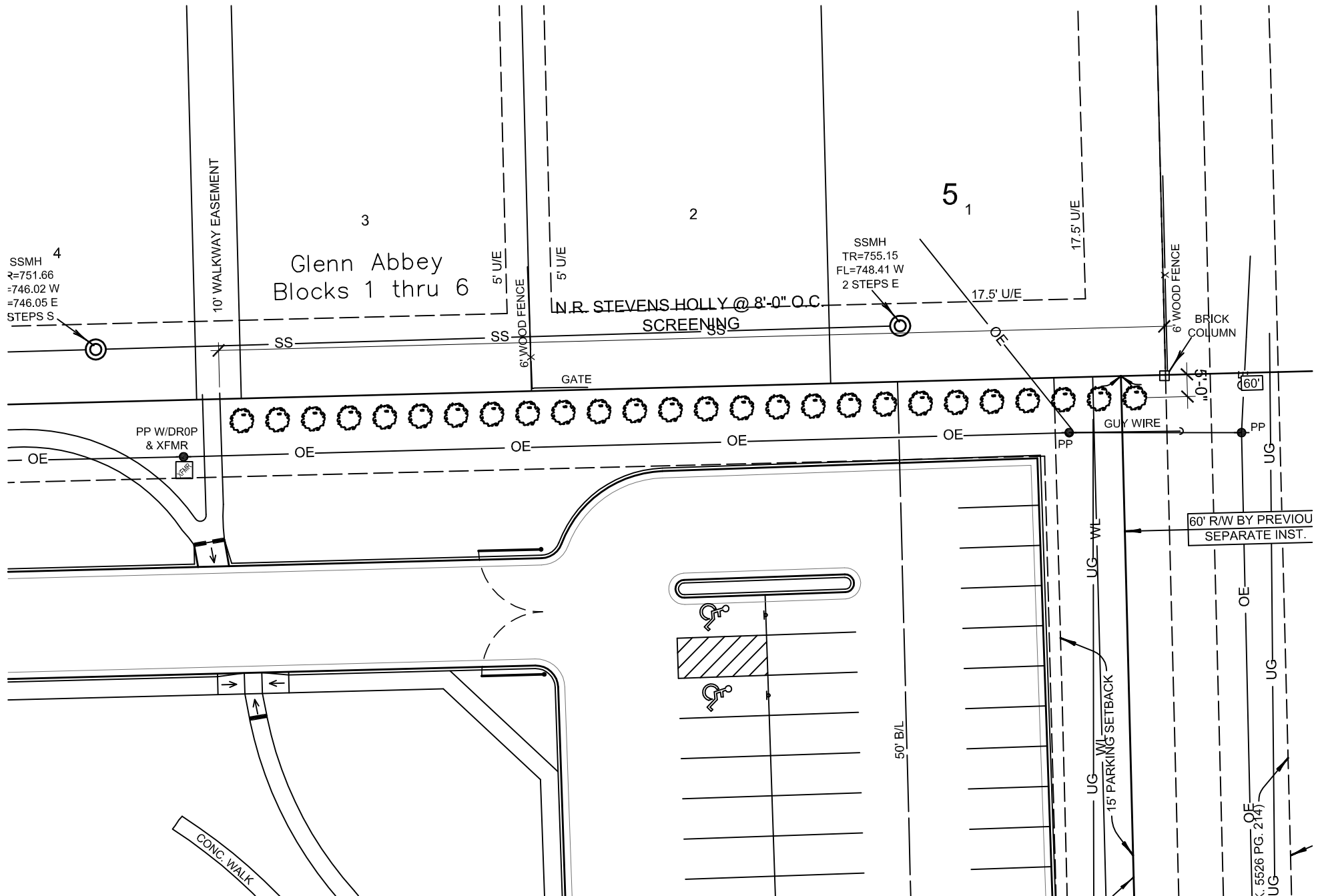
OVERALL SITE PLAN

GLENPOOL SOCCER COMPLEX



ENLARGED SITE PLAN

GLENPOOL SOCCER COMPLEX



ENLARGED SITE PLAN

GLENPOOL SOCCER COMPLEX

RESOLUTION NO. 13-05-01

A RESOLUTION AMENDING SECTION 14 OF THE CODE OF ETHICS AND POLICY STATEMENT FOR ELECTED AND APPOINTED OFFICIALS OF THE CITY OF GLENPOOL, AS ADOPTED BY RESOLUTION NO. 11-09-02, DATED SEPTEMBER 19, 2011, AND AS AMENDED BY RESOLUTION NO. 12-03-01, DATED MARCH 19, 2012, AND ADOPTING A RESTATED CODE OF ETHICS AND POLICY STATEMENT

WHEREAS, the Glenpool City Council established a Code of Ethics and Policy Statement for Members of the City Council and the City's boards and commissions by adoption of Resolution No. 11-09-02 on September 19, 2011;

WHEREAS, the Glenpool City Council amended Section 5 of the Code of Ethics by adoption of Resolution No. 12-03-01 on March 19, 2012; and,

WHEREAS, the Glenpool City Council now desires to amend Section 14 for the purpose of providing that the City shall pay costs incurred by Council Members when attending the statutorily mandated Institute for Municipal Officials and such other training and seminar opportunities as they may deem appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENPOOL, OKLAHOMA THAT:

The City Council of the City of Glenpool, Oklahoma hereby adopts a Restated Code of Ethics and Policy Statement for Elected and Appointed Officials of the City of Glenpool, as follows:

POLICY PURPOSE

The Glenpool City Council has adopted this Code of Ethics and Policy Statement for members of the City Council and the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

POLICY STATEMENT

Preamble

Residents and businesses of Glenpool are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of Glenpool's commitment to the effective functioning of democratic government, this Policy therefore requires that:

- Public officials comply fully and faithfully with all laws and policies affecting the operations of government;
 - Public officials be independent, impartial and fair in their judgment and actions;
 - Public office be used for the public good, not for personal gain; and
 - Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.
1. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Glenpool and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Glenpool City Council, boards and commissions.
 2. **Comply with the Law.** Members shall comply with the laws of the nation, the State of Oklahoma and the City of Glenpool in the performance of their public duties. These laws include, but are not limited to: the United States and Oklahoma constitutions; the Glenpool City Code of Ordinances; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, open processes of government, and, in particular, Title 11, Article X of the Oklahoma Statutes pertaining to the powers and duties of the Council in the Council – Manager form of government.
 3. **Conduct of Members.** The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards and commissions, the staff or public.
 4. **Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.
 5. **Conduct of Public Meetings.** Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings. This includes a prohibition against text messaging or otherwise conducting private conversations outside the hearing of the public. It further includes a prohibition against all use of cellular telephones by Members of the Council during any public meeting except with respect to emergency situations, as determined by each Member acting in good faith.
 6. **Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
 7. **Communication.** Members shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions and which they may have received from sources outside of the public decision-making process.
 8. **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or

personal relationship which may give the appearance of a conflict of interest. In accordance with the law and as pertinent to matters under consideration, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts may exist. Because such conflicts inevitably arise at some point, when these issues exist, it is imperative that members mitigate those issues properly.

- 9. Gifts and Favors.** Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
- 10. Confidential Information.** Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or other private interests.
- 11. Use of Public Resources.** Members of the City Council, although not members of boards or commissions, shall each be entitled to a single drawer file cabinet to be selected and located by the City Manager in a way that facilitates their service to the public. Assignment and use of such cabinets shall be on a strictly equal basis among all Council members. No Council member shall be provided an office at City Hall or any other City facility, nor will any Council member be issued key(s) to City Hall or any other City facility. Members shall not use public resources that are not equally available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.
- 12. Open Record Issues.** It is imperative for all Council, board and commission members to maintain a conscientious awareness that *ALL* written communications coming into their possession or control, regardless of the medium and subject to only limited exceptions, are public records and subject to the Open Records Act if they pertain to: (i) the transaction of public business; (ii) the expenditure of public funds, or (iii) the administering of public property. Technology allows written words to be distributed wide and far. All written notes, text messages and e-mail messages must be treated as potentially public communications, which also means maintaining and/or disclosing them in accordance with applicable law.
- 13. Representation of Private Interests.** In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards or commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
- 14. Expenses.** All non-recurring expenses for which one or more Council, board or commission member(s) expects direct payment by the City and/or to be reimbursed by the City for any or all related costs, must be approved by the Council, board or commission, *before* such non-recurring expense is incurred. *Provided that*, the Council has and does hereby ratify its endorsement that the City shall, without further Council action needed, undertake the payment of all costs incurred by members of the City Council to attend the Institute for Municipal Officials mandated by 11 O.S. § 8-114, and such other training and seminar opportunities as they deem appropriate for the purpose of advancing their knowledge and skills in the performance of their official duties, to

include registration, travel, meals and overnight accommodations (if more than 50 miles from Glenpool, but only within the State of Oklahoma, and any session concludes later than 4:30 p.m.).

- 15. Advocacy.** Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Glenpool, nor will they allow the inference that they do.
- 16. Policy Role of Members.** Members shall respect and adhere to the council-manager structure of Glenpool city government as outlined by Title 11, Article X of the Oklahoma Statutes. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Except for the purpose of limited verbal inquiry, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions. In particular, it is expressly prohibited for Council members to: (i) participate in any manner in internal personnel decisions of any kind; and (ii) direct the functions or duties of staff members who are subordinate to the City Manager in daily administrative matters. (This does not limit the right of Council, board or commission members to consult with the City Attorney regarding the legal propriety of any action taken or contemplated.) In general members will strive to conduct all communications through the City Manager unless such inquiry will require less than one hour's response on the part of the employee. Requests or inquiries requiring more than one hour will be placed on the agenda for Council, board or commission consideration. All inquiries from members directly to staff should be communicated in writing if possible, and employees will be expected to respond to the entire Council when answering.
- 17. Independence of Boards and Commissions.** Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to influence unduly the deliberations or outcomes of board and commission proceedings. If a Council, board or commission member does have legitimate reason to appear before another of these agencies, the member must clearly state whether her/his statement reflects personal opinion or the official position of the Council, board or commission of which such person is a member.
- 18. Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees and shall in no way create the perception of inappropriate direction to staff.
- 19. Contact with Media.** In most cases, members are encouraged to give no comment to media and refer members of media to City staff who are responsible for the matter under consideration. When giving a statement is necessary or appropriate, it is imperative to remember that the promise any statement is "off the record" is only as good as the memory or character of the reporter. Words and expressions must be chosen with great care to avoid misunderstandings or misconstructions.
- 20. Implementation.** As an expression of the standards of conduct for members expected by the City, the Glenpool Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientation for candidates for City Council, applicants to

board and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood this City of Glenpool Code of Ethics and Policy Statement. In addition, the Code of Ethics shall be annually reviewed and endorsed by the City Council and boards and commissions, and the City Council shall consider recommendations from boards and commissions and update it as necessary.

21. Compliance and Enforcement. The Glenpool Code of Ethics expresses standards of ethical conduct expected for members of the Glenpool City Council, boards and commissions. Members themselves have the primary responsibility to enforce compliance with these ethical standards and thereby help to ensure that they are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards and commissions and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention. The second in line, when the Mayor's or a chair's actions come into question, would assume the duty of intervening. The City Council may impose various sanctions on members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment.

And it is further resolved that, in connection with the foregoing reinstatement, the Code of Ethics and Policy Statement does and shall read as set forth above until such time as the same is further amended or repealed.

ADOPTED and **APPROVED** by the Council of the City of Glenpool, this 13th day of May 2013.

THE CITY OF GLENPOOL, OKLAHOMA

/s/

Momodou Ceesay, Mayor

ATTEST:

/s/

Susan Clerk, City Clerk

[SEAL]

APPROVED AS TO FORM:

/s/

Lowell Peterson, City Attorney

RESOLUTION NO. 16-07-01

**ANNUAL CITY COUNCIL RESOLUTION OF ENDORSEMENT
OF RESTATED CODE OF ETHICS AND POLICY STATEMENT
FOR ELECTED AND APPOINTED OFFICIALS**

WHEREAS, Section 20 of the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials, “Implementation,” requires members of the City Council, sitting as Councilors and as members of the Board of Trustees for the City’s various public trust authorities, to indicate by signature their individual endorsement of said Code of Ethics; and

WHEREAS, Section 20 of the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials, “Implementation,” requires the City Council to direct that members of the Planning Commission and Board of Adjustment, as well any other administrative bodies of the City, to indicate by signature their individual endorsement of said Code of Ethics.

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL THAT:

1. Each member, in their respective capacities identified below, shall sign the following endorsement below affirming that they have had the opportunity to review the foregoing Restated Code of Ethics and Policy Statement for Elected and Appointed Officials for the City of Glenpool, as required annually, and they reaffirm that they have read, understand and agree to comply with the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials for the City of Glenpool.

I have read, I understand and I agree to comply with the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials for the City of Glenpool.

Hon. Timothy Lee Fox, Mayor
Chair of the Glenpool Utility Service Authority,
Glenpool Industrial Authority and Glenpool
Cemetery Trust

Date

Hon. Momodou Ceesay, Vice-Mayor
Vice-Chair of the Glenpool Utility Service
Authority, Glenpool Industrial Authority and
Glenpool Cemetery Trust

Date

Councilor Brandon Kearns,
Member of the Glenpool Utility Service
Authority, Glenpool Industrial Authority and
Glenpool Cemetery Trust

Date

Councilor Trish Agee
Member of the Glenpool Utility Service
Authority, Glenpool Industrial Authority and
Glenpool Cemetery Trust

Date

Councilor Jacqueline Triplett-Lund
Member of the Glenpool Utility Service
Authority, Glenpool Industrial Authority and
Glenpool Cemetery Trust

Date

2. Members of City boards and commissions, to include without limitation the Planning Commission and Board of Adjustment, shall be provided the Restated Code of Ethics and Policy Statement for Elected and Appointed Officials for the City of Glenpool and requested to affirm the same by the following endorsement.

Hon. Richard Watts
Chair of the Glenpool Planning Commission
and the Glenpool Board of Adjustment

Date

Hon. Joyce Calvert
Vice-Chair of the Glenpool Planning Commission
and the Glenpool Board of Adjustment

Date

Shayne Buchanan
Member of the Glenpool Planning Commission
and the Glenpool Board of Adjustment

Date

Howard Nelson
Member of the Glenpool Planning Commission
and the Glenpool Board of Adjustment

Date

Debra Cutsor
Member of the Glenpool Planning Commission
and the Glenpool Board of Adjustment

Date