

**MINUTES
OF
A REGULAR MEETING OF THE MAYOR AND BOARD OF COMMISSIONERS OF
THE CITY OF ARDMORE, OKLAHOMA, HELD ON SEPTEMBER 16, 2019
AT 7:00 PM IN THE COMMISSION CHAMBERS**

Present:	John Moore	Mayor
	Sheryl Ellis	Commissioner
	Beth Windel	Commissioner
	Martin Dyer	Commissioner
	J.D. Spohn	City Manager
	Lori Linney	City Clerk
Absent:	Doug Pfau	Vice-Mayor

This meeting was held in compliance with the Oklahoma Open Meeting Act (OSS 25)

1. CALL TO ORDER, BY THE MAYOR

Mayor Moore called the meeting to order.

2. INVOCATION

The invocation was led by Robert Newell, Director of Information Technology.

3. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Ellis.

4. ROLL CALL

The City Clerk called roll. All were present except Vice-Mayor Pfau.

5. APPROVE AGENDA – ORDER OF BUSINESS AND CONTENTS

Motion was made by Commissioner Dyer and seconded by Commissioner Ellis to approve the agenda with Item Agreement(s) 9.B.5. to read as a Glock 40 Caliber Pistol.

Ayes:	Ellis, Windel, Dyer, Moore
Nays:	None
Absent:	Pfau

6. APPROVE MINUTES

A. of the City Commission Regular Meeting held on September 3, 2019

Motion was made by Commissioner Ellis and seconded by Commissioner Windel to approve the minutes of the City Commission Regular Meeting of September 3, 2019 as written.

Ayes: Ellis, Windel, Dyer, Moore
Nays: None
Absent: Pfau

7. PUBLIC HEARING(S)

A. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone 0.25 Acres located at 108 5th Avenue SE from RS-6 (Single Family Residential) to O (Office)

A presentation was made by Jessica Scott, Director of Development Services, to the Commission. She stated that the City received a rezoning application from property owner of 0.25 acres located at 108 5th Avenue SE, requesting rezoning of the subject property from RS-6 (Single Family Residential) to O (Office). In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing is now required before the City Commission.

No One Present to Speak For or Against

Public Hearing Closed

8. CONSENT

A. Consideration and Possible Action of a Resolution for the Minor Subdivision Plat of 1 Lot on 0.54 Acres of the Edamame Addition located at 23 B Street SW

On September 5, 2019, the Planning Commission voted (6-0) to approve the Minor Subdivision Plat of 1 lot on 0.54 acres of the Edamame Addition located at 23 B Street SW.

B. Consideration and Possible Action of a Resolution for the Minor Subdivision Plat of 2 Lots on 0.28 Acres of the Akron Industrial Addition located at 717 Akron and 725 Akron

On September 5, 2019, the Planning Commission voted (6-0) to approve the Minor Subdivision Plat of 2 lots on 0.28 acres of the Akron Industrial Addition located at 717 Akron and 725 Akron.

C. Consideration and Possible Action of a Resolution for a Minor Subdivision Plat of 1 Lot on 8.61 Acres of the Westside Industrial Addition located at 5621 West Broadway

On September 5, 2019, the Planning Commission voted (6-0) to approve the Minor Subdivision Plat of 1 lot on 8.61 acres of the Westside Industrial Addition located at 5621 West Broadway.

D. Consideration and Possible Action of a Resolution for the Final Plat of 2 Lots on 2.352 Acres of the 12th Avenue and Rockford Addition located at 2412 12th Avenue NW

On September 5, 2019, the Planning Commission voted (6-0) to approve the Final Plat of 2 lots on 2.352 acres of the 12th Avenue and Rockford Addition located at 2412 12th Avenue NW.

E. Consideration and Possible Action of a Resolution for the Minor Subdivision Plat of 1 Lot on 0.69 Acres of the Humphrey Addition located at 1410 10th Avenue NE

On September 5, 2019, the Planning Commission voted (6-0) to approve the Minor Subdivision Plat of 1 lot on 0.69 acres of the Humphrey Addition located at 1410 10th Avenue NE.

F. Consideration and Possible Action for the Authorization to Apply for a Grant for State Project ADM-20-FS, Taxiway A and E, that will be Jointly Submitted with the Ardmore Development Authority to the Oklahoma Aeronautics Commission and for the City to Accept any Grant Award from the Oklahoma Aeronautics Commission

This is a grant application for the City of Ardmore and the Ardmore Development Authority (ADA) for the Taxiway A & E project at the Ardmore Municipal Airport. The project is eligible for grant funding through the Oklahoma Aeronautics Commission (OAC). This item allows for the Mayor to execute the application for grant funding that will be jointly filed along with the ADA and for City staff to accept a grant award from OAC for this project. The anticipated grant award is \$211,018.00.

Motion was made by Commissioner Dyer and seconded by Commissioner Ellis to approve Consent Agenda Items 8.A. - 8.F with Item 8.A. by Resolution 4108, Item 8.B. by Resolution 4109, Item 8.C. by Resolution 4110, Item 8.D. by Resolution 4111 and Item 8.E. by Resolution 4112.

Ayes:	Ellis, Windel, Dyer, Moore
Nays:	None
Absent:	Pfau

9. REGULAR BUSINESS

A. ORDINANCE(S)

1. Consideration and Possible Action of an Ordinance to Rezone 0.25 Acres located at 108 5th Avenue SE from RS-6 (Single Family Residential) Zoning District to O (Office) Zoning District

A presentation was made by Jessica Scott, Director of Development Services, to the Commission. She stated that staff received a request from Scott Pope on behalf of Harpo Enterprises LLC, property owner of property located at 108 5th Avenue SE to rezone this property from RS-6 (Single Family Residential) to O (Office). The Planning Commission voted (6-0) to recommend approval of rezoning to O (Office) zoning district.

Motion was made by Commissioner Ellis and seconded by Commissioner Windel to approve Ordinance No. 3068.

Ayes:	Ellis, Windel, Dyer, Moore
Nays:	None
Absent:	Pfau

B. AGREEMENT(S)

1. Consideration and Possible Action to Declare Items of the Information Technology Department as Surplus and Authorize Disposal of Said Property to be Destroyed/Buried at the Southern Oklahoma Regional Disposal, Inc. Landfill

A presentation was made by Robert Newell, Director of Information Technology, to the Commission. He stated that the Information Technology Department requests approval to declare items of the Information Technology Department as surplus and authorize disposal of property to be destroyed/buried at the Southern Oklahoma Regional Disposal, Inc. Landfill. These items are obsolete and no longer being used by the City.

Motion was made by Commissioner Windel and seconded by Commissioner Dyer to approve to declare items of the Information Technology Department as surplus and authorize disposal of said property to be destroyed/buried at the Southern Oklahoma Regional Disposal, Inc. Landfill.

Ayes:	Ellis, Windel, Dyer, Moore
Nays:	None
Absent:	Pfau

2. Consideration and Possible Action for the Continuation of Annual Software Support with Omnigo Software for CAD/RMS Application Suite for the First Responder Activities in the City of Ardmore in the Total Amount of \$43,929.60

A presentation was made by Robert Newell, Director of Information Technology, to the Commission. He stated that CAD/RMS from Omnigo is an application suite that assists law enforcement, medical; fire and dispatch in maintaining records on first responder activities in the City of Ardmore. The application keeps track of all incidents from initial reporting to resolution. The application was initially purchased in 2005. The annual software support provides the City with help desk support and software updates. This will be valid from October 1, 2019 to September 30, 2019 in the total amount of \$43,929.60. This is a budgeted item in Fiscal Year 2019/2020.

Motion was made by Commissioner Ellis and seconded by Commissioner Windel to approve the continuation of annual software support with Omnigo Software for CAD/RMS Application Suite for the first responder activities in the City of Ardmore in the total amount of \$43,929.60.

Ayes: Ellis, Windel, Dyer, Moore
Nays: None
Absent: Pfau

3. Consideration and Possible Action for the Purchase of Fifty-Two (52) Club Car Golf Carts for the Lakeview Golf Course from the Oklahoma State Contract SW0194 from Justice Golf Car Company, Inc. in the Total Amount of \$144,965.80

A presentation was made by Teresa Ervin, Director of Parks and Recreation, to the Commission. She stated that current fleet of golf carts at Lakeview Golf Course is manufactured by Club Car. Staff is very happy with Club Car Golf Carts and wish to continue using Club Car. The current fleet has held up extremely well with the exception of general maintenance. The golf carts will be purchased from Justice Golf Care Company, Inc. from the State Contract SW0194 in the total amount of \$144,965.80. This amount includes a trade-in allowance of \$119,600.00. This is below the budgeted amount in the Reserve Management Fund of \$150,000.00.

Motion was made by Commissioner Dyer and seconded by Commissioner Ellis to approve the purchase of fifty-two (52) Club Car Golf Carts for the Lakeview Golf Course from the Oklahoma State Contract SW0194 from Justice Golf Car Company, Inc. in the total amount of \$144,965.80.

Ayes: Ellis, Windel, Dyer, Moore
Nays: None
Absent: Pfau

4. Consideration and Possible Action of Change Order No. 1 to the Contract between the City of Ardmore and Lambert Construction Company for The Clubhouse located in Regional Park in the Increased Amount of \$24,681.00

A presentation was made by Teresa Ervin, Director of Parks and Recreation, to the Commission. She stated that Change Order No. 1 results in a net increase in the cost of the contract between the City of Ardmore and Lambert Construction Company in the amount of \$24,681.00. Change Order No. 1 reflects the change in several specified items in the original plan. The items are mostly a result of decision that was made in the field with the guidance of the consultant and unforeseen things prior to the start of the demolition process. The primary sources of the increase are rock excavation. Other changes include the adding of surge suppression to the electrical panel, and duct work for the event room. The fencing and water lines resulted in some deductions as well.

Motion was made by Commissioner Windel and seconded by Commissioner Ellis to approve Change Order No. 1 to the Contract between the City of Ardmore and Lambert Construction Company for The Clubhouse located in Regional Park in the increased amount of \$24,681.00.

Ayes: Ellis, Windel, Dyer, Moore
Nays: None
Absent: Pfau

5. Consideration and Possible Action to Declare an Ardmore Police Department Glock 40 Caliber Pistol as Surplus and Authorize Disposal of Said Property by Awarding to Corporal Billy Turner who is Retiring in Good Standing after 17 Years of Service

A presentation was made by Ken Grace, Chief of Police, to the Commission. He stated that the Ardmore Police Department requests permission to declare surplus a Glock Model 27 40 Caliber Pistol (SN BGL758/Asset No. 008890) and dispose of the pistol by awarding to Corporal Billy Turner who is retiring in good standing from the department after seventeen (17) years of service to the citizens and the City of Ardmore. Awarding his service sidearm would be in compliance with Ardmore Police Department Policy 1.3.15.

Motion was made by Commissioner Dyer and seconded by Commissioner Windel to approve to declare an Ardmore Police Department Glock 40 Caliber Pistol as surplus and authorize disposal of said property by awarding to Corporal Billy Turner who is retiring in good standing after 17 years of service.

Ayes: Ellis, Windel, Dyer, Moore
Nays: None
Absent: Pfau

6. Consideration and Possible Action to Declare Emergency Dispatch Chair (Asset No. 009279) of the Ardmore Police Department as Surplus and Authorize Disposal of Said Property Via Auction, OK Iron and Metal Company, Southern Oklahoma Regional Disposal Landfill or Donation

A presentation was made by Ken Grace, Chief of Police, to the Commission. He stated that the Ardmore Police Department requests permission declare surplus an Olympic Executive 24/7 emergency dispatch chair (SN KF412N-15/Asset No. 009279) and authorize disposal of said property via auction, OK Iron and Metal Company, Southern Oklahoma Regional Disposal Inc. Landfill or by donation.

Motion was made by Commissioner Ellis and seconded by Commissioner Windel to approve to declare emergency dispatch chair (Asset No. 009279) of the Ardmore Police Department as surplus and authorize disposal of said property via auction, OK Iron and Metal Company, Southern Oklahoma Regional Disposal Landfill or donation.

Ayes: Ellis, Windel, Dyer, Moore
Nays: None
Absent: Pfau

7. Consideration and Possible Action to Authorize a Payment to Market Street at Ardmore, LLC for Work at the Market Street of Ardmore in a Total Amount of \$201,038.65 of which \$110,938.65 is to be Paid by the City of Ardmore and \$90,100.00 to be Paid by the Ardmore Public Works Authority

A presentation was made by Thomas Mansur, City Engineer, to the Commission. He stated that the purpose of this item is to obtain the Commission's approval to pay for work undertaken by "Market Street of Ardmore, LLC" for development as previously agreed to in the City's TIF Agreement with Mr. Burk Collins and the Market Street of Ardmore, LLC. This work includes the construction of the widening of a segment of 12th Avenue NW, relocation of the AT&T cables, relocation of the City's 12-inch water main, construction of a new storm water junction box, and relocation and modifications for the City's 6-inch water lines on East and West Walnut. The Commission previously considered and approved the payment of a portion of these cost to Overland Corporation, the contractor for subject work, however the correct payee is "Market Street at Ardmore, LLC". As also noted in the previous agenda item there remained a final accounting of costs

associated with engineering, surveying and cable relocation. Staff have now properly accounted for the total costs as shown following. Accordingly, the previous invoices and authorized payments have been withdrawn and not paid. The work undertaken for which payment is now sought is summarized as follows:

<u>Work Element</u>	<u>Total</u>
<ul style="list-style-type: none"> • City Obligation for Street Infrastructure 	
Widening of 12 th Avenue NW	\$ 69,801.80
Storm Sewer Junction Box	\$ 9,260.00
Relocation of AT&T Cable and Appurtenances	\$ 31,876.85
Subtotal City Share	\$110,938.65
<ul style="list-style-type: none"> • APWA Obligation for Water Infrastructure 	
Relocation of 12-Inch Water Main	\$ 74,000.00
Walnut Streets Water Line Modifications	\$ 16,100.00
Subtotal APWA Share for Water Infrastructure	<u>\$ 90,100.00</u>
Total Invoice	\$201,038.65

Staff originally estimated that the cost of all infrastructure works agreed to within the TIF would be approximate \$350,000.00. This estimate did not include any water line construction and the additional engineering associated with that work since staff originally had reason to believe that the 12-inch water main would not be moved. Subject to the approval of the Commissions the payment of the invoice in the amount of \$201,038.65 to Market Street at Ardmore, LLC of which \$110,938.65 is to be paid by the City and, subject to approval of the Ardmore Public Works Authority Trustees, \$90,100.00 is to be paid by the Ardmore Public Works Authority.

Motion was made by Commissioner Ellis and seconded by Commissioner Windel to approve to authorize a payment to Market Street at Ardmore, LLC for work at the Market Street of Ardmore in a total amount of \$201,038.65 of which \$110,938.65 is to be paid by the City of Ardmore and \$90,100.00 to be paid by the Ardmore Public Works Authority.

Ayes:	Ellis, Windel, Dyer, Moore
Nays:	None
Absent:	Pfau

C. BID(S)

- 1. Consideration and Possible Action of a Bid Received from Howard Construction, Inc. for the Construction of Improvements of the Regional Park Lift Station in the Total Amount of \$639,340.00**

A presentation was made by Thomas Mansur, City Engineer, to the Commission. He stated that the City received bids on August 16, 2019 for the construction of improvements for the Regional Park Lift Station. The work includes construction of a new wet well, installation of new pumps, and major upgrades to the controls. Bids received as follows:

- Howard Construction, Inc. \$639,340.00
- JS Haren Company \$827,000.00
- Engineer's Estimate \$685,400.00

The low bid was received from Howard Construction, Inc., of Ardmore, Oklahoma in the amount of \$639,340.00.

Motion was made by Commissioner Windel and seconded by Commissioner Ellis to approve a bid received from Howard Construction, Inc. for the construction of improvements of the Regional Park Lift Station in the total amount of \$639,340.00.

Ayes: Ellis, Windel, Dyer, Moore
Nays: None
Absent: Pfau

D. PURCHASE(S)

1. Consideration and Possible Action for the Purchase of a Ford F250 XL Crew Cab for the Street Division from the Oklahoma State Contract SW035 from Bill Knight Ford in the Total Amount of \$26,046.00

A presentation was made by Thomas Mansur, City Engineer, to the Commission. He stated that the Street Division would like to purchase a new Ford F250 XL Crew Cab for the Street Division from the Oklahoma State Contract SW035 from Bill Knight Ford in the total amount of \$26,046.00. The new truck will be used for crew, supplies and tools transportation. The truck is a budgeted item.

Motion was made by Commissioner Ellis and seconded by Commissioner Dyer to approve the purchase of a Ford F250 XL Crew Cab for the Street Division from the Oklahoma State Contract SW035 from Bill Knight Ford in the total amount of \$26,046.00.

Ayes: Ellis, Windel, Dyer, Moore
Nays: None
Absent: Pfau

10. ADJOURN

Motion was made by Commissioner Dyer and seconded by Commissioner Windel to adjourn from this meeting.

Ayes:	Ellis, Windel, Dyer, Moore
Nays:	None
Absent:	Pfau