

**MINUTES  
OF  
A REGULAR MEETING OF THE MAYOR AND BOARD OF COMMISSIONERS OF  
THE CITY OF ARDMORE, OKLAHOMA, HELD ON AUGUST 17, 2020  
AT 7:00 PM IN THE COMMISSION CHAMBERS**

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

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

**1. VIDEO CONFERENCE INSTRUCTIONS**

**2. CALL TO ORDER, BY THE MAYOR**

Mayor Pfau called the meeting to order.

**3. INVOCATION**

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

**4. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Moore.

**5. ROLL CALL**

The City Clerk called roll. All were present.

Mayor Pfau - In Person  
Vice-Mayor Windel - In Person  
Commissioner Dyer - In Person  
Commissioner Ellis - In Person  
Commissioner Moore - In Person

**6. APPROVE AGENDA – ORDER OF BUSINESS AND CONTENTS**

Motion was made by Commissioner Dyer and seconded by Commissioner Moore to approve the agenda as written.

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

**7. APPROVE MINUTES**

**A. of the City Commission Regular Meeting held on August 3, 2020**

Motion was made by Commissioner Ellis and seconded by Commissioner Moore to approve the minutes of the City Commission Regular Meeting of August 3, 2020 as written.

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

**8. EXECUTIVE SESSION**

Motion was made by Commissioner Dyer and seconded by Commissioner Moore to enter into executive session at 7:03 PM.

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

**A. Consideration and Possible Action to Enter into Executive Session for Confidential Communication with Legal Counsel Concerning the Pending Matter of David Daube et.al. v. The City of Ardmore, Case No. CV-2020-103, District Court of Carter County upon Advice of Legal Counsel that Public Disclosure would Seriously Impair the Ability of the City to Process the Litigation in the Public Interest as Authorized Under 25 OK Statutes Section 307B4**

**B. Come Out of Executive Session and Vote to Reconvene Into Open Meeting**

Motion was made by Commissioner Moore and seconded by Commissioner Ellis to reconvene into open meeting at 7:21 PM.

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

**C. Agreement (1)**

**1. Consideration and Possible Action on Item Discussed in Executive Session Regarding the Pending Matter of David Daube et.al. v. City of Ardmore**

Motion was made by Commissioner Dyer and seconded by Commissioner Ellis to move to direct counsel for the City to file necessary pleadings to protect the interests of the City in the matter of David Daube et.al. v. The City of Ardmore and to represent the City in discussions with the Plaintiffs and L.W. Development on possible resolutions of the disputes and report back to the City Commission.

Ayes: Elli, Moore, Dyer, Pfau  
Nays: None  
Abstain: Windel

**8. PUBLIC HEARING**

**A. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone 4.58 Acres located at 830 Park St SE from RS-40 (Residential 40,000 Square Foot Minimum) to PUD (Planned Unit Development)**

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that the City received a rezoning application from the property owner of 4.58 acres located at 830 Park St SE, requesting rezoning of the subject property from RS-40 (Residential 40,000 Square Foot Minimum) to PUD (Planned Unit Development). In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on August 6, 2020. Per Section 319, a public hearing is now required before the City Commission.

No One Present to Speak For or Against

Public Hearing Closed

**9. CONSENT**

**A. Consideration and Possible Action to Confirm Mayor and City Commissions Appointment to the Ardmore Parks and Recreation Advisory Board to Serve a First Three Year Term to be Laura Neal with Term to Expire in May of 2023**

The Mayor and City Commissions confirmed the appointment of Laura Neal to the Ardmore Parks and Recreation Advisory Board to serve a first three (3) year with term to expire in May of 2023.

**B. Consideration and Possible Action of a Partial Lump Sum Distribution from Oklahoma Municipal Retirement Fund to Mr. Bryan Scott Hill**

Under the requirements of the Oklahoma Municipal Retirement Fund (OkMRF) Agreement with the City of Ardmore it is required that the City Commission approve any lump sum distribution. Staff requests approval for a partial lump sum distribution to Mr. Bryan Scott Hill.

**C. Consideration and Possible Action of an Ardmore Downtown Executive Airport Ground Lease Agreement between the City of Ardmore and Hugh Pruitt for Tract 2**

The Ground Lease Agreement is located at the Ardmore Downtown Executive Airport and is between the City of Ardmore and Lessee as follows:

Hugh Pruitt

Leased Premises: 1203 Executive Airport Drive, also known as Tract 2

The City of Ardmore is the co-sponsor, along with the State of Oklahoma, ex rel Oklahoma Planning and Resources Board, of the area known as the Ardmore Downtown Executive Airport, which is located in Southern Ardmore and in the northern portion of Lake Murray State Park. The initial term of the Ground Lease Agreement shall be for a term commencing on February 1, 2020 and ends on January 31, 2030, with the option of two (2) additional five (5) year extensions.

Motion was made by Commissioner Ellis and seconded by Vice-Mayor Windel to approve Consent Agenda Items 9. A - C.

Ayes: Ellis, Moore, Dyer, Windel, Pfau

Nays: None

**10. REGULAR BUSINESS**

**A. ORDINANCE(S)**

- 1. Consideration and Possible Action of an Ordinance to Rezone Property located at 830 Park St SE from RS-40 (Residential 40,000 Square Foot Minimum) Zoning District to PUD (Planning Unit Development) Zoning District**

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff received a request from Kaylyn Weldon Gary on behalf of the Community Children's Shelter & Family Service Center Inc., property owner of property located at 830 Park St SE to rezone this property from RS-40 (Residential 40,000 Square Foot Minimum) to PUD (Planned Unit Development). The Planning Commission, after discussion, and consideration of the applicant's responses to the 15 criteria used to justify a rezoning, and after consideration of information provided by staff, voted (6-0) to recommend approval of rezoning to PUD (Planned Unit Development) zoning district.

Motion was made by Commissioner Ellis and seconded by Commissioner Moore to approve Ordinance No. 3091.

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

## **B. BID(S)**

### **1. Consideration and Possible Action to Reject a Bid Received from Turner Signs for the Fabrication and Installation of Way Find Signs in the Total Amount of \$258,265.00**

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that in June, invitations to bid were solicited from six (6) vendors for the fabrication of three (3) way find signs and the installation of thirty-four (34) way find signs. Only, one (1) bid was received from Turner Signs in the amount of \$258,265.00. At this time, staff would like to reject the bid received from Turner Signs, consider revising the installation and rebidding.

Motion was made by Commissioner Moore and seconded by Commissioner Ellis to approve to reject a bid received from Turner Signs for the fabrication and installation of way find signs in the total amount of \$258,265.00.

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

## **C. AGREEMENT(S)**

### **1. Consideration and Possible Action to Consent to an Amended Ardmore Municipal Airport Ground Sublease Agreement between the Ardmore Development Authority a Public Trust of the City of Ardmore and Dolgencorp, LLC to Add an Additional 60 Feet on the East Boundary and 60 Feet on the South Boundary**

A presentation was made by J.D. Spohn, City Manager, to the Commission. He stated that the Amended Ground Sublease Agreement (Sublease Agreement) is between the Ardmore Development Authority (ADA) and Dolgencorp, LLC (Lessee). The ADA leases from the City of Ardmore the Ardmore Municipal Airport in Ardmore, Oklahoma. This amendment is necessary due to fire code restrictions based on the size of the building. The amendment is to add an additional 60 feet on the east boundary and 60 feet on the south boundary as shown on Exhibit "A". The ADA desires to amend the Sublease Agreement to Lessee. The Lessee likewise desires to amend the Sublease Agreement for the construction and operation of a Warehouse and Distribution Center.

Motion was made by Commissioner Ellis and seconded by Commissioner Dyer to approve to consent to an Amended Ardmore Municipal Airport Ground Sublease Agreement between the Ardmore Development Authority a Public Trust of the City of Ardmore and Dolgencorp, LLC to add an additional 60 feet on the east boundary and 60 feet on the south boundary.

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

**11. ADJOURN**

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

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