

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF
COMMISSIONERS OF THE CITY OF ARDMORE, OKLAHOMA, HELD ON
MARCH 7, 2022 AT 7:00 PM IN THE COMMISSION CHAMBERS**

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| Present: | Sheryl Ellis Doug Pfau | Mayor Vice-Mayor |
| | John Credle, Jr. David Plesher | Commissioner Commissioner |
| | Kevin Boatright Lori Linney | City Manager City Clerk |
| Absent: | Nancy Sjulín | Commissioner |

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

1. CALL TO ORDER

Mayor Ellis called the meeting to order.

2. INVOCATION

The invocation was led by Robert Newell, Chief Information Officer.

3. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Pfau.

4. ROLL CALL

The City Clerk called roll. All were present except Commissioner Sjulín.

5. PRESENTATION(S)

A. Swearing in of New Ardmore Police Officers by Kevin Norris, Chief of Police

Chief of Police Kevin Norris swore in new Ardmore Police Officers Bailey Hatley, Jadrein Monroe and Alfredo Torres.

B. Overview by Robert Newell, Chief Information Officer, of the City of Ardmore Cyber Security Preparation and Stance

Mr. Robert Newell, Chief Information Officer, gave a report on the City of Ardmore cyber security preparation and stance.

6. APPROVE AGENDA – ORDER OF BUSINESS AND CONTENTS

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Credle to approve the agenda as written

Ayes: Credle, Plesher, Pfau, Ellis
Nays: None
Absent: Sjulín

7. APPROVE MINUTES

A. of the City Commission Regular Meeting held on February 7, 2022

Motion was made by Commissioner Credle and seconded by Vice-Mayor Pfau to approve the regular minutes of February 7, 2022 as written.

Ayes: Credle, Plesher, Pfau, Ellis
Nays: None
Absent: Sjulín

B. of the City Commission Special Meeting/Winter Retreat held on February 15, 2022

Motion was made by Commissioner Plesher and seconded by Commissioner Credle to approve the regular minutes of February 15, 2022 as written.

Ayes: Credle, Plesher, Pfau, Ellis
Nays: None
Absent: Sjulín

8. PUBLIC HEARING(S)

A. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request for a Conditional Use Permit for an Auto Body Repair Shop in the Commercial Corridor (CC) Zoning District at 350 North Commerce Street, Ardmore

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that the City received a Conditional Use Permit application from Jody Duvak and Lisa Estrada on behalf of Collins Investment Trust requesting approval to allow an auto body repair shop in the Commercial Corridor (CC) zoning district at 350 North Commerce Street, Ardmore. In keeping with the requirements of Section 314 of the Unified Development Code, a public hearing was held before the Planning Commission on February 17, 2022. Per Section 314, a public hearing is now required before the City Commission. The Conditional Use Permit is also on this agenda for the final action by the City Commission.

Present to Speak For:

Mr. Jody Duvak, spoke on behalf of allowing an auto body repair shop at 350 North Commerce, Ardmore.

No One Present to Speak Against

Public Hearing Closed

B. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone 2 Acres located at 415 B Street Southeast from Commercial Neighborhood (CN) to Single Family Residential (RS-6)

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 (two) 2 acres located at 415 B Street Southeast requesting rezoning of the subject property from Commercial Neighborhood (CN) to Single Family Residential (RS-6). In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on February 17, 2022. Per Section 319, a public hearing is now required before the City Commission. The Rezoning request is also on this agenda for final action by the City Commission.

No One Present to Speak For or Against

Public Hearing Closed

9. CONSENT

A. Consideration and Possible Approval to Confirm Mayor and City Commissions Appointments to the Ardmore Public Library Board to Serve Second Three (3) Year Terms to be Kyle Craighead and John Pryor with Terms to Expire in May of 2025 and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting

The Mayor and City Commissions confirmed the appointments to the Ardmore Public Library Board to serve second three (3) year terms to be Kyle Craighead and John Pryor with terms to expire in May of 2025.

B. Consideration and Possible Approval to Confirm Mayor and City Commissions Appointment to the Southern Oklahoma Library System Board of Trustees to be Tommi Weatherford to Serve a First Three (3) Year Term with Term to Expire in June of 2025 and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting

The Mayor and City Commissions confirmed the appointment to the Southern Oklahoma Library System Board of Trustees to be Tommi Weatherford to serve a first three (3) year term with term to expire in June of 2025.

C. Consideration and Possible Approval of a Lump Sum Distribution of Death Benefits from the Oklahoma Municipal Retirement Fund for Mr. James Taylor, Deceased and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting

Mr. Taylor’s children are requesting a lump sum distribution of death benefits from their father’s retirement account with Oklahoma Municipal Retirement Fund (OkMRF). Under the requirements of the OkMRF agreement with the City of Ardmore, Oklahoma it is required that the City Commission approve any lump sum distribution.

D. Consideration and Possible Approval to Authorize the City Attorney to Disclaim Any Interest in a Utility Easement located in Lots Two (2) and Three (3), Block One (1) of the Purvis Industries Commercial Addition and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting

Staff received a summons from the David Kennedy Law Office for a utility easement foreclosing the right of the City of Ardmore, Oklahoma to reopen a closed utility easement located in Lots Two (2) and Three (3), Block One (1) of the Purvis Industries Commercial Addition also described as an easement in the SW/4 of section 25, T4 South, R 1E of Carter County.

Motion was made by Commissioner Credle and seconded by Vice-Mayor Pfau to approve Consent Agenda Items 8.A. - 8.D.

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| Ayes: | Credle, Plesher, Pfau, Ellis |
| Nays: | None |
| Absent: | Sjulin |

10. REGULAR BUSINESS

A. ORDINANCE(S)

- 1. Consideration of Adoption or Rejection of Ordinance Number 3115 an Ordinance Rezoning Property located at 415 B Street Southeast, Zoning from Commercial Neighborhood (CN) Zoning District to Single Family Residential (RS-6) Zoning District Amending Ordinance Number 2583 known as the Unified Development Code of the City of Ardmore, Oklahoma and Providing for Severability and Approval or Rejection of Any**

Amendments Proposed and Considered by the City Commission at the Meeting

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff received a request from Gentry Real Estate Appraisals Inc., property owner of property located at 415 B Street Southeast to rezone this property from Commercial Neighborhood (CN) to Single Family Residential (RS-6). The Planning Commission voted (7-0) to recommend approval of rezoning to Single Family Residential (RS-6) zoning district.

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Credle to approve Ordinance Number 3115.

Ayes: Credle, Plesher, Pfau, Ellis
Nays: None
Absent: Sjulín

2. Consideration of Adoption or Rejection of Ordinance Number 3116 an Ordinance Authorizing the Sale and Transfer of Property by Quit-Claim Deed Described as Lot five (5), Block Two Hundred Forty Six (246) Map of Subdivision of Property Formerly Owned by the Healdton and Santa-Fe Railway Company, City of Ardmore, Carter County, Oklahoma to Fidelis Developments, L.L.C., the Highest Bidder in the Amount of \$125,000.00 and Consideration of Adoption or Rejection of Any Amendments to the Proposed Ordinance as may be Considered by the City Commission at the Meeting

A presentation was made by Kevin Boatright, City Manager, to the Commission. He stated that staff requests the Ardmore City Commission approve an ordinance authorizing the sale and transfer of property to Fidelis Developments, L.L.C., the highest bidder in the amount of \$125,000.00 for the described property as follows:

Lot Five (5), Block Two Hundred Forty Six (246) Map of Subdivision of Property Formerly Owned by the Healdton and Santa-Fe Railway Company, City of Ardmore, Carter County, Oklahoma

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Pfau to approve Ordinance Number 3116.

Ayes: Credle, Plesher, Pfau, Ellis
Nays: None
Absent: Sjulín

B. RESOLUTION(S)

1. Consideration of Adoption or Rejection of Resolution Number 4206 a Resolution for a Conditional Use Permit for an Auto Body Repair Shop in the Commercial Corridor (CC) Zoning District at 350 North Commerce Street, Ardmore and Consideration of Adoption or Rejection of Any Amendments to the Proposed Resolution as may be Considered by the City Commission at the Meeting

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that on February 17, 2022, the Planning Commission considered the request by Jody Duvak and Lisa Estrada on behalf of Collins Investment Trust for a Conditional Use Permit to allow an auto body repair shop in the Commercial Corridor (CC) Zoning District for 350 North Commerce Street, Ardmore. The Planning Commission voted (7-0) to recommend approval of the Conditional Use Permit in the Commercial Corridor (CC) Zoning District to allow an auto body repair shop.

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Pfau to approve Resolution Number 4206.

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| Ayes: | Credle, Plesher, Pfau, Ellis |
| Nays: | None |
| Absent: | Sjulin |

2. Consideration of Adoption or Rejection of Resolution Number 4207 a Resolution Declaring Personal Property from the Ardmore Police Department's Property Room as Surplus and Authorizing Disposal in Accordance with City Code and Consideration of Adoption or Rejection of Any Amendments to the Proposed Resolution as may be Considered by the City Commission at the Meeting

A presentation was made by Kevin Norris, Chief of Police, to the Commission. He stated that the Ardmore Police Department has personal property from the agency's Property Room determined to be excess, obsolete, unserviceable or surplus. An Order has been obtained from the Carter County District Court authorizing the sale, donation and/or destruction of said personal property.

Motion was made by Commissioner Plesher and seconded by Commissioner Credle to approve Resolution Number 4207.

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| Ayes: | Credle, Plesher, Pfau, Ellis |
| Nays: | None |
| Absent: | Sjulin |

C. BID(S)

1. Consideration and Possible Approval of the Low bid Received from Lee Dirtworks for the Demolition of the DOC Building located at 615 Grumman in the Ardmore Municipal Airport in the Total Amount of \$28,840.00 and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting

A presentation was made by Shawn Geurin, Director of Utilities, to the Commission. He stated six (6) bids were received on February 14, 2022, for the demolition of the DOC building located at 615 Grumman in the Ardmore Municipal Airport. Lee Dirtworks provided the low bid meeting the minimum specifications in the amount of \$28,840.00. Bids received as follows:

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| • Lee Dirtworks | \$28,840.00 |
| • Total Demolition | \$41,440.00 |
| • Midwest Wrecking Co. | \$42,910.00 |
| • M & M Wrecking | \$47,560.00 |
| • K & M Wrecking | \$58,900.00 |
| • Level Excavation | \$64,850.00 |

The project will be funded by the Fund 25 APWA Loan.

Motion was made by Commissioner Plesher and seconded by Commissioner Credle to approve the low bid received from Lee Dirtworks for the demolition of the DOC building located at 615 Grumman in the Ardmore Municipal Airport in the total amount of \$28,840.00.

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| Ayes: | Credle, Plesher, Pfau, Ellis |
| Nays: | None |
| Absent: | Sjulin |

2. Consideration and Possible Approval of the Unit Priced Bid Received from Insituform for the Ardmore Public Works/City of Ardmore Maintenance Contract and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting

A presentation was made by Shawn Geurin, Director of Utilities, to the Commission. He stated one (1) bid was received on February 14, 2022, from Insituform for the Ardmore Public Works/City of Ardmore Maintenance Contract. Insituform's bid did meet the minimum specifications. The bid provides unit pricing for projects over the next year. Individual projects utilizing this contract will be presented at a later date for approval.

Motion was made by Commissioner Credle and seconded by Commissioner Plesher to approve the unit priced bid received from Insituform for the Ardmore Public Works/City of Ardmore Maintenance Contract.

Ayes: Credle, Plesher, Pfau, Ellis
Nays: None
Absent: Sjulín

3. Consideration and Possible Approval of a Sealed Bid Sale of Property Described as Lot Five (5), Block Two Hundred Forty Six (246), Map of Subdivision of Property Formerly Owned by the Healdton and Santa-Fe Railway Company and Granted to the City of Ardmore, Oklahoma and Award the Sale of Said Property to Fidelis Developments, L.L.C. in the Amount of \$125,000.00 Waiving All Irregularities in Bid Submittal and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting

A presentation was made by Kevin Boatright, City Manager, to the Commission. He stated that the City of Ardmore solicited bids for the sale of property described as follows:

Lot Five (5), Block Two Hundred Forty Six (246), Map of Subdivision of Property Formerly Owned by the Healdton and Santa-Fe Railway Company and granted to the City of Ardmore, Oklahoma

One (1) bid was received. The offer was \$125,000.00, from Matthew Hoage of Fidelis Developments, L.L.C., of Ardmore, Oklahoma. Staff recommends that the Commission award the sale of said property to Fidelis Developments, L.L.C. for \$125,000.00, waiving all irregularities in bid submittal.

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Pfau to approve the sealed bid sale of property described as Lot Five (5), Block Two Hundred Forty Six (246), Map of Subdivision of Property Formerly Owned by the Healdton and Santa-Fe Railway Company and Granted to the City of Ardmore, Oklahoma and award the sale of said property to Fidelis Developments, L.L.C. in the amount of \$125,000.00 waiving all irregularities in bid submittal.

Ayes: Credle, Plesher, Pfau, Ellis
Nays: None
Absent: Sjulín

11. NEW BUSINESS

None

12. ADJOURN

Motion was made by Vice-mayor Pfau and seconded by Commissioner Credle to adjourn from this meeting.

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| Ayes: | Credle, Plesher, Pfau, Ellis |
| Nays: | None |
| Absent: | Sjulin |