

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF
COMMISSIONERS OF THE CITY OF ARDMORE, OKLAHOMA, HELD ON
AUGUST 15, 2022 AT 7:00 PM IN THE COMMISSION CHAMBERS**

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

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

1. CALL TO ORDER

Mayor Pfau 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 Plesher

4. ROLL CALL

The City Clerk called roll. All were present.

5. APPROVE AGENDA – ORDER OF BUSINESS AND CONTENTS

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

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

6. APPROVE MINUTES

A. of the City Commission Regular Meeting held on August 1, 2022

Motion was made by Commissioner Sjulín and seconded by Commissioner Plesher to approve the regular minutes of August 1, 2022 as written.

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

7. PUBLIC HEARING(S)

A. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone 5 Acres located at 42 K Street Southeast from RS-40 (Single Family Residential, 40,000sf min) Zoning District to RMM (Residential Multifamily Medium Density) Zoning District

The City received a Rezoning application from the property owner of five (5) acres located at 42 K Street Southeast, requesting rezoning of the subject property from RS-40 (Single Family Residential, 40,000sf min) zoning district to RMM (Residential Multifamily Medium Density) zoning district. In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on August 4, 2022. Per Section 319, a public hearing is now required before the City Commission.

Present to Speak Against the Rezone: Walter Sampson
Present to Speak For the Rezone: Alex Mendoza

Public Hearing Closed

8. CONSENT

A. Consideration and Possible Action to Confirm Mayor and City Commissions Appointments to the Ardmore Downtown Executive Airport Board to Serve First Three (3) Year Terms to be Jared Cheek and Kenneth Cockrell with Terms to Expire in May of 2025

The Mayor and City Commissions appointed to the Ardmore Downtown Executive Airport Board to serve first three (3) year terms Jared Cheek and Kenneth Cockrell with their terms to expire in May of 2025.

B. Consideration and Possible Action to Consent to a Sublease Agreement at the Ardmore Municipal Airpark for Property located at 620 General Drive, Suite 3 between the Ardmore Development Authority, a Public Trust of the City of Ardmore and 5B Aviation, LLC

The Sublease Agreement (Lease Agreement) is between the Ardmore Development Authority, a public trust of the City of Ardmore (Authority) and 5B Aviation, LLC, an Oklahoma limited liability company (Company). The Authority leases from the City of Ardmore the Ardmore Municipal Airpark (Airpark) in Ardmore, Oklahoma. The Authority desires to sublease property to Company and Company hereby subleases from the Authority property at the Airpark to include; office space, along with all attendant common areas, parking areas, shared conference room spaces, common walkways and point of ingress/egress and public restrooms. The Leased Property having a physical address of: 620 General Drive Suite 3, Ardmore, Oklahoma.

C. Consideration and Possible Action to Consent to an Second Amendment to Ground Sublease Agreements at the Ardmore Municipal Airpark for Additional Land (Tracts A-2, A-3 and A-5) between the Ardmore Development Authority, a Public Trust of the City of Ardmore and WP Global, LLC

The Second Amendment to the Ground Sublease Agreement (Lease Agreement) is between the Ardmore Development Authority, a public trust of the City of Ardmore (Authority) and WP Global, LLC, an Oklahoma limited liability company (Company). The Authority leases from the City of Ardmore the Ardmore Municipal Airpark (Airpark) in Ardmore, Oklahoma. The Authority desires to sublease property to Company and Company hereby subleases from the Authority property at the Airpark to establish a rail operations along with ancillary facilities. In order to better allow for the development and establishment of those operations, the Parties desire to add additional land (the “Tracts A-2, A-3 and A-5”) to the Leased Premises.

D. Consideration and Possible Action of a Utility Easement Agreement for a New Sewer Line Servicing 655 Michelin Road, Ardmore, Oklahoma

Staff received a request from Fox Engineering on behalf of Boxcare Enterprises for a utility easement for the new sewer line servicing 655 Michelin Road. The new easement will be for a portion of a public sewer line connecting the new Caterpillar facility to the existing City Sewer system.

E. Consideration and Possible Action for Vacation of the Final Plat of Phase 1 of the Replat of Lot 7, The Garrett Addition located at 120 North Rockford Road, Ardmore, Oklahoma

On August 4, 2022, the Planning Commission considered the application to approve the vacation of the Final Plat of Phase 1 of the Replat of Lot 7, The Garrett Addition. The Planning Commission voted (6-0) to recommend approval of the Vacation.

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

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

9. REGULAR BUSINESS

A. ORDINANCE(S)

- 1. Consideration of Adoption or Rejection of Ordinance Number 3136, an Ordinance Rezoning Property located at 42 K Street Southeast Zoning from RS-40 (Single Family Residential, 40,000sf min) Zoning District to RMM (Residential Multifamily Medium Density) Zoning District Amending Ordinance Number 2583 known as the Unified Development Code of the City of Ardmore, Oklahoma and Providing for Severability 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 Jessica Scott, Director of Community Development, she stated that staff received a request from Alejandro and Tiffany Mendoza, property owners of property located at 42 K Street Southeast to rezone this property from RS-40 (Single Family Residential, 40,000sf min) zoning district to RMM (Residential Multifamily Medium Density) zoning district. On August 4, 2022, the Planning Commission vote (6-0) to recommend approval of rezoning to RMM (Residential Multifamily Medium Density) zoning district.

Motion was made by Commissioner Plesher and seconded by Commissioner Credle to approve Ordinance Number 3136.

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

B. RESOLUTION(S)

- 1. Consideration of Adoption or Rejection of Resolution Number 4227, a Resolution to Approve Participation in the Oklahoma Subdivision Opioid Distribution Settlement Agreement 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 Boatright, City Manager, to the Commission. He stated that the State of Oklahoma has reached a settlement with distributors of Opioids and the City of Ardmore is a Primary Subdivision under the settlement agreement and is entitled to participate in the settlement proceeds. The resolution approves participation in the Opioid Distributors Settlement Agreement, and authorizes the Mayor to execute the Settlement Participation Form contained in the Oklahoma Subdivision Opioid Settlement Agreement, and authorizes counsel to take all actions required to effectuate the Oklahoma Subdivision Opioid Settlement Agreement for the benefit of the City of Ardmore, Oklahoma

Motion was made by Commissioner Credle and seconded by Vice-Mayor Ellis to approve Resolution Number 4227.

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

C. PURCHASE(S)

1. Consideration and Possible Action for the Purchase of Six (6) APX8500 All-Band Base Unit Radios from the Oklahoma State Contract SW1053M from Motorola Solutions, Inc. for the Ardmore Police Department in the Total Amount of \$32,782.68 and Approval or Rejection of Any Amendments Proposed and 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 requests approval to purchase six (6) APX8500 All-Band Base Unit Radios from the Oklahoma State Contract SW1053M from Motorola Solutions, Inc. for the Ardmore Police Department in an amount of \$32,782.68. These base unit radios will be for the five (5) budgeted police units and will provide the Ardmore Police Department with one spare. The purchase is a budgeted item from the GAPS Fund.

Motion was made by Commissioner Plesher and seconded by Commissioner Sjulín to approve the purchase of six (6) APX8500 All-Band Base Unit Radios from the Oklahoma State Contract SW1053M from Motorola Solutions, Inc. for the Ardmore Police Department in the total amount of \$32,782.68.

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

D. AGREEMENT(S)

1. Consideration and Possible Action for the Renewal of the E911 Service Agreement and the Addition of Supplemental Monthly Funds to the E911 Service Agreement in the Amount of \$6,800.00 from Carter County E911 Fund between the City of Ardmore and Board of Commissioners of Carter County to Provide 911 Services to the Citizens of Ardmore and Carter County and Approval or Rejection of Any Amendments Proposed and 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 requests approval to renew the E911 Service Agreement between the City of Ardmore and the Board of Commissioners of Carter County. The original Agreement remains intact with the exception of supplemental monthly funds in the amount of \$6,800.00 from the Carter County E911 Fund to assist in offsetting the cost of personnel needed to effectively operate the public safety answering point (Ardmore Police Dispatch).

Motion was made by Vice-Mayor Ellis and seconded by Commissioner Credle to approve the renewal of the E911 Service Agreement and the addition of supplemental monthly funds to the E911 Service Agreement in the amount of \$6,800.00 from Carter County E911 Fund between the City of Ardmore and Board of Commissioners of Carter County to provide 911 Services to the Citizens of Ardmore and Carter County.

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

2. Consideration and Possible Action of an Engineering Services Agreement between the City of Ardmore and Barker and Associates, Inc. for the Design Services Required for Highway 142 Force Main and Waterline Relocation in an Amount Not to Exceed \$26,073.66 for the Waterline Relocation Design and in an Amount Not to Exceed \$24,671.81 for the Force Main Relocation Design for a Total Combined Amount of \$50,745.47 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 that an Engineering Services Agreement is between the City of Ardmore and Barker and Associates, Inc. for the design services required for Highway 142 force main and waterline relocation. The cost for these services is in an amount not to exceed \$26,073.66 for the waterline relocation design and in an amount not to exceed \$24,671.81 for the force main relocation design for a total combined amount of \$50,745.47. The services provided include Oklahoma Department of Environmental Quality permitting, design, bidding and construction administration. This will be funded by the Water Distribution and Sewer Collection annual budgets.

Motion was made by Commissioner Sjulín and seconded by Vice-Mayor Ellis to approve an Engineering Services Agreement between the City of Ardmore and Barker and Associates, Inc. for the design services required for Highway 142 force main and waterline relocation in an amount not to exceed \$26,073.66 for the waterline relocation design and in an amount not to exceed \$24,671.81 for the force main relocation design for a total combined amount of \$50,745.47.

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

10. NEW BUSINESS

None

11. ADJOURN

Motion was made by Commissioner Plesher and seconded by Commissioner Credle to adjourn from this meeting.

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