

**MINUTES
OF
A REGULAR MEETING OF THE MAYOR AND BOARD OF COMMISSIONERS OF
THE CITY OF ARDMORE, OKLAHOMA, HELD ON MARCH 2, 2020
AT 7:00 PM IN THE COMMISSION CHAMBERS**

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

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 Dyer.

4. ROLL CALL

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

5. APPROVE AGENDA – ORDER OF BUSINESS AND CONTENTS

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Windel to approve the agenda with item Agreements - 9.C.1 to read \$43,606.74 not \$46,606.74.

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

6. APPROVE MINUTES

A. of the City Commission Regular Meeting held on February 18, 2020

Motion was made by Commissioner Windel and seconded by Vice-Mayor Pfau to approve the minutes of the City Commission Regular Meeting of February 18, 2020 as written.

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

7. PUBLIC HEARING(S)

A. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone Approximately 33.76 Acres located at 335 North Plainview Road from AG (Agriculture) and IL (Light Industrial) to IH (Heavy Industrial)

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that the City received a rezoning application from property owner of approximately 33.76 acres located at 335 North Plainview Road, requesting rezoning of the subject property from AG (Agriculture) and IL (Light Industrial) to IH (Heavy Industrial). In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on February 13, 2020. Per Section 319, a public hearing is now required before the City Commission.

Present to Speak For the Rezone: Mr. Roy Davis, Asphalt Express

No One Present to Speak Against the Rezone

Public Hearing Closed

B. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone 0.35 Acres located at 31 Burton Street SE and 35 Burton Street SE from RS-6 (Single Family, Detached/Attached) to CC (Commercial Corridor)

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 0.35 acres located at 31 Burton Street SE and 35 Burton Street SE, requesting rezoning of the subject property from RS-6 (Single Family, Detached/Attached) to CC (Commercial Corridor). In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on February 13, 2020. Per Section 319, a public hearing is now required before the City Commission.

Present to Speak For the Rezone: Mr. James Johnson and Mr. Craig Ownes

No One Present to Speak Against the Rezone

Public Hearing Closed

8. CONSENT

A. Consideration and Possible Action by Resolution of a Minor Subdivision Plat of 2 Lots on 35.94 Acres of the SWS Addition located at 1900 Refinery Road

On February 13, 2020, the Planning Commission considered the application to approve the Minor Subdivision Plat of SWS Addition. The Planning Commission voted (6-0) to recommend approval of the Minor Subdivision Plat.

B. Consideration and Possible Action by Resolution of a Minor Subdivision Plat of 1 Lot on 0.30 Acres of the Gates Phase II Addition located at 1207 Beard Street SE and 1213 Beard Street SE

On February 13, 2020, the Planning Commission considered the application to approve the Minor Subdivision Plat of the Gates Phase II Addition. The Planning Commission voted (6-0) to recommend approval of the Minor Subdivision Plat.

Motion was made by Commissioner Dyer and seconded by Vice-Mayor Pfau to approve Consent Agenda Items 8.A. by Resolution No. 4123 and 8.B. by Resolution 4124.

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

9. REGULAR BUSINESS

A. ORDINANCE(S)

1. Consideration and Possible Action of an Ordinance to Rezone Approximately 33.76 Acres located at 335 North Plainview Road from AG (Agriculture) and IL (Light Industrial) to IH (Heavy Industrial)

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff received a request from Fox Engineering on behalf of Arbuckle Group LLC, property owner of property located at 335 North Plainview Road to rezone this property from AG (Agriculture) and IL (Light Industrial) to IH (Heavy Industrial). The Planning Commission voted (6-0) to recommend approval of rezoning to IH (Heavy Industrial) zoning district.

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Windel to approve Ordinance No. 3083.

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

Mayor Moore Recused Himself from the Meeting at 7:16 PM

2. Consideration and Possible Action of an Ordinance to Rezone 0.35 Acres located at 31 Burton Street SE and 35 Burton Street SE from RS-6 (Single Family, Detached/Attached) to CC (Commercial Corridor)

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff received a request from Craig Owens, property owner of property located at 31 Burton Street SE and 35 Burton Street SE to rezone this property from RS-6 (Single Family, Detached/Attached) to CC (Commercial Corridor). The Planning Commission voted (6-0) to recommend approval of rezoning to CC (Commercial Corridor) zoning district.

Motion was made by Commissioner Dyer and seconded by Commissioner Windel to approve Ordinance No. 3084.

Ayes:	Windel
Nays:	Dyer, Pfau
Absent:	Ellis

Motion Failed/Not Approved by the City Commission

Mayor Moore Returned to Meeting at 7:20 PM

3. Consideration and Possible Action of an Ordinance Amending the Code of Ordinances of the City of Ardmore, Chapter 5, Articles I, II and V Entitled Animals; Providing Definitions; Prohibiting Keeping of Roosters; Providing Regulations for Buildings and Enclosures for Animals; Providing Rules for Keeping of Livestock; Repealing Sections 5-91 through 5-103 Pertaining to Fighting Chickens

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that to coincide with the City's update of the Unified Development Code (UDC), staff has begun a review of Ardmore's Code of Ordinances in order to determine if sections could be amended or streamlined. During staff's review of the Code of Ordinances it was brought to attention that Chickens are listed in the City's ordinances in Chapter 5, Section V. as Fighting Chickens. Staff requests to revise Chapter 5 by removing Section V and include Chickens as Livestock throughout the Chapter. This amendment will bring the City's Code and Ordinances compliant with the state stature regarding Fighting Chickens. This amendment will also assist animal control with enforcement of regulations regarding chickens. Staff is working with other City departments and the entire process of updating the applicable code sections will continue over the next few months.

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Dyer to approve Ordinance No. 3085.

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

B. PURCHASE(S)

1. Consideration and Possible Action for the Purchase of Orion Cellular Meter Modules for the Customer Service Department from Atlas Utility Supply Company a Single Source Vendor in the Total Amount of \$300,000.00

A presentation was made by Sheila McLaughlin, Customer Service Supervisor, to the Commission. She stated that the Customer Service/Finance Department requests approval by the City of Ardmore for the purchase of Orion Cellular Meter Modules, in the amount of \$300,000.00 from Atlas Utility Supply Company, a single source vendor. Staff budgeted \$150,000.00 in FY 2019/2020 GAPS, although need to purchase additional modules to finish the project. The Finance Director is aware of the additional cost required to make this purchase and will make funds available for the entire purchase.

Motion was made by Commissioner Windel and seconded by Vice-Mayor Pfau to approve the purchase of Orion Cellular Meter Modules for the Customer Service Department from Atlas Utility Supply Company a single source vendor in the total amount of \$300,000.00.

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

2. Consideration and Possible Action for the Purchase of Security Cameras, Licensing and Server for The Clubhouse at Ardmore Regional Park from the Oklahoma State Contract No. SW1048D from Digi Security Systems in the Total Amount of \$47,630.00

A presentation was made by Robert Newell, Director of Information Technology, to the Commission. He stated that as the completion of The Clubhouse at Regional Park gets closer that staff requests permission to purchase the security cameras, licensing and server which will be installed in and around The Clubhouse. Staff's recommendation is that the City purchases the security cameras, licensing and server from Oklahoma State Contract #SW1048D from Digi Security Systems of Oklahoma City, Oklahoma in the total cost of \$47,630.00. These items have been budgeted for in FY 2019/2020 and will be paid for out of Reserve Management.

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Windel to approve the purchase of security cameras, licensing and server for The Clubhouse at Ardmore Regional Park from the Oklahoma State Contract No. SW1048D from Digi Security Systems in the total amount of \$47,630.00.

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

C. AGREEMENT(S)

1. Consideration and Possible Action for the Acceptance of Change Order No. 2 for the Ardmore East Main Streetscape Phase 2 Project for an Increase in the Amount of \$43,606.74

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that in December of 2018, the City of Ardmore received a grant from the Oklahoma Department of Transportation (ODOT) for Phase 2 of the Streetscape grant TAP-210E (067) TP project. The second phase is under the direction of ODOT, including construction, and the City is responsible for all costs that exceed the grant amount of \$693,605.00. Change Order No. 2 is for the increase in quantities for temporary fiber log; various aggregate and concrete; water valves and meters; steel conduit; polyethylene pipe; miscellaneous excavation; cold milling pavement; and pull boxes. The Change Order also includes decreases for unclassified excavation; unclassified borrow; geogrid reinforcement; removal of and relay of brick/stone sidewalk; and plastic conduit trenching. The net total of Change Order No. 2 is for an increase in the amount of \$43,606.74.

Motion was made by Commissioner Dyer and seconded by Vice-Mayor Pfau to approve Change Order No. 2 for the Ardmore East Main Streetscape Phase 2 Project for an increase in the amount of \$43,606.74.

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

2. Consideration and Possible Action of an Addendum and Amendment to the Management Agreement between the City of Ardmore and Two Frogs Grill, Inc., for the Operation of Heritage Hall in the Amount of \$24,400.00 per Year and to Extend the Agreement for an Additional Five (5) Year Period

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that the City of Ardmore is the owner of Heritage Hall which is located at 220 West Broadway. Since March 16, 2015, the City has had an agreement with Two Frogs Grill, Inc. to operate and manage the facility on behalf of and for the benefit of the City of Ardmore. If the addendum and amendment is approved, the total costs of the agreement would be \$24,400.00 each fiscal year. The current agreement would stay in place and the agreement would be extended for an additional five (5) year period. Additionally, the City will continue to budget \$10,000.00 each fiscal year to devote to capital improvements for the facility. The City of Ardmore will be entitled to facility fees for use of the facility. The facility fees shall be one (\$1.00) per ticketed events or five percent (5%) of the total rental fee for flat rate events.

Motion was made by Commissioner Windel and seconded by Commissioner Dyer to approve the addendum and amendment to the Management Agreement between the City of Ardmore and Two Frogs Grill, Inc., for the operation of Heritage Hall in the amount of \$24,400.00 per year and to extend the agreement for an additional five (5) year period.

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

10. ADJOURN

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

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