

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF  
COMMISSIONERS OF THE CITY OF ARDMORE, OKLAHOMA, HELD ON  
JANUARY 18, 2022 AT 7:00 PM IN THE COMMISSION CHAMBERS**

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

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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 Credle.

**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 Pfau and seconded by Commissioner Plesher to approve the agenda as written

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

## **6. APPROVE MINUTES**

### **A. of the City Commission Regular Meeting held on January 3, 2022**

Motion was made by Commissioner Credle and seconded by Commissioner Plesher to approve the regular minutes of January 3, 2022 as written.

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

## **7. PUBLIC HEARING(S)**

### **A. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Proposed Amendment of Increment District No. 2, City of Ardmore and the Amended and Restated Reinvestment Area Project Plan (Amendment #8 to TIF #2)**

A presentation was made by Kevin Boatright, City Manager, to the Commission. He stated that this is the second public hearing for the proposed amendment to Increment District No. 2, City of Ardmore, Oklahoma, and the Amended and Restated Reinvestment Area Project Plan (Amendment #8 to TIF #2). Mr. Nathan Ellis, Attorney, The Public Finance Law Group PLLC, was present to answer questions.

No One Present to Speak For or Against

Public Hearing Closed

### **B. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone 0.16 Acres located at 409 Stanley Street SW from O (Office) to RMM (Residential Multifamily Medium Density)**

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 owners of 409 Stanley Street SW from O (Office) to RMM (Residential Multifamily Medium Density). In keeping with the requirements of Section 319 of the Unified Development code, a public hearing is now required before the City Commission. The Rezoning request is also on the agenda for final action by the City Commission.

No One Present to Speak For or Against

Public Hearing Closed

**C. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Petition from Glenda Black to De-Annex from the City of Ardmore, Oklahoma approximately 1.25 Acres located on the North Side of Myall Road approximately 2210 Feet West of Valley Ranch Road**

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that the City received a petition for de-annexation from Glenda Black, the sole property owner of 1.25 acres on the north side of Myall Road approximately 2210 feet west of Valley Ranch Road, with a legal description of: The South Half of the West Half of the West Half of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (S/2 W/2 W/2 SW/4 SW/4 SE/4) of Section 33, Township 4 South, Range 1 East, containing 1.25 acres, more or less.

No One Present to Speak For or Against

Public Hearing Closed

**8. CONSENT**

**A. Consideration and Possible Approval to Accept a Permanent Easement and Right of Way from the Judith G. Woerz Family Trust for the Sunset Drive Project and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

As a part of the proposed street and storm sewer improvements on Sunset Drive between Cloverleaf and 6<sup>th</sup> Avenue Southwest, the City needs additional right of way along the west side of Sunset. One of the required parcels belongs to the Judith G. Woerz Family Trust. The additional right of way is a strip of ground which lies along and parallel to the street at 535 Sunset Drive that is 20 feet wide and about 200 feet long, amounting to about 0.10 acres. The trustee of the Woerz Family Trust has agreed to provide said Easement.

**B. Consideration and Possible Approval of a Service Agreement Addendum to the Ice Rink Events Agreement for an Extension of an Additional Seven (7) Days in an Additional Cost of \$4,340.00 with Total Amount of Ice Rink Rental being \$82,740.00 and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

Due to warmer weather than expected in December, Ice Rink Events allowed the Parks and Recreation Department to operate an additional seven (7) days. The additional days were January 4, 2022 to January 9, 2022, at an additional cost of \$4,340.00. This allowed staff to serve additional guests, book birthday parties, and some private groups. The original cost was \$78,400.00 with the addendum of \$4,430.00 making the total of the rental of the ice rink \$82,740.00. This is under the budgeted amount of \$160,000.00 in Fund 60(The Clubhouse).

**C. Consideration and Possible Approval of an Ardmore Downtown Executive Airport Ground Lease Agreement between the City of Ardmore and D. Ricketts Holding, LLC for 1413 Executive Airport Drive, Suite 4, also known as Tract 27-4 and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

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

D. Ricketts Holdings, LLC

Leased Premises: 1413 Executive Airport Drive, Suite 4 also known as Tract 27-4

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, 2022 and ends on January 31, 2032, with the option of two (2) additional five (5) year extensions.

**D. Consideration and Possible Approval to Confirm Mayor and City Commissions Appointments to the Ardmore Tourism Authority to Serve First Three (3) Year Terms to be Steven Harris and Mitesh Patel; and to Serve a Second Three (3) Year Term to be Ken Bohannon with Terms to Expire in January 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 appointments to the Ardmore Tourism Authority to serve first three (3) year terms to be Steven Harris and Mitesh Patel; and to serve a second three (3) year term to be Ken Bohannon with terms to expire in January of 2025.

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

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

**9. REGULAR BUSINESS**

**A. ORDINANCE(S)**

- 1. Consideration of Adoption or Rejection of Ordinance Number 3111 an Emergency Ordinance of the City of Ardmore, Oklahoma (the "City") Approving and Adopting Amendment #8 to TIF #2, an Amendment to the City of Ardmore, Oklahoma Amended and Restated Reinvestment Area Project Plan Approved and Adopted by Ordinance No. 2993, as it Amends Ordinance No. 2744 of the City, as heretofore Amended; Increasing Certain Project Cost Authorizations, Terminating TIF #2, and Providing Procedures for Distribution of Excess TIF Revenues to the Affected Taxing Entities; and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting; and Consideration of Adoption or Rejection of Emergency Clause with Respect to Ordinance Number 3111 and Consideration of Adoption or Rejection of Any Amendments to the Proposed Emergency Clause 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 Ardmore City Commission (the City) adopted Ordinance No. 2993 on September 19, 2016, as it amended Ordinance No. 2744 of the City, as previously amended, and as most recently amended by Ordinance No. 3062 of the City, establishing Increment District Number Two, City of Ardmore, and approving and adopting the City of Ardmore, Oklahoma Amended and Restated Reinvestment Area Project Plan dated August 24, 2016, as it amended that certain City of Ardmore, Oklahoma Reinvestment Area Project Plan dated May 2003, as previous amended, and as most recently amended by Amendment #7 to TIF #2 dated March 4, 2019. This Ordinance authorizes the City to approve and adopt Amendment #8 to TIF #2, an amendment to the City amended and restated Reinvestment Area Project Plan approved and adopted by Ordinance No. 2993, as it amends Ordinance No. 2744 of the City. Also, increasing certain project cost authorizations, terminating TIF #2, and providing procedures for distribution of excess TIF revenues to the affected taxing entities. Mr. Nathan Ellis, Attorney, The Public Finance Law Group PLLC, was present to answer questions.

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Credle to approve Ordinance Number 3111.

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

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Plesher to move that an emergency be declared and that Ordinance 3111 become effective immediately.

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

**2. Consideration of Adoption or Rejection of Ordinance Number 3112 an Ordinance Rezoning Property located at 409 Stanley Street SW, Zoning from O (Office) to Zoning District to RMM (Residential Multifamily Medium Density) Zoning District Amending Ordinance No. 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, to the Commission. She stated that staff received a request from Joe and Sandy Hines, property owners of property located at 409 Stanley Street to rezone this property from O (Office) to RMM (Residential Multifamily Medium Density). The Planning Commission voted (7-0) to recommend approval of rezoning to RMM (Residential Multifamily Medium Density) zoning district.

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Pfau to approve Ordinance Number 3112.

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

**3. Consideration of Adoption or Rejection of Ordinance Number 3113 an Ordinance De-Annexing Certain Real Property from the City of Ardmore, Oklahoma, located in South Half of West Half of West Half of Southwest Quarter of Southwest Quarter of the Southeast Quarter of Section 33, T4S, R1E, Carter County Oklahoma as more Specifically Described Herein; Providing for Repealer, Savings, Severability; and Declaring an Emergency and Consideration of Adoption or Rejection of Any Amendments to the Proposed Ordinance as may be Considered by the City Commission at the Meeting; and Consideration of Adoption or Rejection of Emergency Clause with Respect to Ordinance Number 3113 and Consideration of Adoption or Rejection of Any Amendments to the Proposed Emergency Clause 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 the City received a petition to de-annex property from Glenda Black, the sole property owner of property located on the north side of Myall Road, approximately 2210 feet west of Valley Ranch Road, with a legal description of: The South Half of the West Half of the West Half of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (S/2 W/2 W/2 SW/4 SW/4 SE/4) of Section 33, Township 4 South, Range 1 East, containing 1.25 acres, more or less. Ms. Black is petitioning to de-annex her property from within the City of Ardmore City Limits. At this time, the City has no available utilities to this property.

Motion was made by Commissioner Credle and seconded by Commissioner Sjulín to approve Ordinance Number 3113.

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

**4. Consideration of Adoption or Rejection of Ordinance Number 3114 an Emergency Ordinance Amending Chapter 7 of the Ardmore Code of Ordinances Pertaining to Cemetery Services, Fees and Charges by Amending Section 7-3 to Provide that all Cemetery Services and Charges therefore shall be Established on a Periodic Basis by Resolution of the City Commission and Authorizing City Commission to Establish Rates and Fees on a Periodic Basis by Resolution; Repealing Section 7-3.1, 7-6, 7-6.2 of the Code of Ordinances; Providing for Repealer and Severability and Declaring an Emergency and Consideration of Adoption or Rejection of Any Amendments to the Proposed Ordinance as may be Considered by the City Commission at the Meeting; and Consideration or Adoption of Emergency Clause with Respect to Ordinance Number 3114 and Consideration of Adoption or Rejection of Any Amendments to the Proposed Emergency Clause 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 on January 3, 2022, staff proposed a rate increase for cemetery rates. City Commission voted and agreed to change the rates as proposed. The rate changes prompted an Ordinance Amendment. Upon discussion with Mr. David Davis, City Attorney, he recommends the Ordinance be approved.

Motion was made by Commissioner Sjulín and seconded by Vice-Mayor Pfau to approve Ordinance Number 3114.

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

## **B. RESOLUTION(S)**

- 1. Consideration of Adoption or Rejection of Resolution Number 4204 a Resolution Adopting the Rates, Fees and Charges for Grave Sites, Opening and Closing Graves and Cremations; Adopting Rates, Fees and Charges for Golf Courses and Related Services; Providing for Effective Date of the Fees; Providing for Amendment of Resolution for Fees, Rates and Charges 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 on January 3, 2022, staff proposed a rate increase for cemetery and golf course related services. City Commission voted and agreed to change the rates as proposed. Upon approval of rate changes an Ordinance was passed a Resolution recommended. The City Commission may revise the Resolution from time to time to alter the charges set forth herein.

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Credle to approve Resolution Number 4204.

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

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

- 1. Consideration and Possible Approval of an Agreement between the City of Ardmore and Davis and Davis Recreational Planning Consultants, Inc. to Provide Consulting for the Redesign of Central Park and Whittington Park in the Total Amount of \$48,500.00 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 staff respectfully requests approval of an Agreement for Professional Services between the City of Ardmore and Davis and Davis, Inc. Recreational Planning Consultants for a Conceptual Level Master Plan. This plan will identify proposed park improvements with anticipated cost. The consultant will provide items so needed information is gathered at the public meetings attend that meeting, attend stake holders meetings, and a site analysis. They will also prepare a site analysis/inventory plan that documents physical state and usability. Recommendations will be provided for continued use or replacement of existing facilities. In completion staff will have a Conceptual Master Plan that identifies the parks improvements that our citizens and stake holders have identified. This is a budgeted item. Central Park redesign is in General Fund, Fund 01 budget in the amount of \$25,000.00. Whittington Park redesign is in Parks Cash, Fund 77 in the amount of \$25,000.00.



Motion was made by Vice-Mayor Pfau and seconded by Commissioner Sjulín to approve an Agreement between the City of Ardmore and Davis and Davis Recreational Planning Consultants, Inc. to provide consulting for the redesign of Central Park and Whittington Park in the total amount of \$48,500.00.

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

**2. Consideration and Possible Approval of Change Order Number 1 to the Construction Contract between the City of Ardmore and MacHill Construction for the Ardmore Air Evac Hangar in an Increased Contract Amount of \$6,836.03 and Revising the Total Contract Price to \$974,836.03 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 on August 2, 2021, the City of Ardmore accepted the low bid of MacHill Construction for construction of the Ardmore Air Evac Hangar. The total contract amount was \$968,000.00. Once the project commenced, it became apparent a new utility line would be needed for the Fire Suppression system; also, concerns for the clearance of the opening of the hangar door required a minor change to the design. The proposed changes are as follows:

|   |             |
|---|-------------|
| • Alliance Steel - changes to the building hangar door; and | \$ 500.00   |
| • Schweiss - changes to the hangar door; and                | \$ 480.00   |
| • Frye Brothers - add to install Fire Sprinkler Line; and   | \$6,834.57  |
| • Deduct pipe changes at entry; and                         | -\$1,600.00 |
| • MacHill - add 10% for overhead and profit                 | \$621.46    |
| Total Changes   | \$6,836.03  |

The Change Order is in the amount of \$6,836.03 revising the contract price to \$974,836.03.

Motion was made by Commissioner Plesher and seconded by Commissioner Credle to approve Change Order Number 1 to the Construction Contract between the City of Ardmore and MacHill Construction for the Ardmore Air Evac Hangar in an increased contract amount of \$6,836.03 and revising the total contract price to \$974,836.03.

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

**3. Consideration and Possible Approval of a Mutual Aid Agreement between the City of Ardmore and Valero Ardmore Refinery for Assisting in the Protection of each Party's People, Property and Other Assets 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 is very fortunate to have Valero Refinery as a corporate neighbor. Not only are they one of our community's largest employers but their fire brigade also provides flammable liquids suppression capabilities and expertise that far exceed that of the Ardmore Fire Department. A recent explosion and fire at an asphalt processing facility within the Ardmore city limits illustrated the value of the working partnership between the Ardmore Fire Department and the Valero Fire Brigade. The response of the brigade was extremely helpful in resolving a tragic situation. Because the Valero Refinery is not within the city limits of Ardmore, discussion between the City and Valero have substantiated the need for a mutual aid agreement between the two parties in order to more efficiently provide aid to each other in emergency situations. Mr. Robert Maddox, Superintendent of Emergency Services and Fire Chief of Valero Refinery Ardmore, was present to answer questions.

Motion was made by Commissioner Sjulín and seconded by Commissioner Plesher to approve a Mutual Aid Agreement between the City of Ardmore and Valero Ardmore Refinery for assisting in the protection of each party's people, property and other assets.

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

**4. Consideration and Possible Approval of the Conversion Guide Amendment between the City of Ardmore and Tyler Technologies for New World CAD/RMS to Receive a Credit of \$38,000.00 for Unused Data Conversion and Apply \$16,000.00 of that Credit for the Data Archive Loading Fee from Tyler Technologies leaving a Total Credit of \$22,000.00 to be used to Finish the Project and Any Remaining Funds to be Refunded when the Project is Complete and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

A presentation was made by Robert Newell, Chief Information Officer, to the Commission. He stated that in 2020 staff purchased New World CAD/RMS from Tyler Technologies, an application suite that assists law enforcement, medical, fire and dispatch in maintaining records on first responder activities in the City of Ardmore. Staff included a Data Conversion Service to transfer data from the retiring Omnigo application to New World. It was discussed and decided that staff wanted to start the new application fresh and not import any inconsistencies that have crept into the database over the past sixteen (16) years. New technology has developed in the last little while that will allow staff to make a searchable database of all the old data utilizing AWS (Amazon Web Services). This will keep all old data accessible and searchable in a separate data silo. With this we can end support fees with Omnigo (estimated to be \$26,000.00/year) and not pay for the Data Conversion. The data conversion services in the amount of \$38,000.00 will be credited back to the City. Staff will then pay for Data Archive Loading fee in the amount of \$16,000.00. This will leave the City with a credit of \$22,000.00. Staff will be able to apply the credit in any way staff sees fit (Refund Check and/or applying against upcoming travel fees not included in initial bid due to COVID 19).

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Pfau to approve the Conversion Guide Amendment between the City of Ardmore and Tyler Technologies for New World CAD/RMS to receive a credit of \$38,000.00 for unused data conversion and apply \$16,000.00 of that credit for the data archive loading fee from Tyler Technologies leaving a total credit of \$22,000.00 to be used to finish the project and any remaining funds to be refunded when the project is complete.

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

**5. Consideration and Possible Approval to Declare Three (3) Obstruction Poles at the Ardmore Downtown Executive Airport as Surplus and Disposed of in Accordance with City Code 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 staff requests to declare the three (3) obstruction poles at the Downtown Executive Airport as surplus for disposal. The method of disposal will be either auction, sealed bid or sent to the landfill.

Motion was made by Vice-Mayor Pfau and seconded by Commissioner Sjulín to approve to declare three (3) obstruction poles at the Ardmore Downtown Executive Airport as surplus and disposed of in accordance with City Code.

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

**D. BID(S)**

**1. Consideration and Possible Approval to Accept the Low Bid Received from S4 Water Sales for the Water Treatment Plant Filter Media Replacement Project in the Total Amount of \$184, 620.00 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 that the City received bids on January 6, 2022 for the replacement of the filter media at the Water Plant. Bids received as follows:

- SW4 Water Sales \$184,620.00
- Carbon Activated \$286,154.00
- Crossland Heavy \$302,400.00
- Howard Construction \$349,000.00
- J.S. Haren Company \$445,500.00
- Engineer's Estimate \$501,666.25

The low bid and all bid elements were submitted by S4 Water Sales. The total of their base bid and additive alternates is less than the funds allocated for the project, which were budgeted from the GAPS Tax.

Motion was made by Commissioner Plesher and seconded by Commissioner Credle to approve to accept the low bid received from S4 Water Sales for the Water Treatment Plant Filter Media Replacement Project in the total amount of \$184, 620.00.

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

**10. NEW BUSINESS**

None

**11. ADJOURN**

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

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