

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF  
COMMISSIONERS OF THE CITY OF ARDMORE, OKLAHOMA, HELD ON  
MAY 16, 2022 AT 7:00 PM IN THE COMMISSION CHAMBERS**

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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

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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 Macie Coble, Oak Hall Student.

**4. ROLL CALL**

The City Clerk called roll. All were present.

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

Motion was made by Commissioner Plesher 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 May 2, 2022**

Motion was made by Vice-Mayor Ellis and seconded by Commissioner Plesher to approve the regular minutes of May 2, 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 Proposed Budget for Fiscal Year 2022/2023**

A presentation of the proposed budget for Fiscal Year 2022/2023 was made by Sandy Doughty, Director of Finance, to the Commission.

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 an Ordinance Regulating and Restricting the Height of Structures and Natural Growth in the Vicinity of Both the Ardmore Downtown Executive Airport and the Ardmore Municipal Airport**

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff is processing a request for an ordinance regulating and restricting the height of structures and natural growth in the vicinity of both the Ardmore Downtown Executive Airport and the Ardmore Municipal Airport. In keeping with the requirements of Section 318 of the Unified Development Code, a public hearing was held before the Planning Commission on May 5, 2022. Per Section 318, a public hearing is now required before the City Commission. The request for the ordinance is also on this agenda for final action by the City Commission.

No One Present to Speak For or Against

Public Hearing Closed

## 8. CONSENT

### **A. Consideration and Possible Action of a Lump Sum Distribution from the Oklahoma Municipal Retirement Fund to Mr. Robert Whitney and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

Mr. Whitney requests a full lump sum distribution of his 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.

### **B. Consideration and Possible Action of a Lump Sum Distribution from the Oklahoma Municipal Retirement Fund to Mr. G. Craig Weinaug and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

Mr. Weinaug requests a full lump sum distribution of his 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.

### **C. Consideration and Possible Action of Resolution Number 4214 for the Final Plat of 13 Lots on 6.91 Acres of the Downtown Executive Airport Phase 1 Addition located at 2015 Executive Airport Drive, Ardmore, Oklahoma and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

On May 5, 2022, the Planning Commission considered the application to approve the Final Plat of the Downtown Executive Airport Phase 1 Addition. The Planning Commission voted (7-0) to recommend approval of the Final Plat.

Motion was made by Commissioner Sjulín and seconded by Commissioner Credle to approve Consent Agenda Items 8.A. - 8.C.

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

## 9. REGULAR BUSINESS

### A. ORDINANCE(S)

- 1. Consideration of Adoption or Rejection of Ordinance Number 3129 an Ordinance Regulating and Restricting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of the Ardmore Downtown Executive Airport by Creating the Appropriate Zones and Establishing the Boundaries Thereof; Providing for Changes in the Restrictions and Boundaries of Such Zones; Defining Certain Terms Used Herein; Referring to the Ardmore Downtown Executive Airport Zoning Map which is Incorporated In and Made a Part of this Ordinance; Providing for Enforcement; Establishing a Board of Adjustment; and Imposing Penalties 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 on May 5, 2022 the Planning Commission considered an ordinance regulating and restricting the height of structures and natural growth in the vicinity of the Ardmore Downtown Executive Airport by creating the appropriate zones and establishing the boundaries; providing for changes in the restrictions and boundaries of such zones; defining certain terms used; referring to the Ardmore Downtown Executive Airport Zoning Map which is incorporated in and made a part of this Ordinance; providing for enforcement; establishing a Board of Adjustment; and imposing penalties. The Planning Commission voted (7-0) to approve the proposed Ordinance.

Motion was made by Commissioner Credle and seconded by Commissioner Plesher to adopt Ordinance Number 3129

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

- 2. Consideration of Adoption or Rejection of Ordinance Number 3130 an Ordinance Regulating and Restricting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of the Ardmore Municipal Airport by Creating the Appropriate Zones and Establishing the Boundaries Thereof; Providing for Changes in the Restrictions and Boundaries of Such Zones; Defining Certain Terms Used Herein; Referring to the Ardmore Municipal Airport Zoning Map which is Incorporated In and Made a Part of this Ordinance; Providing for Enforcement; Establishing a Board of Adjustment; and Imposing Penalties 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 on May 5, 2022 the Planning Commission considered an ordinance regulating and restricting the height of structures and natural growth in the vicinity of the Ardmore Municipal Airport by creating the appropriate zones and establishing the boundaries; providing for changes in the restrictions and boundaries of such zones; defining certain terms used; referring to the Ardmore Municipal Airport Zoning Map which is incorporated in and made a part of this Ordinance; providing for enforcement; establishing a Board of Adjustment; and imposing penalties. The Planning Commission voted (7-0) to approve the proposed Ordinance.

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Ellis to adopt Ordinance Number 3130.

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

**3. Consideration of Adoption or Rejection of Ordinance Number 3131 an Ordinance Amending the Code of Ordinances of the City of Ardmore, by Repealing Section 28-19.7 Pertaining to Solicitation of Rides, Pedestrians Soliciting Rides, Employment, Business Solicitations, Contributions or Distributing Printed Material; Amending Chapter 19 Entitled Offenses and Miscellaneous Provisions by Amending Section 19-66, Prohibiting Certain Acts of Aggressive Solicitation; Providing Definitions; Providing Repealer, Saving Clause, Severability, and Declaring an Emergency and Consideration of Adoption or Rejection of Emergency Clause with Respect to Ordinance Number 3131 and Consideration of Adoption or Rejection of Any Amendments to the Proposed Emergency Clause as may be Considered by the City Commission 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 on May 5, 2022 the Planning Commission considered an amendment to the City of Ardmore Code of ordinance to amend Section 28-19.7 and 19-66 regarding aggressive solicitation pertaining to the solicitation of rides, pedestrians soliciting rides, employment, business solicitations, and contributions or distributing printed material. The Planning Commission vote (7-0) to approve the proposed amendment.

Motion was made by Commissioner Sjulín and seconded by Commissioner Credle to adopt Ordinance Number 3131.

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

**B. RESOLUTION(S)**

- 1. Consideration of Adoption or Rejection of Resolution Number 4215, an Resolution of Mayor and Board of Commissioners of the City of Ardmore, Oklahoma Finding that Whittington Park in the City of Ardmore, Oklahoma is Underdeveloped to Serve the Surrounding Neighborhood and this Park Serves Residents of Ardmore in a Variety of Age Groups and is Accessible to Persons of All Abilities; the Whittington Park is Hereby Designated as a Neighborhood Park within the Meaning of Definition Established by the National Recreation and Park Association 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 Teresa Ervin, Director of Parks and Recreation, to the Commission. She stated that Whittington Park located at 108 South Lake Murray Drive, Ardmore, Oklahoma has a long history of serving the residents of the area. Staff requests Commissions officially designate Whittington Park a neighborhood park which is defined by the National Recreational and Park Association as a park that serves residents in a quarter to half mile radius. This determination would allow staff to serve public needs and is the best interests of the City of Ardmore and its residents.

Motion was made by Vice-Mayor Ellis and seconded by Commissioner Plesher to adopt Resolution Number 4215.

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

- 2. Consideration of Adoption or Rejection of Resolution Number 4216 a Resolution Supporting Continued Participation in the Oklahoma Main Street Center Program 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 Resolution is supporting the continued participation in the Main Street Center Program. The Oklahoma Main Street Center has been established by the Oklahoma Department of Commerce to assist small towns and cities to develop a public/private effort to revitalize Main Street areas.

Motion was made by Commissioner Credle and seconded by Commissioner Plesher to adopt Resolution Number 4216.

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

**C. AGREEMENT(S)**

**1. Consideration and Possible Action of Change Order Number 2 to the Construction Contract for the Ardmore Air Evac Hangar in an Additional Amount of \$2,446.40 for a New Contract Price of \$977,282.43 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. Change Order Number 1 in the amount of \$6,836.03 was approved on January 18, 2022 revising the contract price to \$974,836.03. Once the HVAC unit was installed it was determined additional electrical service would be required initiating Change Order Number 2 in the amount of \$2,446.40. The proposed changes are as follows:

Lynn Boyer - Add Wire and Change Breaker to 60 Amp for AHU-1	\$2,324.00
Metro Appliances - Replace Range/Stove Model	\$ - 100.00
MacHill - Add 10% for Overhead Project	\$ 222.40

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Ellis to approve Change Order Number 2 to the construction contract for the Ardmore Air Evac Hangar in an additional amount of \$2,446.40 for a new contract price of \$977,282.43.

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

**2. Consideration and Possible Action to Declare an International Dump Truck (Unit 53) as Surplus and Authorize Said Item Disposed of by Donation to the Hardy Murphy Coliseum Authority and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

A presentation was made by Josh Randell, Interim City Engineer, to the Commission. He stated that the City has a dump truck (Unit 53) which is old, worn-out, and not economically repairable and should be disposed of. The City Maintenance Superintendent has personally determined that this item is not economically repairable. Staff proposes to declare this truck surplus and disposal by donating the truck to the Hardy Murphy Coliseum Authority. The original purchase value of this dump truck was \$50,684.00.

Motion was made by Commissioner Sjulín and seconded by Vice-Mayor Ellis to approve to declare an International Dump Truck (Unit 53) as surplus and authorize said item disposed of by donation to the Hardy Murphy Coliseum Authority.

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

**3. Consideration and Possible Action to Extend Backhoe Lease Agreements for 12 Months/Each, from Clarence L. Boyd Company, Utilizing the Sourcewell Cooperative Agreement for John Deere 310 SL Backhoes for the Cemetery Division (\$669.22/Mo.); Parks Division (\$658.80/Mo.); Street Division (2 at \$658.50/Mo./Ea.); Sewer Collection (\$658.50/Mo.); and Water Distribution (2 at \$658.50/Mo./Ea.) and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

A presentation was made by Josh Randell, Interim City Engineer, to the Commission. He stated quotes, from the Sourcewell Cooperative Agreement, of which the City is a member, were received for lease agreements on backhoes for the Cemetery, Parks and Recreation, Street, Water Distribution, Sewer Collection and Wastewater Departments in 2020. Normally, the City returns the leased equipment after twenty-four (24) months and requests quotes for new backhoes. However, new backhoes are not available, at this time. The City Attorney has approved the extension agreements. Therefore, staff respectfully requests permission to extend the current lease agreements for twelve (12) months/each, from Clarence L. Boyd Co., utilizing the Sourcewell cooperative agreement. These are budgeted items in each department's fund. The John Deere 310 SL backhoes will be leased for:

Cemetery \$669.22/mo.; (the difference in cost is for a reinforced bucket)  
Parks \$658.50/mo.;  
Street, Qty. of 2: \$658.50/mo./ea.;  
Sewer Collection \$658.50/mo.;  
Water Distribution, Qty. of 2: \$658.50/mo./ea.;  
Wastewater \$716.62 (the difference in cost is for a front clam shell bucket)

Motion was made by Commissioner Credle and seconded by Commissioner Sjulín to approve to extend backhoe lease agreements for 12 months/each, from Clarence L. Boyd Company, utilizing the Sourcewell Cooperative Agreement for John Deere 310 SL Backhoes for the Cemetery Division (\$669.22/Mo.); Parks Division (\$658.80/Mo.); Street Division (2 at \$658.50/Mo./Ea.); Sewer Collection (\$658.50/Mo.); and Water Distribution (2 at \$658.50/Mo./Ea.)

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



**4. Consideration and Possible Action of Work Order Number 1 Received from Insituform for the Repair and Rehab of Sewer Lines and Manholes from the Highway 142 Overpass to behind Atlas Roofing in the Total Amount of \$1,374,853.00 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 staff requests approval of Work Order Number 1 received from Insituform based on their 2022 Maintenance Contract unit pricing for the repair and rehab of sewer lines and manholes from Highway 142 overpass to behind Atlas Roofing in the amount of \$1,374,853.00. This project is funded in the current Sewer Collection Department Budget.

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Ellis to approve Work Order Number 1 received from Insituform for the repair and rehab of sewer lines and manholes from the Highway 142 Overpass to behind Atlas Roofing in the total amount of \$1,374,853.00.

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

**5. Consideration and Possible Action of an Amended Memorandum of Understanding by and between the City of Ardmore and Ardmore Main Street Authority, Regarding Management of Depot Park 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 Amended Memorandum of Understanding (MOU) is between the City of Ardmore and the Ardmore Main Street Authority for the purpose of explaining the responsibilities and duties of the parties with respect to the property designated for the development of Depot Park. Each governing body finds that the performance of this MOU is in the best interests of both parties, that the undertaking will benefit the public.

Motion was made by Vice-Mayor Ellis and seconded by Commissioner Plesher to approve an amended Memorandum of Understanding by and between the City of Ardmore and Ardmore Main Street Authority, regarding management of Depot Park.

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

**6. Consideration and Possible Action of a Termination of Lease Agreement between the City of Ardmore and the Southern Oklahoma Blood Bank Institute for a Lease of Certain Vacant Property Described as a Tract of Land Being Part of the SE/4 of the SW/4 of the SE/4, Section 13 T4S R1E, I.M. in Ardmore, Carter County, Oklahoma 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 Termination of Lease Agreement is between the City of Ardmore and Southern Oklahoma Blood Bank Institute. The Southern Oklahoma Blood Institute entered into a lease for certain vacant property described as follows:

A TRACT OF LAND BEING PART OF THE SE/4 OF THE SW/4 OF THE SE/4, SECTION 13 T4S R1E, I.M. IN ARDMORE, CARTER COUNTY, OKLAHOMA

The City of Ardmore and Southern Oklahoma Blood Bank Institute by mutual agreement have agreed to enter into this Termination of Lease Agreement effective May 16, 2022.

Motion was made by Commissioner Sjulín and seconded by Commissioner Plesher to approve a Termination of Lease Agreement between the City of Ardmore and the Southern Oklahoma Blood Bank Institute for a lease of certain vacant property described as a Tract of Land Being Part of the SE/4 of the SW/4 of the SE/4, Section 13 T4S R1E, I.M. in Ardmore, Carter County, Oklahoma

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

**10. EXECUTIVE SESSION**

Motion was made by Commissioner Sjulín and seconded by Vice-Mayor Ellis to enter into Executive Session at 7:27 P.M.

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

**A. Consideration and Possible Vote to Enter Into Executive Session for the Purpose of Discussing the Evaluation of Performance of City Manager. This Executive Session is Authorized by 25 Okla. Statutes Section 307 (B) (1) which Allows an Executive Session for Purposes of Discussing the Employment, Hiring, Appointment, Promotion, Demotion, Disciplining or Resignation of Any Individual Salaried Public Officer or Employee**

**B. Consideration and Possible Vote to Reconvene into Open Session**

Motion was made by Commissioner Sjulín and seconded by Vice-Mayor Ellis to reconvene into Open Session at 7:49 P.M.

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

**11. AGREEMENT(S)**

**1. Consideration and Possible Action on Matters Discussed in Executive Session**

Motion was made by Vice-Mayor Ellis and seconded by Commissioner Plesher to approve to extend to the City Manager the same percentage of COLA as City employees will receive.

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

**12. NEW BUSINESS**

None

**13. ADJOURN**

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

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