

**MINUTES OF A REGULAR MEETING OF THE MAYOR AND BOARD OF
COMMISSIONERS OF THE CITY OF ARDMORE, OKLAHOMA, HELD ON
JANUARY 17, 2023 AT 7:00 PM IN THE COMMISSION CHAMBERS**

Present:	Doug Pfau Sheryl Ellis	Mayor Vice-Mayor
	John Credle, Jr. David Plesher Nancy Sjulín	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 with the removal of Item 8.E. Consent E.

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

6. APPROVE MINUTES

A. of the City Commission Regular Meeting held on December 19, 2022

Motion was made by Commissioner Plesher and seconded by Commissioner Sjulín to approve the regular minutes of December 19, 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 270.93 Acres located at 4405 Refinery Road from AG (Agriculture) Zoning District to PFI (Public Facilities and Institutions) Zoning District

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 270.93 acres located at 4405 Refinery Road, requesting rezoning of the subject property from Ag (Agriculture) zoning district to PFI (Public Facilities and Institutions) zoning district. In keeping with requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on January 5, 2023. 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.

Present to Speak Against the Rezone:

Tony Gonzalez - Property Owner in the Proximity of 4405 Refinery Road
Carl McCarthick - Property Owner in the Proximity of 4405 Refinery Road
Harry and Rena Richardson - Property Owners in the Proximity of 4405 Refinery Road
Gary Farabough - Attorney for Adjoining Property Owner of 4405 Refinery Road

Present to Speak For the Rezone:

Nanneeusha Young, Construction Programs Administrator, Oklahoma Department of Veterans Affairs
Dewayne Robinett, HFG Architecture
Michael Phelps, Cyntergy Engineering

Public Hearing Closed

8. CONSENT

A. Consideration and Possible Action to Declare Seven (7) Ardmore Police Department American Body Armor (Bullet Proof Vests) as Surplus and to be Disposed of in Accordance with City Code

The Ardmore Police Department requests permission to declare seven (7) American Body Armor Bullet Proof Vests as surplus and to be disposed of via landfill or donation as follows:

<u>Serial Number</u>	<u>Purchase Value</u>
20611225/20611226	\$799.99
20611227/20611228	\$799.99
20611229/20611230	\$799.99
20611233/20611234	\$799.99
20611235/20611235	\$799.99
20611237/20611238	\$799.99
20611239/20611240	\$799.99

B. Consideration and Possible Action to Declare Ardmore Police Department Office Furniture (Desks, Display Case, Conference Table, Chairs) as Surplus to be Disposed of in Accordance with City Code

The Ardmore Police Department requests permission to declare office furniture as surplus and obsolete to be disposed of via auction, landfill, OK Iron and Metal or donation as follows:

<u>Item Description</u>	<u>Asset Number</u>	<u>Purchase Value</u>
Desk, L-Shaped Metal & Formica	004650	\$1,716.30
Desk, L-Shaped Metal & Formica	004651	\$1,716.30
Desk, L-Shaped Metal & Formica	004652	\$1,716.30
Glass Display Case	006631	\$1,250.00
Conference Table and Eight Chairs	N/A	\$3,000.00

C. Consideration and Possible Action for a Lump Sum Distribution from the Oklahoma Municipal Retirement Fund to Ms. Elissa Freer

Ms. Freer requests a full, lump sum distribution of her retirement account with Oklahoma Municipal Retirement Fund (OkMRF). Under the requirements of OkMRF agreement with the City of Ardmore, Oklahoma, it is required that the City Commission approve any lump sum distribution.

D. Consideration and Possible Action for the Acceptance of a Signed Public Utility Easement by and between the City of Ardmore and Community Activities, Inc. of Ardmore

Staff requests acceptance of a signed Public Utility Easement by and between the City of Ardmore and Community Activities, Inc. of Ardmore. This easement will be utilized for public utility purposes.

E. Consideration and Possible Action to Consent to an Amended Sublease Agreement by and between the Ardmore Development Authority, a Public Trust of the City of Ardmore and ATS World Wide LLC, an Oklahoma Limited Liability Company for an Additional Sublease Term of Two (2) Years to begin on December 1, 2022 and Continue through November 30, 2024

Item 8.E. Consent E. Removed from Agenda

F. Consideration of Adoption or Rejection of Resolution Number 4242, a Resolution for the Minor Subdivision Plat of 1 Lot on 7.22 Acres of McGill Addition located at 2605 Hedges Road, Ardmore, Oklahoma

On January 5, 2023, the Planning Commission considered the application to approve the Minor Subdivision Plat of the McGill Addition. The Planning Commission voted (7-0) to recommend approval of the Minor Subdivision Plat.

G. Consideration and Adoption or Rejection of Resolution Number 4243, a Resolution for the Minor Subdivision Plat of 2 Lots on 0.42 Acres of the Sparrow Hill Addition located at 528 Lake Murray Drive, Ardmore, Oklahoma

On January 5, 2023, the Planning Commission considered the application to approve the Minor Subdivision Plat of the Sparrow Hill Addition. The Planning Commission voted (7-0) to recommend approval of the Minor Subdivision Plat.

Motion was made by Commissioner Credle and seconded by Commissioner Plesher to approve Consent Agenda Items 8.A., B., C., D., F., and G.

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

9. REGULAR BUSINESS

A. ORDINANCE(S)

1. Consideration of Adoption or Rejection of Ordinance Number 3146, an Ordinance Rezoning Approximately 270.93 Acres of Property located at 4405 Refinery Road, Ardmore, Oklahoma Re-Zoning the Property from AG (Agricultural) Zoning District to PFI (Public Facilities) Zoning District; Making Legislative Findings with Regard to the Rezoning; Providing for 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

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff received a request from the Oklahoma Department of Veteran Affairs, property owner of property located at 4405 Refinery Road to rezone this property from AG (Agriculture) to PFI (Public Facilities and Institutions). On January 5, 2023, the Planning Commission voted (6-1) to recommend approval of rezoning to PFI (Public Facilities and Institutions) zoning district.

Motion was made by Commissioner Plesher and seconded by Commissioner Credle to table Ordinance 3146 to February 21, 2023.

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

2. Consideration of Adoption or Rejection of Ordinance Number 3147, an Ordinance Amending the Code of Ordinances of the City of Ardmore, Amending Chapter 3 Section 314 of the Unified Development Code Entitled Conditional Use Permits by Amending Section 314(G)(9), to Include Additional Criteria for Temporary Shelters; and Amending Chapter 5 Section 501 of the Unified Development Code Entitled the Use Table to Require Community Service Uses to Obtain a Conditional Use Permit in All Commercial Zoning Districts; Providing Repealer, Saving Clause, 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

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that on December 8, 2022, the Planning Commission considered an amendment to the City of Ardmore code of ordinances Unified Development Code to amend Section 314 (G) (9) and 501 regarding Conditional Use Permits for Temporary Shelters. The Planning Commission voted (5-0) to approve the proposed amendments.

Motion was made by Commissioner Sjulín and seconded by Commissioner Ellis to approve Ordinance 3147.

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

D. AGREEMENT(S)

- 1. Consideration and Possible Action for a Memorandum of Understanding by and between the City of Ardmore and the Chickasaw Nation for the Purpose of Providing the Chickasaw Nation, Consent and Access to Install, Operate, and Maintain Utility Line(s) within Easements Assigned To, Owned By, or Under the Control of the City of Ardmore 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 Memorandum of Understanding (MOU) is by and between the City of Ardmore and the Chickasaw Nation (Nation). The MOU allows the Nation to place a sewer forced main in an easement owned by the City of Ardmore to serve their new Casino on Highway 70. The Nation will be responsible for all costs to design, construct and maintain the line. The location of the line within the easement will require approval of the City of Ardmore.

Motion was made by Commissioner Plesher and seconded by Vice-Mayor Ellis to approve a Memorandum of Understanding by and between the City of Ardmore and the Chickasaw Nation for the purpose of providing the Chickasaw Nation, consent and access to install, operate, and maintain utility line(s) within easements assigned to, owned by, or under the control of the City of Ardmore.

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

E. PURCHASE(S)

- 1. Consideration and Possible Action for the Purchase of Duty and Training Ammunition for the Ardmore Police Department from the Oklahoma State Contract SW220 from GT Distributors in the Total Amount of \$18,732.14 and Approval or Rejection of Any Amendments Proposed and Considered by the City Commission at the Meeting**

A presentation was made by Cameron Arthur, Chief of Police, to the Commission. He stated that the Ardmore Police Department requests approval to purchase ammunition for duty and training purposes and utilize Oklahoma State Contract SW220 from GT Distributors. The purchase is a budgeted line item within the Fiscal Year 2022/2023 Police Budget.

Motion was made by Commissioner Sjulín and seconded by Commissioner Credle to approve the purchase of duty and training ammunition for the Ardmore Police Department from the Oklahoma State Contract SW220 from GT Distributors in the total amount of \$18,732.14.

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