



City of Enid
401 W. Owen K Garriott
P.O. Box 1768
Enid, Oklahoma 73702
580-234-0400

BOARD OF COMMISSIONERS

NOTICE OF REGULAR MEETING

Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, and the Trustees of the Enid Economic Development Authority, a Public Trust

Notice is hereby given that the Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, and the Trustees of the Enid Economic Development Authority, a Public Trust, will meet in regular session at 6:30 p.m. on the 1st day of March 2011, in the Council Chambers of the City Administration Building, located at 401 W. Owen K. Garriott Road in said city, and the agenda for said meeting is as follows:

- AGENDA -

MAYOR AND BOARD OF COMMISSIONERS REGULAR MEETING

1. CALL TO ORDER/ROLL CALL.
2. INVOCATION.
3. FLAG SALUTE.
4. MINUTES OF SPECIAL MEETING OF FEBRUARY 15, 2011.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.

5.2 APPOINTMENTS TO THE AVIATION ADVISORY BOARD, PARK BOARD, TREE BOARD, ENID PUBLIC TRANSPORTATION AUTHORITY, ZONING ADJUSTMENT BOARD, AND MEADOWLAKE GOLF COURSE ADVISORY BOARD.

BACKGROUND: The City Clerk has advertised for vacancies to the above boards and commissions. The following appointments are to be considered:

- **AVIATION ADVISORY BOARD:** One vacancy to be filled by any interested citizen of Enid. Mr. David Chael is the incumbent to this board and does not want to be considered for reappointment. A ballot is attached for your consideration.
- **PARK BOARD:** Two vacancies to be filled by any interested citizen of Enid. Incumbents to this board are Mr. Matt Davis and Mr. Denny Krick. Mr. Davis is ineligible for reappointment because of term limits. Mr. Krick would like to be considered for reappointment. A ballot is attached for your consideration.
- **TREE BOARD:** One vacancy to be filled by any interested resident of Enid to fill an unexpired term to November 1, 2011. Due to attendance rules, Ms. Lori Carroll is no longer eligible to serve on this board. A ballot is attached for your consideration.
- **ENID PUBLIC TRANSPORTATION AUTHORITY:** Two vacancies to be filled by any interested citizen of Enid, one of which will fill an unexpired term to March 1, 2013 due to the relocation of member Ms. Jan Feldotto. Mr. Rocky McFarland, whose term expires March 1, 2011, would like to be considered for reappointment. A ballot is attached for your consideration.
- **ZONING ADJUSTMENT BOARD:** Two vacancies to be filled by any interested citizen of Enid. Mr. John (Jay) Merz and Mr. Ross Dillon are incumbents to this board. Both would like to be considered for reappointment. A ballot is attached for your consideration.
- **MEADOWLAKE GOLF COURSE ADVISORY BOARD:** Two vacancies to be filled by any interested citizen of Enid. Mr. Brad Siewert and Mr. David (Troy) Wood are incumbents to this Board. Mr. Siewert would like to be considered for reappointment, Mr. Wood does not. A ballot is attached for your consideration.

PRESENTER: Linda Parks.

ATTACHMENTS: Applications and ballots.

RECOMMENDATION: Consider Appointments.

6. HEARINGS.

6.1 NONE.

7. COMMUNITY DEVELOPMENT.

7.1 NONE.

8. ADMINISTRATION.

8.1 AWARD CONTRACT TO RICK LORENZ CONSTRUCTION, INC. FOR CONSTRUCTION OF THE 2011 MANHOLE GRADE ADJUSTMENT PROJECT, S-1108A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: Previous sanitary sewer GIS projects determined the location of sanitary sewer manholes with the locations input into the City of Enid's GIS mapping system; however, some manholes could not be found. The list of sanitary sewer manholes that could not be located was provided to the Engineering Department. This project provides for fifty (50) sanitary sewer manholes from this list to be located, exposed and raised to grade.

Six (6) bids were received with the lowest responsible bid submitted by Rick Lorenz Construction, Inc. in the amount of \$46,750.00.

The project will be funded from the Sanitary Sewer Capital Improvement fund.

PRESENTER: Robert Hitt and Andrea Springer.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award contract to Rick Lorenz Construction, Inc. in the amount of \$46,750.00 and authorize the Mayor to execute all contract documents after review by the City Attorney.

8.2 AMENDMENT TO PROFESSIONAL ENGINEERING SERVICE FOR WATER SOURCE EXPANSION STUDY, W-1004A.

BACKGROUND: The 2009 Water Master Plan concluded that Enid's water consumption of 10-12 MGD exceeds the recharge rate of existing

aquifers/well fields. It also concluded that without additional groundwater or surface water supply, the city would effectively be out of water by the year 2050.

This is the third of three major studies on our water system. The Water Master Plan reviewed the broad range of water issues including long range water demand, water supply, distribution, and fire protection. The second, and current study, covers the detailed review of surface water supply availability. This work will complete the water supply analysis by conducting a detailed ground water model of the existing water fields and sites for future well fields. Geo-physical surveys will be conducted to determine location and capacity of ground water.

This contract amendment will focus on groundwater flow modeling based on geophysical surveys and will assess groundwater sites identified in the master plan.

An amendment for completing the groundwater source expansion study has been negotiated with C. H. Guernsey & Company in the amount of \$339,787.00. The scope of service will include: site visits, field testing, geophysical survey, ground water modeling, and ground water availability.

Funding will be from the Capital Improvement Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: None. Agreement is on file with the City Clerk.

RECOMMENDATION: Approve Agreement for Professional Engineering Services for Water System Master Plan with C. H. Guernsey & Company in an amount not to exceed \$339,787.

8.3 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ENID AND THE OKLAHOMA DEPARTMENT OF WILDLIFE CONSERVATION FOR PARTICIPATION IN THE CLOSE TO HOME FISHING PROGRAM.

BACKGROUND: This Memorandum of Understanding is a companion to item 8.4. The Enid Park Board, after researching the Oklahoma Department of Wildlife's Close to Home Fishing Program (CTHFP), recommends the City of Enid become a participating municipality. The program is a resource for fish stocking, aquatic resource education, and fish population survey and management. CTHFP goals are to provide residents of Oklahoma municipalities with quality fishing in neighborhood based programs for urban ponds and lakes. Program components include fishing and boating access improvements such as construction of piers, docks, walkways and restrooms, in addition to

education and outreach components increasing residents fishing opportunity. Participating municipalities have access to Close to Home Fishing Program funds which cover 75% of eligible project expenses requiring a local 25% in-kind match.

PRESENTER: Andrie Winters.

ATTACHMENTS: Memorandum of Understanding and Resolution from Enid Park Board.

RECOMMENDATION: Approve Memorandum of Understanding.

- 8.4 **PROPOSED ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2003, AMENDING TITLE 2, ENTITLED "FINANCE AND TAXATION," CHAPTER 6, ENTITLED "FEE SCHEDULE," ARTICLE C, ENTITLED "CITY SERVICES AND FACILITIES," SECTION 2-6C-10, ENTITLED "TROUT FISHING PERMIT FEE," TO REPEAL THE ANNUAL TROUT PERMIT AND FEE; AMENDING TITLE 7, ENTITLED "PUBLIC WAYS AND PROPERTY," CHAPTER 3, ENTITLED "FISHING, LAKE USE AND WILDLIFE MANAGEMENT," SECTION 7-3-4, ENTITLED "SPECIAL EVENTS; PERMIT AND FEE" TO REPEAL THE ANNUAL TROUT PERMIT; AMENDING SECTION 7-3-5, ENTITLED "FISHING REQUIREMENTS AND RESTRICTIONS" TO AMEND FISHING REQUIREMENTS AND RESTRICTIONS; CREATING SECTION 7-3-10 TO PROHIBIT THE RELEASE OF DOMESTIC WATERFOWL ON CITY PROPERTY AND PROVIDE FOR A PENALTY FOR VIOLATION; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.**

BACKGROUND: This is a companion to item 8.3 which requires amendment of the City's fishing regulations to comply with CTHFP and Oklahoma Department of Wildlife regulations.

PRESENTER: Andrie Winters.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Approve Ordinance.

- 8.5 **AUTHORIZE ADDITIONAL FUNDING TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE WILLOW ROAD AND OAKWOOD ROAD INTERSECTION IMPROVEMENT PROJECT, R-0302.**

BACKGROUND: In cooperation with the Oklahoma Department of Transportation, the Willow Rd. and Oakwood Rd. intersection will be improved to five lanes. This improvement will provide four through lanes and a left-turn lane for 500 feet in all directions from the

intersection. This is being done in advance of the proposed four-lane widening project on Willow Rd. from Oakwood Rd. to Cleveland St.

The maximum amount of \$750,000.00 in federal funding through ODOT is being provided and the City has paid \$675,000.00 for the local share of the project based on the estimate. Bids were received on February 17, 2011, resulting in a total project cost of \$1,547,503.49, which is \$122,504.00 over the current available funds. The State has invoiced the City of Enid for the additional funds required as no additional state or federal funds are available.

Upon approval of this item, ODOT will award the contract with construction beginning this summer.

Funding is from the Capital Improvement Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: None.

RECOMMENDATION: Authorize payment of \$122,504.00 to ODOT.

8.6 CONSIDER AWARDING CONTRACT FOR CONSTRUCTION OF THE 2011 SANITARY SEWER CHEMICAL ROOT CONTROL PROJECT, S-1103A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: This project will provide for the chemical treatment of sanitary sewer lines to eliminate and prevent root growth. Root growth causes blockages in sanitary sewer lines resulting in backups and overflows. Additionally, the chemical treatment of sanitary sewer lines is required by the City of Enid's Capacity, Maintenance, Operation and Management program (CMOM).

Duke's Root Control, Inc. was the lowest responsible bidder, with a bid in the amount of \$179,314.96. The lowest bid was determined to be non-responsive for failure to list number of days for completion. Additionally, the low bidder was not in good standing and the high bidder was not registered with the Oklahoma Secretary of State on the date bids were opened. The project will be funded from the Sanitary Sewer Capital Improvement fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award contract for Construction of the 2011 Sanitary Sewer Chemical Root Control Project, S-1103A, and authorize the Mayor to execute all contract documents after review by the City Attorney.

9. CONSENT.

9.1 CONSIDERATION AND DENIAL OF TORT CLAIM OF MR. KEVIN STROPE.

BACKGROUND: On November 16, 2010, Mr. Kevin Strobe submitted a tort claim in the amount of \$1,595.00 for the cost of repairing his sewer line. The City forwarded that claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation into the claim. After investigating, OMAG found no negligence on the part of the City. OMAG recommended that the City deny the tort claim.

PRESENTER: Andrea Springer.

ATTACHMENT: None. Letter is on file in the office of the City Clerk.

RECOMMENDATION: Deny payment of the tort claims.

9.2 ACCEPTANCE OF UTILITY EASEMENT AS PART OF THE INTEGRIS BASS HOSPITAL CARDIO CLINIC SITE PLAN.

BACKGROUND: This site plan is located at 707 S. Monroe Street and was approved on April 20, 2009 by MAPC. The purpose of this easement is to encompass a water meter that was constructed on private property.

PRESENTER: Robert Hitt.

ATTACHMENTS: None. Easement is on file in the office of the City Clerk.

RECOMMENDATION: Approve.

9.3 CHANGE ORDER NO. 2 AND PROJECT ACCEPTANCE FOR THE LEONA MITCHELL BRIDGES OVER BOGGY CREEK, R-0814D (G-27) & (G-71).

BACKGROUND: The original contract with Wittwer Construction Co., Inc. consisted of removing and replacing the structures on Leona Mitchell over Boggy Creek tributaries. A final inspection was held, punch list items were developed, and Wittwer Construction Company, Inc. has completed all work items. This change order adjusts pay item quantities to the final as-built contract amount and adds a new pay item for lime.

The original contract amount for this project was \$567,414.55 and Change Order No. 1 reduced the contract amount to \$552,306.49.

Change Order No. 2 adds an amount of \$10,425.89, adjusting the final contract price to \$562,732.38 and includes a 3-year maintenance warranty for the bridges. The final contract price ultimately provides for a deduction of \$4,682.17. The project is being paid from the General Obligation Bond Fund and is ready for acceptance by the Commission.

PRESENTER: Robert Hitt.

ATTACHMENTS: None. Change Order No. 2 is on file in the office of the City Clerk.

RECOMMENDATION: Accept R-0814D (G-27) & (G-71) as complete and approve Change Order No. 2.

9.4 ACCEPT OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) SANITARY SEWAGE TREATMENT PERMIT (TIER I PERMIT) FOR MODIFICATION TO EXISTING AEROBIC DIGESTER DECANT SYSTEM, FACILITY No. S-20931.

BACKGROUND: A permit to modify the digesters decant piping to serve the City of Enid, located in Section 22, T-14-N, R-6-W, Garfield County, has been received from the Oklahoma Department of Environmental Quality (ODEQ). Upon acceptance of Permit No. ST000024100853 by the Commission, it will be recorded as permanent record as required by ODEQ.

PRESENTER: Robert Hitt.

ATTACHMENTS: None. Permit is on file in the office of the City Clerk.

RECOMMENDATION: Accept Permit No. ST000024100853.

9.5 EXECUTE A CONTRACT FOR MUNICIPAL DEBT COLLECTION WITH AMERICAN MUNICIPAL SERVICES.

BACKGROUND: The City has not utilized active debt collection services since 2002. The City recently solicited RFPs for municipal debt collection services from 14 vendors, of which, 7 responded. Those seven were Credit Bureau Services Association, Hurtt & Associates, Lester's CBI, Credit Collections, Inc., American Municipal Services, Linebarger, Goggan, Blair & Sampson, LLP, and Optio Solutions.

An evaluation committee consisting of Andrea Springer, Jen O'Steen, Scott Morris, Michelle Mears, and Jerald Gilbert selected American Municipal Services (AMS).

The contract with AMS specifically addresses the collection of court fines, utility and library debts at no cost to the City. The collection fee

of 35% is added to the debt and kept as payment for services rendered by AMS. The City can terminate the agreement with 30 days written notice and can stop collections efforts on anyone for any reason at any time by notifying AMS. Amounts collected will be remitted to the City monthly and online reporting on collection status is available at all times. No collections efforts will be made on Sundays or in person and all contacts are by telephone or mail. AMS will report to credit agencies and makes payment arrangements with debtors based on the City's guidance.

PRESENTER: Jerald Gilbert.

ATTACHMENT: None. Contract is on file in the office of the City Clerk.

RECOMMENDATION: Approve contract with American Municipal Services for municipal debt collection.

9.6 APPROVAL OF CLAIMS IN THE AMOUNT OF \$2,393,145.41.

ATTACHMENT: List of claims.

RECOMMENDATION: Approve.

10. RECESS TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.

-AGENDA-

11. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12. ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12.1 APPROVAL OF CLAIMS IN THE AMOUNT OF \$329,875.62.

ATTACHMENT: List of claims.

RECOMMENDATION: Approve.

13. ADJOURN TO CONVENE AS THE ENID ECONOMIC DEVELOPMENT AUTHORITY.

-AGENDA-

14. TRUSTEES OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY REGULAR MEETING.

15. ENID ECONOMIC DEVELOPMENT AUTHORITY REGULAR MEETING.

15.1 APPROVAL OF CLAIMS IN THE AMOUNT OF \$9,749.00.

ATTACHMENT: List of Claims.

RECOMMENDATION: Approve.

16. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.

17. PUBLIC DISCUSSION.

18. CONSIDER CONVENING INTO EXECUTIVE SESSION TO DISCUSS THE PURCHASE AND/OR SALE OF REAL PROPERTY; AND TO RECONVENE INTO SPECIAL SESSION TO TAKE ANY NECESSARY ACTION.

BACKGROUND: The City Attorney recommends the Mayor and Board of Commissioners go into Executive Session pursuant to 25 Okla. Stat. 307(B)(3), “the purchase or appraisal of real property.”

19. ADJOURN.