



City of Enid
401 W. Owen K Garriott
1768 P.O. Box
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 15th 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 25, 2011 AND REGULAR MEETING OF MARCH 1, 2011.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.

5.2 REMOVE FROM THE TABLE AND CONSIDER APPOINTMENTS TO THE ZONING ADJUSTMENT BOARD AND MEADOWLAKE GOLF COURSE ADVISORY BOARD.

BACKGROUND: These appointments were tabled at the March 1, 2011 regular Commission meeting. The following appointments are to be considered:

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. Mr. Merz would like to be considered for reappointment. Mr. Dillon does not. A ballot is attached for your consideration.

MEADOWLAKE GOLF COURSE ADVISORY BOARD - One vacancy to be filled by any interested citizen of Enid. Mr. Brad Siewert is the incumbent to this Board and would like to be considered for reappointment. A ballot is attached for your consideration.

ATTACHMENTS: Applications and ballots.

RECOMMENDATION: Remove from the table and consider appointments.

5.3 APPOINTMENTS TO THE CONSTRUCTION CODE BOARD OF APPEALS, HISTORIC PRESERVATION COMMISSION, AND VANCE DEVELOPMENT AUTHORITY.

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

CONSTRUCTION CODE BOARD OF APPEALS: One vacancy to be filled by a registered design professional who is a registered architect. Mr. John Merz, the only applicant for this position, would like to be considered for reappointment. A copy of Mr. Merz's application is attached for your consideration.

One vacancy to be filled by a registered design professional with mechanical experience, a licensed mechanical contractor, or a licensed mechanical journeyman. Mr. David Tydings, the only applicant for this position, is the incumbent for this position and would like to be considered

for reappointment. A copy of Mr. Tydings's application is attached for your consideration.

One vacancy to be filled by a registered design professional with electrical engineering experience, or a licensed electrical contractor. Mr. Tim Jines, the only applicant for this position, is the incumbent for this position and would like to be considered for reappointment. A copy of Mr. Jines's application is attached for your consideration.

One vacancy to be filled by a registered design professional with structural engineering experience, or a licensed building contractor. Mr. Ken Corbin, the only applicant for this position, is the incumbent for this position, and would like to be considered for reappointment. A copy of Mr. Corbin's application is attached for your consideration.

HISTORIC PRESERVATION COMMISSION: One vacancy to be filled by an attorney. Mr. R. Reagan Allen, the only applicant, is the incumbent for this position and would like to be considered for reappointment. A copy of Mr. Allen's application is attached for your consideration.

One vacancy to be filled by a member of the Kenwood Historic District. Ms. Becky Cummings, whose term expired in March 2009, has continued to serve on this board due to lack of applications. She is ineligible for reappointment due to term limits. One application has been received from Alissa Lack. A copy of Ms. Lack's application is attached for your consideration.

One vacancy to be filled by a licensed real estate broker. Mr. Phil Edwards is the incumbent for this board, but is ineligible for reappointment due to meeting absences. One application has been received from Mr. Thomas Andrew. A copy of Mr. Andrew's application is attached for your consideration.

One vacancy to be filled by a member of the Metropolitan Area Planning Commission. The MAPC has recommended Mr. Aaron Brownlee for appointment to this Commission as its representative.

VANCE DEVELOPMENT AUTHORITY: Two vacancies to be filled by any interested citizen of Enid. Mr. W. L. "Bud" Stephenson and Mr. Michael Fields are incumbents for these positions. Mr. Stephenson would like to be considered for

reappointment. Mr. Fields is ineligible for reappointment due to meeting absences. 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 RECEIVE A PRESENTATION AND APPROVE THE SCHEMATIC DESIGN DRAWINGS, PROJECT BUDGET AND SCHEDULE FOR THE ENID RENAISSANCE PROGRAM M-1109.

BACKGROUND: Review the Enid Renaissance vision and approve the schematic design drawings, project budget and schedule for the new event center and renovation of Convention Hall by Convergence Design and Flintco Construction.

The design team requests the April 19, Event Center and Convention Hall renovation Guaranteed Maximum Price (GMP) be revised to April 29 to allow the project GMP to be based on a 100% design development which will be completed by Convergence Design on April 8. As agreed to in their contract Flintco Construction Solutions will produce a project GMP 20 days after completion of design development.

The project GMP schedule:

- April 5: 90% Design Development (drawings, budget and schedule) presentation to the City Commission for approval.
- April 8: 100% Design Development given to Flintco to prepare the project GMP.
- April 25: Project GMP given to the City Commission for review and comment.
- April 29: (Special meeting, time TBD) project GMP presentation to the City Commission for approval.

In addition to the above project GMP schedule the first bid package (site grading) GMP will be presented on April 19, to the City Commission for approval.

PRESENTER: Chris Bauer.

ATTACHMENT: None.

ADVISORY BOARD ACTION: Steering Committee recommends approval of the schematic drawings.

RECOMMENDATION: NONE.

7.2 CONSIDER REJECTION OF ALL BIDS AND AUTHORIZE STAFF TO READVERTISE THE ASBESTOS REMOVAL FROM CONVENTION HALL, PROJECT NO. M1109B3.

BACKGROUND: The intent of this project is to remove asbestos from Convention Hall prior to renovation of the building which is included in the Enid Renaissance Project.

The bid package was mailed to four possible contractors generating two responses; Tec-An of Oklahoma City for \$175,175.00 and Cactus Systems, Inc. of Forth Worth, Texas for \$80,030.00.

In a follow up telephone call to Environmental Action, Inc. of Oklahoma City and Mirage International of Oklahoma City both expressed interest in the project however, but were unable to bid in the time frame provided.

A review of the lowest bid indicated several issues that required additional information from the bidder. A Statement of Understanding was issued including a request to change their total bid amount from \$80,030.00 to \$118,880.00 due to an error in their calculation of the non-regulated areas of materials.

PRESENTER: Chris Bauer.

ATTACHMENTS: Canvass of Bids, Cactus Systems Statement of Understanding, review letter from Marshall Environmental Management

RECOMMENDATION: Reject all bids and authorize staff to re-advertise the project.

7.3 CONSIDER APPROVAL OF THE PRELIMINARY AND FINAL PLAT FOR NEWGRANGE.

BACKGROUND: This is a preliminary and final plat of the NewGrange subdivision which is located at 2112-2130 Norman Road. The proposed plat of four lots is for residential development. The developer is platting the east 97 feet of Lot 7 and all of Lot 8, Block 2, Richland Acres into the new subdivision. The area contains 5.79 acres more or less.

The property is zoned “R-1” Residential Estate District.

The final plat conforms to the submitted preliminary plat. City staff has reviewed the submitted final plat for compliance with all provisions of Title 12 Chapter 5, Final Plat of the City of Enid Subdivision Regulations. MAPC approved this platting at their Feb 28, 2011 meeting.

PRESENTER: Whitney Box.

ATTACHMENTS: Final Plat.

RECOMMENDATION: Approve.

8. ADMINISTRATION.

8.1 AWARD A CONTRACT TO RICK LORENZ CONSTRUCTION CO. FOR THE CONSTRUCTION OF THE 2011 LOCAL STREET PROGRAM CONTRACT NO. 1, AWARD A CONTRACT TO CUMMINS CONSTRUCTION CO. FOR THE CONSTRUCTION OF THE 2011 LOCAL STREET PROGRAM CONTRACT NO. 2, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: The 2011 Local Street Program was bid in two contracts because it was anticipated that the amount of work involved could not be completed by one contractor in one year or less. Eight bids were received and the low bidder on Contract No. 1 and Contract No. 2 was Rick Lorenz Construction, Inc. of Enid. The second lowest bidder on both contracts was Cummins Construction Co. of Enid. Rick Lorenz Construction, Inc. bid 365 calendar days to construct each contract and Cummins Construction Co. bid 260 calendar days to construct each contract. If both contracts are awarded to one contractor they must be constructed concurrently.

Contract No. 1 will provide for reconstruction of the following streets:

- McKinley St. from Broadway to Randolph Ave.
- Oak Ave. from 8th St. to 10th St.

- Elm Ave. from Cleveland St. to 1 block west
- 3rd St. from Elm Ave. to Pine Ave.
- Eucalyptus Ave. from 26th St. to 30th St.
- 7th St. from Maine St. to Broadway
- Appomattox from Shiloh to Harpers Ferry
- Edgewood from Whippoorwill Lane to Cleveland St.
- Lantern Lane from Heritage Tr. to Heritage Tr.

Contract No. 2 will provide for reconstruction of the following streets:

- State Ave. from Monroe St. to Grand Ave.
- Jefferson St. from State Ave. to Garriott Rd.
- Adams St. from State Ave. to 250-ft. north
- Washington St. from State Ave. to Garriott Rd.
- Cottonwood Ave. from Grand Ave. to 4th St.

Awarding Contract No. 2 to the second lowest bidder will be reduce construction time by 105 calendar days.

The project will be funded from the Street and Alley Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award a contract to Rick Lorenz Construction, Inc. for R-1101A Contract No. 1 in the amount of \$951,594.17 and award a contract to Cummins Construction Co. for R-1101A Contract No. 2 in the amount of \$1,115,782.65.

8.2 EXECUTE PEDESTRIAN AT-GRADE ENCROACHMENT AND CROSSING AGREEMENT WITH GRAINBELT CORPORATION.

BACKGROUND: The Enid Master Trail System’s second phase of Transportation Enhancement Grant 1 intersects with railroad tracks owned and operated by the Grainbelt Corporation. The Grainbelt Corporation has reviewed and approved the trail’s construction plan produced by Tetra Tech Consultants, specifically the design of the pedestrian railroad crossing. The intersection occurs between Owen K Garriott Road and Rupe Street approximately 1/3 mile east of Oakwood Road. The Grainbelt Corporation generally operates trains on the tracks 2-3 days weekly in the morning and/or evening.

PRESENTER: Andrie Winters.

ATTACHMENTS: Pedestrian at-grade encroachment and crossing agreement.

RECOMMENDATION: Execute.

8.3 EXECUTE PUBLIC TRAIL EASEMENT AGREEMENT WITH GRAINBELT CORPORATION.

BACKGROUND: This is a companion item to 8.2. The Enid Master Trail System's second phase of Transportation Enhancement Grant 1 intersects with railroad tracks owned and operated by the Grainbelt Corporation. The Grainbelt Corporation has reviewed and approved the trail's construction plan produced by Tetra Tech Consultants, specifically the design of the pedestrian railroad crossing. The intersection occurs between Owen K Garriott Road and Rupe Street approximately 1/3 mile east of Oakwood Road. The Grainbelt Corporation generally operates trains on the tracks 2-3 days weekly in the morning and/or evening.

PRESENTER: Andrie Winters.

ATTACHMENTS: Public Trail Easement Agreement.

RECOMMENDATION: Execute.

9. CONSENT.

9.1 REJECT ANY AND ALL BIDS FOR PURCHASE OF DOZER.

BACKGROUND: The City of Enid solicited bids for a 70 HP dozer however research indicates this is insufficient capability. One bid was received from Warren Cat from Oklahoma City for a 74HP/269CID dozer with a bid price of \$99,900. Also, a no-bid package was received from CL Boyd Company out of Oklahoma City. Staff recommends revising the specifications to rebid the dozer.

PRESENTER: Jim McClain.

ATTACHMENT: None. Bids are on file in City Clerk's Office.

RECOMMENDATION: Reject any and all bids.

9.2 CHANGE ORDER NO. 2 AND PROJECT ACCEPTANCE OF THE MARKET STREET BRIDGE OVER SKELETON CREEK, R-0814F (G-40).

BACKGROUND: The original contract with Cimarron Construction Co. consisted of removing and replacing the structure on Market Street over

Skeleton Creek. A final inspection was held and punch list items were generated. Cimarron Construction has completed all work and the project is ready for commission acceptance.

The original contract amount for this project was \$742,060.75. Change Order No. 1 added \$31,950.00 to rehabilitate the structure on Chestnut Ave. east of 42nd St. This change order adjusts the pay item quantities to the final as-built contract amount by deducting \$30,745.74 from the contract for a final contract price of \$743,265.01. The project is being paid from the General Obligation Bond projects. The contractor has a 3-year maintenance warranty for this project.

PRESENTER: Robert Hitt.

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

RECOMMENDATION: Accept project R-0814F (G-40) as complete and approve change order No. 2.

9.3 ACCEPT PAVING AND DRAINAGE IMPROVEMENT (R-0815A) IN WILLOW WEST 4TH ADDITION, BLOCKS 12 AND 13.

BACKGROUND: This private development project has been constructed in accordance with City standards and as-built plans have been received.

The 1-year maintenance period will commence upon approval of this item.

PRESENTER: Robert Hitt.

ATTACHMENTS: None.

RECOMMENDATION: Approve.

9.4 AWARD A CONTRACT TO NORTH CENTRAL CONSTRUCTION OF STILLWATER, OKLAHOMA FOR 4TH STREET DRAINAGE PIPE REPAIR, F-1103A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: This project involves the replacement of 382 feet of 18-in storm drain pipe located on 4th Street between Industrial Drive and Hickory Avenue. The existing pipe is deteriorated, plugged with debris, and causes runoff to backup and flood the intersection at Industrial Drive.

Four (4) bids were received with the lowest, responsible bid submitted by North Central Construction of Stillwater, Oklahoma in the amount of \$49,347.00. The contract time is 30 calendar days.

The project will be funded from the Stormwater Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award a contract to North Central Construction in the amount of \$49,347.00 and authorize the Mayor to execute all contract documents, after review by the City Attorney.

9.5 ACCEPTANCE OF PROPERTY ACQUISITIONS AT 4125 N. VAN BUREN STREET AND 920 W. PURDUE AVENUE AND AUTHORIZE PAYMENTS, F-1108A

BACKGROUND: On November 6, 2007 the Commission adopted the Crosslin Park Tributary Drainage study including it as part of the City of Enid Master Drainage plan. The adopted study called for enlarging and increasing stormwater detention capacity of the Crosslin Park Lake, acquiring flood prone properties in Rolling Acres, and channel improvements in Rolling Acres.

A more detailed review for increasing the lake detention was completed in December 2009. It identified five, adjacent properties that should be purchased to reduce the downstream stormwater impact.

Appraisals of these properties were undertaken to determine fair market value and two offer letters were delivered. The offer to three other properties is pending owner review.

This item is presented to accept the proposed acquisitions and authorize payments as follows:

- 4125 N. Van Buren Street (N/2 Lots 7 and 8, Block 3, Garden Subdivision, 4.3 acres)
 - **TOTAL \$43,194.00**

- 920 W. Purdue Avenue (S/2 Lots 7 and 8, Block 3, Garden Subdivision, 4.3 acres)
 - **TOTAL \$85,000.00 + 5% maximum for moving expenses.**

The total payments are the amounts offered for the properties and will be paid to Guarantee Abstract Co. as the closing agent. Additional closing cost of abstract, filing, title option, and closing agent are not anticipated to exceed \$1000.

Funding is from the Stormwater Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: None.

RECOMMENDATION: Approve offers for acquisition and authorize payments.

9.6 CONSIDER AN AGREEMENT WITH CONTINENTAL MANAGEMENT TO PLACE A FIBER OPTIC LINE IN A CITY OF ENID RIGHT-OF-WAY.

BACKGROUND: Continental Management has made application to place a fiber optic communication line to supply service between Continental Tower North and Continental Tower South. This will require a directional bore crossing West Maple between Washington and Independence at the alley. A \$100.00 permit fee has been paid. Upon approval of the agreement, Seedorf Construction Company, the contractor for this project, will be issued a permit for the work.

An agreement is required for placement of communication lines by other than franchise utility companies.

PRESENTER: Robert Hitt.

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

RECOMMENDATION: Approve.

9.7 AWARD AND EXECUTE THE PURCHASE OF A NEW ALL TERRAIN MOWER.

BACKGROUND: \$106,000 for a new all terrain/slope mower was approved at the October 5, 2010 commission meeting. A Deweze ATM162 all terrain mower was selected from State Contract SW190 for grounds equipment from Luber Brothers for \$104,405.00. Funding is from the General Fund Capital Equipment Replacement Department.

PRESENTER: Jerald Gilbert/Jim McClain.

ATTACHMENT: None.

RECOMMENDATION: Award and execute purchase of a new all terrain mower from Luber Brothers for \$104,405.00, using State Contract SW190.

9.8 APPROVAL OF CLAIMS IN THE AMOUNT OF \$3,910,567.59.

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.

11.1 APPROVAL OF CLAIMS IN THE AMOUNT OF \$101,555.79.

ATTACHMENT: List of claims.

RECOMMENDATION: Approve.

12. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.

-AGENDA-

13. MAYOR AND BOARD OF COMMISSIONERS REGULAR MEETING.

13.1 PUBLIC DISCUSSION.

14. RECESS TO CONVENE AS THE ENID ECONOMIC DEVELOPMENT AUTHORITY.

-AGENDA-

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

15.1. CONSIDER CONVENING INTO EXECUTIVE SESSION TO DISCUSS A PROPOSAL TO ENTICE A BUSINESS TO REMAIN WITHIN THE CITY OF ENID; AND TO RECONVENE INTO REGULAR SESSION TO TAKE ANY NECESSARY ACTION.

BACKGROUND: The City Attorney recommends the Trustees of the Enid Economic Development Authority go into Executive Session pursuant to 25 Okla. Stat. § 307(C)(10), “for purposes of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to remain or

to locate within their jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business.”

16. ADJOURN.