



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

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BOARD OF COMMISSIONERS

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**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 8<sup>th</sup> day of September, 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. CONSIDER APPROVAL OF MINUTES OF REGULAR MEETING OF AUGUST 16, 2011.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
  - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
  - 5.2 CONSIDER APPOINTMENTS TO THE AVIATION ADVISORY BOARD, DR. MARTIN LUTHER KING, JR. HOLIDAY COMMISSION, ENID JOINT RECREATION TRIAD, INC., HISTORIC PRESERVATION COMMISSION, AND LIVESTOCK BOARD.

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

***AVIATION ADVISORY BOARD:*** One vacancy to be filled by any interested citizen of the City of Enid to fill the unexpired term of Mr. Lew Ward to March 1, 2013.

***DR. MARTIN LUTHER KING, JR. HOLIDAY COMMISSION:*** One vacancy to be filled by any interested citizen of the City of Enid.

***ENID JOINT RECREATION TRIAD, INC.:*** Two vacancies to be filled by any interested citizen of the City of Enid, to fill the unexpired term of Mr. Stan Miller, and expired term of Ms. Kimberly Baugh to 3-1-13 and 3-1-14 respectively.

***HISTORIC PRESERVATION COMMISSION:*** One vacancy to be filled by a registered architect to fill the expired term of Mr. John Merz to 3-1-14. One application was received from Ms. Kingini Arend.

***LIVESTOCK BOARD:*** One vacancy to be filled by a person with knowledge of proper livestock operations, such as an agricultural teacher, 4H teacher/advisor, veterinarian, or an agricultural related business person.

A livestock owner who is not required to register.

Two at-large residents who shall demonstrate knowledge of, or interest in, livestock operations.

A livestock owner registered with the City of Enid, showing ownership of livestock prior to August 15, 2007. One application was received from Ms. Rosy Biggs.

**PRESENTER:** Joan Riley.

**ATTACHMENTS:** Advisory board applications and ballots.

**RECOMMENDATION:** Consider appointments.

**6. HEARINGS.**

**6.1 NONE.**

**7. COMMUNITY DEVELOPMENT.**

**7.1 APPROVE FINAL DRAWINGS AND COLOR SCHEMES FOR THE ENID RENAISSANCE PROJECT, AND AUTHORIZE SOLICITATION OF BIDS.**

**BACKGROUND:** Final drawings for the Event Center were completed September 6, 2011. The drawings, renovation, and color schemes for Convention Hall provided by Convergence Design must be examined and

approved. Upon approval, bids will be solicited for the Enid Renaissance Project. A pre-bid meeting will be held on September 22, 2011, and bid openings are scheduled for October 6, 2011. The contract will be awarded to the successful bidder on October 18, 2011.

**PRESENTER:** Chris Bauer.

**ATTACHMENTS:** None.

**RECOMMENDATION:** Approve and authorize solicitation of bids.

## 8. ADMINISTRATION.

### 8.1 CHANGE ORDER NO. 2 FOR THE WATER RECLAMATION FACILITY CONSTRUCTION PROJECT, S-0703 E.

**BACKGROUND:** This project constructs a new twelve (12) million gallons per day sanitary sewer treatment plant.

This Change Order includes reducing quantities to the water supply line with a savings of \$7,062.00, and increasing the amount of the project in the amount of \$256,647.80 to cover the rerouting of an existing Koch waterline that conflicts with the new influent and effluent piping to the new plant. It upgrades the fire rated door material from aluminum to stainless steel, provides safety enhancement to the electrical system within the disinfection structure, adds a sump pump station with required controls in the service water building, and reroutes the storm water detention pond's discharge into designated City of Enid owned property.

The net change order is \$249,585.80. The total revised contract amount is \$33,779,188.87.

**PRESENTER:** Robert Hitt.

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

**RECOMMENDATION:** Approve.

### 8.2 A RESOLUTION EXECUTING A RIGHT-OF-WAY, PUBLIC UTILITY, AND ENCROACHMENT AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR THE WILLOW ROAD IMPROVEMENT PROJECT, R-0303.

**BACKGROUND:** In cooperation with the Oklahoma Department of Transportation (ODOT), Willow Road will be considered for improvement in a future budget to create four lanes from Oakwood Road to Cleveland Street. Prior to ODOT approving a grant to assist with the construction

cost, this agreement requires the City of Enid to acquire necessary right-of-way, relocate utilities, and remove any encroachments on the right-of-way.

These items will be funded from the Capital Improvement Fund and scheduled over the next two years.

**PRESENTER:** Robert Hitt.

**ATTACHMENTS:** Resolution. Agreement is on file in the Office of the City Clerk.

**RECOMMENDATION:** Approve.

**8.3 AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, REPEALING ORDINANCE NO. 2008-19 REPEALING ORDINANCE NO. 2010-11; REPEALING ORDINANCE NO. 2011-07; REPEALING 2011-08; PROVIDING FOR EMERGENCY.**

**BACKGROUND:** This ordinance will amend the Enid Municipal Code, 2003, by repealing City of Enid Ordinance Numbers 2008-19, 2010-11, 2011-07 and 2011-08. The Sections of the Enid Municipal Code, 2003, affected by these ordinances will be reinstated as they existed prior to the passage of each of these ordinances.

**PRESENTER:** Jen O'Steen.

**ATTACHMENTS:** Ordinance.

**RECOMMENDATION:** Approve ordinance with emergency.

**8.4 APPROVE A RESOLUTION DECLARING A MORATORIUM FOR BILLBOARDS FOR THE ENTIRE CITY OF ENID.**

**BACKGROUND:** There are sixty-eight (68) total billboards located throughout the City of Enid on Highway 81/Van Buren Street, Highway 412/Owen K. Garriott Road, Highway 64B/Grand Avenue, Highway 64 Willow from 4th Street to 30th Street, and Highway 64/30th Street from Willow to Owen K. Garriott. City of Enid Staff is in the process of providing public notice, and holding public hearings for an ordinance, which will affect billboards.

- Thirty-three (33) existing billboards on Highway 81/Van Buren Street
- Thirty-one (31) existing billboards on Highway 412/Owen K. Garriott Road
- One (1) existing billboard on Highway 64B/Grand Avenue

- Two (2) existing billboards on Highway 64 Willow from 4th Street to 30th Street
- 1 existing billboard on Highway 64/30th Street from Willow to Owen K. Garriott

Approximately eleven (11) billboards have no advertising.

The City of Enid issued the last permit for a billboard in 2002.

**PRESENTER:** Whitney Box.

**ATTACHMENTS:** None.

**RECOMMENDATION:** Approve the resolution.

**8.5 APPROVE RESOLUTION SUPPORTING THE NOMINATION OF ASSISTANT CITY MANAGER JOAN RILEY TO SERVE ON THE OKLAHOMA MUNICIPAL LEAGUE’S BOARD OF DIRECTORS.**

**BACKGROUND:** This resolution is to support the nomination of Assistant City Manager Joan Riley to serve on the Oklahoma Municipal League (OML) Board of Directors. OML is a non-profit corporation controlled by officials of member cities and towns working together for their mutual benefit. The OML serves as the individual and collective voice of local government officials in interactions at both state and national levels. It provides services and programs to members to assist them in serving their citizens and communities.

The OML is governed by a 17-member Board of Directors from eleven (11) statewide districts, of which Enid is a member of District (7). A vacancy on the OML Board of Directors from District Seven (7) currently exists.

**PRESENTER:** Eric Benson.

**ATTACHMENTS:** Resolution.

**RECOMMENDATION:** Approve.

**8.6 AWARD A CONTRACT TO CONTECH INC. TO REHABILITATE TAXIWAY AND APRONS AT THE ENID WOODRING REGIONAL AIRPORT, OKLAHOMA AERONAUTICS COMMISSION, PROJECT WDG-12-S, SUBJECT TO THE RECEIPT OF OKLAHOMA AERONAUTICS COMMISSION GRANT, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AND OKLAHOMA AERONAUTICS COMMISSION GRANT AGREEMENT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This project is a full-depth replacement of a large portion of the concrete apron areas on the North and South sides of the 32 series hangars along with a large area of the North and South taxiway to the West of those same hangars. This area has deteriorated significantly and needs to be repaired. It is anticipated that the Oklahoma Aeronautics Commission (OAC) will provide \$445,000.00 in grant funds. This project was advertised for competitive bids.

Three bids were received. Contech, Inc. submitted the lowest responsible bid of \$533,298.70. The total project cost, including the engineering fee is \$633,299.00. OAC's portion represents seventy (70) percent of the cost. The City of Enid will fund thirty (30) percent in the amount of \$188,299.00.

The Airport Fund will cover the City of Enid's portion of the cost.

**PRESENTER:** Dan Ohnesorge.

**ATTACHMENTS:** Tabulation of Bids.

**RECOMMENDATION:** Award contract, subject to the City's receipt of the OAC grant, to Contech Inc. in the amount of \$533,298.70, and authorize the Mayor to execute all contract and OAC grant documents relevant to this project after review by the City Attorney.

## CONSENT.

### 9.1 APPROVE GRANT CONTRACT FOR 2011-2012 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO PROVIDE THE ENID POLICE DEPARTMENT \$79,000.00 TO ASSIST IN REDUCING THE NUMBER OF ALCOHOL RELATED INJURY AND FATALITY COLLISIONS IN THE CITY OF ENID.

**BACKGROUND:** The Enid Police Department is entering the eighth (8) year of an ongoing project funded by the Oklahoma Highway Safety Office. The goal of this project is to reduce the number of alcohol related injury and fatality collisions through intensified traffic enforcement and education.

The Oklahoma Highway Safety Office has accepted the grant application submitted by the Enid Police Department, and has obligated funds to the department totaling \$79,000.00. These funds provide the Enid Police Department with approximately 2,400 hours of overtime traffic enforcement shifts dedicated towards impaired driving enforcement.

The continued efforts in aggressive traffic enforcement and education can only be met through additional funding.

**PRESENTER:** Mark Blodgett.

**ATTACHMENTS:** None. The Grant is on file in the Office of the City Clerk, and awaits signature from Mayor Shewey.

**RECOMMENDATION:** Approve.

**9.2 ACCEPT QUITCLAIM DEEDS FROM THE THELMA J. GUNGOLL REVOCABLE TRUST, DGE LIMITED PARTNERSHIP, HENRY GUNGOLL PROPERTIES, LLC, AND MYRA B. WARD AND CASIDY ANN WARD FOR RIGHT-OF-WAY FOR THE PEDESTRIAN TRAIL PROJECT PHASE II, PROJECT M-1001C.**

**BACKGROUND:** Properties were donated by owners to improve the trail function by allowing the trail to best fit the topography and streets in the area.

**PRESENTER:** Robert Hitt.

**ATTACHMENTS:** None. Deeds are on file in the Office of the City Clerk.

**RECOMMENDATION:** Approve.

**9.3 ACCEPT ENID SENIOR CENTER BUILDING NEW ROOFING PROJECT, M-1106A.**

**BACKGROUND:** This project replaces the existing asphalt shingle roof on the Senior Center Annex building with a new asphalt shingle roof system.

Heritage Roofing Systems of Oklahoma, Inc. has completed all work in accordance with the contract documents. The contract amount is \$11,100.00. There is a two (2) year maintenance agreement on this project.

This project was funded from the Capital Improvement Fund.

**PRESENTER:** Robert Hitt.

**ATTACHMENTS:** None.

**RECOMMENDATION:** Approve.

**9.4 REJECT BIDS FOR THE CONSTRUCTION OF THE GARRIOTT ROAD AND MONROE STREET SIDEWALK IMPROVEMENTS, PROJECT R-1104A, AND AUTHORIZE STAFF TO RE-ADVERTISE FOR BIDS.**

**BACKGROUND:** This project will reconstruct the sidewalks, Americans with Disability Act (ADA) ramps, and pavement markings on all four corners of Garriott Road and Monroe Street intersection. In addition, three pedestrian call stations with signal heads will be installed. This project was recommended by the ADA Compliance Board.

One bid was received from Young Contracting, LLC in the amount of \$168,778.86. The bid exceeds the Engineer's estimate of \$114,403.84.

**PRESENTER:** Robert Hitt.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Reject bid, and authorize staff to re-advertise for bids.

**9.5 ACCEPT A DEDICATION DEED FROM CHRYSTAL A. CRANE-WILLARD FOR RIGHT-OF-WAY FOR THE EAST CHESTNUT AVENUE OVER SKELETON CREEK BRIDGE REPLACEMENT PROJECT, R-1108, PARCEL NO. 1.**

**BACKGROUND:** The proposed bridge reconstruction on East Chestnut Avenue over Skeleton Creek will require additional right-of-way for construction and utility relocation. The acquisition of .40 acres for Parcel No. 1 at a cost of \$5,120.00 includes compensation for damages in the amount of \$4,520.00.

This acquisition is funded from the Capital Improvement Fund.

**PRESENTER:** Robert Hitt.

**ATTACHMENTS:** None. Deed is on file in the Office of the City Clerk.

**RECOMMENDATION:** Approve.

**9.6 ACCEPT TWO DEDICATION DEEDS FROM LARRY W. SIMPSON FOR RIGHT-OF-WAY FOR THE EAST CHESTNUT AVENUE OVER SKELETON CREEK BRIDGE REPLACEMENT PROJECT, R-1108, PARCEL NO. 2 AND PARCEL NO. 3**

**BACKGROUND:** The proposed bridge reconstruction on East Chestnut Avenue over Skeleton Creek will require additional right-of-way for construction and utility relocation. The acquisition of .02 acres for Parcel No. 2 at a cost of \$2,170.00 includes compensation for damages in the amount of \$2,140.00. The acquisition of .20 acres for Parcel No. 3 at a cost of \$2,546.00 includes compensation for damages in the amount of \$2,246.00.

This acquisition is funded from the Capital Improvement Fund.

**PRESENTER:** Robert Hitt.

**ATTACHMENTS:** None. Deeds are on file in the Office of the City Clerk.

**RECOMMENDATION:** Approve.



**9.7 REJECT BID FOR THE CONSTRUCTION OF BRIDGE EROSION IMPROVEMENTS, R-1024, AND AUTHORIZE STAFF TO RE-ADVERTISE FOR BIDS.**

**BACKGROUND:** This project will provide for repairs to four bridges and modifications to a fifth bridge to relieve flooding. All of the City of Enid's bridges are inspected on a bi-annual basis. These bridges were flagged in the last inspection as requiring critical repairs mainly to repair erosion and undermining of the structures.

One bid was received from Young Contracting, LLC in the amount of \$196,600.00. The bid exceeded the Engineer's estimate of \$129,546.50.

**PRESENTER:** Robert Hitt.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Reject bid, and authorize staff to re-advertise for bids.

**9.8 CHANGE ORDER NO. 1 AND PROJECT ACCEPTANCE FOR THE WRF AEROBIC DIGESTERS DECANT SYSTEM MODIFICATION, PROJECT S-1105A.**

**BACKGROUND:** J.S. Haren was contracted to replace decant systems on digesters No. One (1), No. Two (2), No. Three (3), and No. Four (4) at the Water Reclamation Facility.

The original contract amount was \$66,000.00 and the final contract amount is \$74,000.00. This change order adds \$8,000.00 to the original contract amount to meet higher safety standards of requiring a second qualified person on job site, and to add nine (9) calendar days to complete the work.

This project is funded from the Sanitary Sewer Capital Improvement Fund.

**PRESENTER:** Robert Hitt.

**ATTACHMENTS:** None. Change Order No. 1 is on file in the Office of the City Clerk.

**RECOMMENDATION:** Approve.

**9.9 ACCEPT CHANGE ORDER NO 1 TO REMOVE RUBBER BUILD-UP AND RE-MARK RUNWAY 17-35 PROJECT BEING PERFORMED BY HI-LITE MARKING, INC. AT ENID WOODRING REGIONAL AIRPORT AIP PROJECT, 3-40-0028-024-2011.**

**BACKGROUND:** The purpose of this Change Order was to re-submit quantities of paint used during the project. This project has been completed, and the total paint used was less than anticipated. This lowered the project cost from \$125,715.50 to \$118,579.42. FAA is funding ninety-five (95) percent of this project.

**PRESENTER:** Dan Ohnesorge.

**ATTACHMENTS:** Change Order No 1.

**RECOMMENDATION:** Accept Change Order No. 1.

**9.10 CONSIDERATION AND DENIAL OF TORT CLAIM OF DEBRA LYNN HOWARD.**

**BACKGROUND:** On June 29, 2011, Debra Lynn Howard submitted a tort claim for personal injury. She claims the injuries occurred August 12, 2010, while aboard an Enid Public Transportation Authority (EPTA) vehicle. The City of Enid forwarded that claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation into the claim. OMAG recommended that the City of Enid deny the tort claim.

**PRESENTER:** Jen O'Steen.

**ATTACHMENTS:** None. Letter is on file in the Office of the City Clerk.

**RECOMMENDATION:** Deny payment of the tort claim.

**9.11 APPROVE THE JUNE 30, 2010 INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS OF THE CITY OF ENID, OKLAHOMA, AND ITS RELATED AUTHORITIES.**

**BACKGROUND:** Ronald C. Cottrell, CPA, has completed the annual independent audit for the fiscal year ended June 30, 2010. Oklahoma law and various federal and state agencies, from which the City of Enid receives grants, require an annual financial audit. The financial statements provide the users (Mayor, Commissioners, City Manager, Staff, Citizens, Bond Holders, Creditors, Regulators, etc.) with valuable information concerning the City of Enid's financial condition. The audit gives reasonable assurance to these users that the financial statements are correct.

**PRESENTER:** Jerald Gilbert.

**ATTACHMENTS:** Independent Auditor's Report and Financial Statements, Management's Discussion and Analysis, and the Single Audit Report are

on file in the Office of the City Clerk. The Mayor and Commissioners have each been provided a copy for review and approval.

**RECOMMENDATIONS:** Approve.

**9.12 APPROVAL OF CLAIMS IN THE AMOUNT OF \$2,517,478.02.**

**ATTACHMENTS:** List of claims.

**RECOMMENDATION:** Approve.

**9. 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 \$387,954.30.**

**ATTACHMENTS:** 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 \$7,250.00.**

**ATTACHMENTS:** List of Claims.

**RECOMMENDATION:** Approve.

**16. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.**

**17. PUBLIC DISCUSSION.**

**19. ADJOURN.**