



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 7th day of February, 2012, 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 JANUARY 19, 2012.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.

6. HEARINGS.

- 6.1 CONDUCT A HEARING TO MODIFY THE LAND USE MAP OF THE ENID METROPOLITAN AREA COMPREHENSIVE PLAN 2025 FROM A LOW INTENSITY RESIDENTIAL DESIGNATION TO A MEDIUM INTENSITY COMMERCIAL DESIGNATION FOR PROPERTY LOCATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION TWELVE (12), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST.

BACKGROUND: This is a companion to Items 6.2, 7.1, and 7.2. This item concerns property located in the 800 Block of North Lincoln on the west side of the street. The applicant is requesting to change the land use from a Low Intensity Residential Designation to a Medium Intensity Commercial Designation. Currently, the property is utilized as pasture land for cattle. The applicant is proposing to erect a metal building on the property for personal storage.

The proposed amendment is consistent with the overall intent of the plan, results in an improved plan, and achieves the plan goal of infill.

The Enid Metropolitan Area Planning Commission (MAPC) voted unanimously to recommend approval at their January 23, 2012, regular meeting.

PRESENTER: Chris Bauer, Planning Administrator.

ATTACHMENTS: Response to Criteria and Land Use Map.

RECOMMENDATION: Conduct a hearing.

- 6.2 CONDUCT A HEARING TO REZONE PROPERTY DESCRIBED AS A TRACT IN THE NORTHWEST QUARTER (NW/4) OF SECTION TWELVE (12), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST FROM “R-4” RESIDENTIAL DUPLEX, OR TWO FAMILY DWELLING DISTRICT, TO “C-3” GENERAL COMMERCIAL DISTRICT.

BACKGROUND: This is a companion to Item 6.1, 7.1, and 7.2. The applicant is requesting to rezone the property from “R-4” Residential Duplex, or Two Family Dwelling District, to “C-3” General Commercial District. Currently, the property is utilized as pasture land for cattle. The applicant is proposing to erect a metal building for personal storage on the property.

The zoning pattern surrounding this request includes “I-3,” across the street to the north and east, with “R-4” to the south and west.

The Enid Metropolitan Area Planning Commission (MAPC) voted unanimously to recommend approval at their January 23, 2012, regular meeting.

PRESENTER: Chris Bauer, Planning Administrator.

ATTACHMENTS: Location Map.

RECOMMENDATION: Conduct a hearing.

6.3 CONDUCT A HEARING TO CLOSE A PORTION OF AN ALLEY LYING IN THE NORTHEAST QUARTER (NE/4) OF SECTION EIGHTEEN (18), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SIX (6) WEST OF THE INDIAN MERIDIAN, GARFIELD COUNTY, OKLAHOMA.

BACKGROUND: This is a companion to Item 8.1. The Engineering Department has received a request from Joann Boyd to close a portion of the alley located behind her home at 401 East York Avenue (L7-12, B11 Southern Heights 2nd Addition). Mrs. Boyd has planted grass and maintained this area for several years, but due to the increase in traffic through this alley, ruts and the tearing up the grass have been the result. She is requesting that this portion of the alley be closed to the public.

There is an existing sanitary sewer main located within this portion of easement. The City of Enid's Operating Department frequently uses the alley to access the sanitary sewer and does not support the closing.

The Enid Metropolitan Area Planning Commission (MAPC) reviewed this request at their January 23, 2012, meeting. A resident that backs up to the alley, east of the proposed closing, filed written objection to the closing, sighting the reduction in available access of emergency vehicles as reason for objection. The MAPC voted six to zero (6-0), denying the closing.

Pursuant to Section 7-1-4 of the Enid Municipal Code, 2003, all utility companies and property owners within three hundred (300) feet of the portion of the alley to be closed have been notified of this hearing.

PRESENTER: Robert Hitt, Director of Engineering Services.

ATTACHMENTS: Location Map.

RECOMMENDATION: Conduct a hearing.

7. COMMUNITY DEVELOPMENT.

- 7.1 CONSIDER A RESOLUTION TO MODIFY THE LAND USE MAP OF THE ENID METROPOLITAN AREA COMPREHENSIVE PLAN 2025 FROM A LOW INTENSITY RESIDENTIAL DESIGNATION TO A MEDIUM INTENSITY COMMERCIAL DESIGNATION FOR PROPERTY LOCATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION TWELVE (12), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST.**

BACKGROUND: This is a companion to Items 6.1, 6.2 and 7.2. This item concerns a property located in the 800 Block of North Lincoln on the west side of the street.

The Enid Metropolitan Area Planning Commission (MAPC) voted unanimously to recommend approval at their January 23, 2012, regular meeting.

PRESENTER: Chris Bauer, Planning Administrator.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

- 7.2 CONSIDER AN ORDINANCE REZONING PROPERTY DESCRIBED AS A TRACT IN THE NORTHWEST QUARTER (NW/4) OF SECTION TWELVE (12), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SEVEN (7) WEST FROM “R-4” RESIDENTIAL DUPLEX, OR TWO FAMILY DWELLING DISTRICT, TO “C-3” GENERAL COMMERCIAL DISTRICT.**

BACKGROUND: This is a companion to Items 6.1, 6.2, and 7.1. It concerns the property located at the southwest corner of Lincoln and Chestnut.

The Enid Metropolitan Area Planning Commission (MAPC) voted unanimously to recommend approval at their January 23, 2012, regular meeting.

PRESENTER: Chris Bauer, Planning Administrator.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Approve.

8. ADMINISTRATION.

8.1 CONSIDER AN ORDINANCE CLOSING TO THE PUBLIC A PORTION OF AN ALLEY LYING IN THE NORTHEAST QUARTER (NE/4) OF SECTION EIGHTEEN (18), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SIX (6) WEST OF THE INDIAN MERIDIAN, GARFIELD COUNTY, OKLAHOMA.

BACKGROUND: This is a companion to Item 6.3. The Engineering Department has received a request from Joann Boyd to close a portion of the alley located behind her home at 401 East York Avenue (L7-12, B11 Southern Heights 2nd Addition). Mrs. Boyd has planted grass and maintained this area for several years, but due to the increase in traffic through this alley, ruts and the tearing up the grass have been the result. She is requesting that this portion be closed to the public.

There is an existing sanitary sewer main located within this portion of the easement. The City of Enid's Operating Department uses the alley to access the sanitary sewer and does not support the closing. The Metropolitan Area Planning Commission (MAPC) reviewed this request at their meeting on January 23, 2012, and voted six to zero (6-0), denying the closing.

Pursuant to Section 7-1-4 of the Enid Municipal Code, 2003, all utility companies and property owners within three hundred (300) feet of the portion of the alley to be closed have been notified of this hearing.

If approved by the Mayor and Board of Commissioners, this ordinance will close the west portion of the alley described above, and retain a utility easement for access to the sanitary sewer.

PRESENTER: Robert Hitt, Director of Engineering Services.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Reject Ordinance, as it would limit access to public utilities and other residents.

8.2 REMOVE FROM THE TABLE AND CONSIDER AN EMERGENCY ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 12, ENTITLED "PARKING SPACE REQUIREMENTS," AND PROVIDING FOR REPEALER, EMERGENCY, SAVINGS CLAUSE, SEVERABILITY, AND CODIFICATION.

BACKGROUND: Because this ordinance amends the Zoning Code, the City of Enid was required to hold one (1) public hearing. The City of

Enid held three (3) public hearings and took written public comments. This ordinance will amend Title 11, Chapter 12 of the Enid Municipal Code, 2003. The amendment amends the definition of “Parking Space” in Section 11-12-1 to allow for larger parking spaces; clarifies language in Section 11-12-2, and would require compliance with the ordinance whenever a principle use, building or structure is changed, erected or enlarged; clarifies in Section 11-12-3 that physically disabled parking is required and directs readers to Section 11-12-4 for the requirements; and in Section 11-12-4, requires that parking spaces, driveways, and approaches to parking spaces and driveways be hard surfaced to prevent the raising of dust, and provides a list of approved materials, extends the three hundred (300) foot rule for parking in the C4 Central Business District to one quarter (1/4) mile, and provides for a public hearing and Commission approval should more than half of a business’ parking spaces be more than one eighth (1/8) of a mile from the business, and requires that physically disabled parking comply with the Americans with Disabilities Act and any other applicable Federal, State, or Local law, as those laws may be amended from time to time.

PRESENTER: Andrea Springer, City Attorney.

ATTACHMENTS: Emergency Ordinance.

RECOMMENDATION: Remove from the table and approve ordinance with emergency.

8.3 CONSIDER A RESOLUTION AMENDING THE 2011-2012 CAPITAL IMPROVEMENT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$44,981.00 TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS FOR THE CAPITAL IMPROVEMENT DEPARTMENT.

BACKGROUND: This is a companion to Item 9.4. The appropriated amounts for the 2011-2012 Capital Improvement Fund in the Capital Improvement Department must be increased to support the Renaissance change order for Key Construction by \$44,981.00. The additional funds are available from the fund balance in the Capital Improvement Fund.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

9. CONSENT.

9.1 APPROVE AN AGREEMENT WITH THE STATE OF OKLAHOMA FROM THE EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUND FOR FISCAL YEAR 2011-2012.

BACKGROUND: This agreement will provide for the sub-grant of a portion of the funds awarded to the State of Oklahoma under the Federal Emergency Management Agency's (FEMA) Emergency Management Preparedness Grant (EMPG) Program. This award totals \$10,000.00 and assists in operational costs of the City of Enid's Emergency Management Program. This agreement will be effective upon adoption by the Commission and will expire on September 30, 2012.

PRESENTER: Mike Honigsberg, Director of Emergency Management.

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

RECOMMENDATION: Approve.

9.2 APPROVE CHANGE ORDER NO. 3 WITH HENSON CONSTRUCTION COMPANY, ENID, OKLAHOMA, FOR THE CONSTRUCTION OF HANGARS AND APRONS AT WOODRING REGIONAL AIRPORT, PROJECT A-1101A.

BACKGROUND: This project constructs two (2) hangars at Enid Woodring Regional Airport. The first project is a large hangar capable of sheltering several aircraft. The Oklahoma Strategic Military Commission (OSMC) is providing a total of \$333,000.00 in grant assistance to help fund the large hangar. It will be used regularly for military traffic. The second hangar will shelter two (2) medium size aircraft, filling a demand for hangar space at the Airport.

Through discussions with corporate pilots, the Airport has discovered that more robust electrical power is needed in the large hangar than originally planned. Specifically, the Airport needs three (3) phase verses single phase with a much higher amperage load. This change order installs a three (3) phase main breaker panel, a three (3) phase meter base, and two (2) sixty (60) amp two hundred fifty (250) volt receptacles.

The original contract amount was \$756,000.00. This contract was revised per change orders No. 1 and No. 2 for a total amount of \$765,161.00. Change Order No. 3 will add \$4,302.00 to the contract for a total revised contact amount of \$769,463.00. No additional calendar days will be added to the work schedule.

There are sufficient funds available to cover the increased cost in the Airport Fund.

PRESENTER: Dan Ohnesorge, Woodring Regional Airport Director.

ATTACHMENTS: None. Change Order No. 3 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve.

9.3 APPROVE CHANGE ORDER NO. 1 WITH WORKSPACE FLOORING SOLUTIONS, LLC, D.B.A. SCOTT RICE, OKLAHOMA CITY, FOR THE TERRAZZO FLOORING INSTALLATION AT THE CITY OF ENID'S ADMINISTRATIVE BUILDING, PROJECT NO. M-1107A.

BACKGROUND: This project consists of renovating the first and second floor parquet at the City of Enid's Administrative Building. The existing parquet flooring was deteriorated, and it was recommended for replacement to limit trip hazards for City of Enid employees and the public.

The grinding of the floors, in preparation for terrazzo installation, has revealed that a crack isolation membrane will be required on the first and second level floors, covering three thousand three hundred square feet (3,300 SF). This change order will provide for the cost of installing one thousand nine hundred two square feet (1,902 SF) of crack isolation membrane to allow for the continuation of work. The cost of the additional isolation membrane exceeds the fifteen percent (15%) allowable change order amount. Therefore, the excess must be advertised for bid. A second change order will be considered to complete the membrane work upon the receipt of bids.

The original contract amount was \$77,338.23, and Change Order No. 1 will add \$11,392.98, for a revised total contract amount of \$88,731.21.

This project is funded from the Capital Improvement Fund.

PRESENTER: Robert Hitt, P.E., Director of Engineering Services.

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

RECOMMENDATION: Approve Change Order No. 1 with Workspace Flooring Solutions, LLC, in the amount of \$11,392.98.

9.4 APPROVE CHANGE ORDER NO. 1 WITH KEY CONSTRUCTION, LLC, OKLAHOMA CITY, OKLAHOMA, FOR THE ENID RENAISSANCE EVENT CENTER CONSTRUCTION PROJECT, M-1109E.

BACKGROUND: This is a companion to Item 8.3. Key Construction was awarded the Enid Renaissance Event Center construction project on October 11, 2011, for a contract amount of \$17,444,444.00. The new facility will be constructed just west of the existing Conference Center and across existing utilities. This change order is presented to add the placement of conduits around the new Event Center site, allowing for the relocation of AT&T, Suddenlink, and OG&E lines. The work includes the placement of four (4) four inch (4”) diameter conduits with access hand-hole vaults at the connection points into the Event Center and Cherokee Strip Conference Center.

This change order will add \$44,981.00 to the contract amount for a total revised contract amount of \$17,489,425.00.

This project is funded from the Capital Improvement Fund.

PRESENTER: Bob Myers, Program Manager, Carter & Associates.

ATTACHMENTS: None. Change Order No. 1 will be provided by Carter and Associates.

RECOMMENDATION: Approve Change Order No. 1.

9.5 APPROVAL OF CLAIMS IN THE AMOUNT OF \$1,936,983.05.

ATTACHMENTS: List of claims.

RECOMMENDATION: Approve.

10. RECESS TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.

11. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12. ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12.1 APPROVAL OF CLAIMS IN THE AMOUNT OF \$248,842.01.

ATTACHMENTS: List of claims.

RECOMMENDATION: Approve.

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

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 \$24,320.00.

ATTACHMENTS: List of Claims.

RECOMMENDATION: Approve.

16. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.

17. PUBLIC DISCUSSION.

18. CONSIDER CONVENING INTO EXECUTIVE SESSION TO CONSIDER RENEGOTIATING AND/OR RENEWING THE PROFESSIONAL JUDICIAL SERVICES AGREEMENTS WITH JAMES F. LONG AND LINDA MCKNIGHT PICKENS; AND TO DISCUSS THE PURCHASE AND/OR APPRAISAL OF REAL PROPERTY, AND TO DISCUSS ECONOMIC DEVELOPMENT; 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)(1), employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried employee; and pursuant to 25 Okla. Stat. 307(B)(3), to discuss “the purchase or appraisal of real property” and pursuant to 25 Okla. Stat. §307(C)(10), to discuss “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,” because public disclosure would violate the confidentiality of the businesses involved.

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

19. ADJOURN.