

MINUTES OF REGULAR MEETING OF
MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ENID, OKLAHOMA,
TRUSTEES OF THE ENID MUNICIPAL AUTHORITY, A PUBLIC TRUST, AND
TRUSTEES OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY, A PUBLIC TRUST
HELD ON THE 6TH DAY OF SEPTEMBER 2012

The Mayor and Board of Commissioners of the City of Enid, County of Garfield, State of Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, and the Trustees of the Enid Economic Development Authority, a Public Trust, met in regular meeting in the Council Chambers of the Administration Building of the City of Enid, located at 401 West Owen K. Garriott Road in said city, at 6:30 P.M. on the 6th day of September 2012, pursuant to notice given by December 15, 2011, to the Clerk of the City of Enid, and pursuant to notice thereof displayed at the entrance to the Administration Building of said city, in prominent view and which notice was posted prior to 5:00 P.M. on the 5th day of September 2012.

-MAYOR AND BOARD OF COMMISSIONERS-

Mayor Shewey called the meeting to order with the following members present and absent:

PRESENT: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

ABSENT: Commissioners Stuber and Ging.

Staff present were Assistant City Manager Joan Riley, City Attorney Andrea Springer, City Clerk Linda Parks, Engineering Director Robert Hitt, Finance Director Jerald Gilbert, Public Works Director Jim McClain, Planning Administrator Chris Bauer, Human Resource Director Sonya Key, Safety Director Billy McBride, Police Chief Brian O'Rourke, Director of Aviation Dan Ohnesorge, and Ex-Officio Member Col. Darren James.

Pastor Rodney Wardwell from Central Assembly Church gave the Invocation, and Finance Director Jerald Gilbert led the Flag Salute.

Motion was made by Commissioner Janzen and seconded by Commissioner Blackburn to approve the minutes of the regular Commission meeting of August 21, 2012, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

NAY: None.

Mr. Stan Locke presented "Frank", a four-month old male Daschund puppie, available for adoption at the Enid Animal Shelter.

Assistant City Manager Joan Riley recognized Utility Services Manager Scott Morris and customer service representatives Charlotte Amrine, Kelley Munkres, and Amber Ferguson, for their high standard of customer service exhibited during and since implementation of the City of Enid's water conservation measures.

AFSCME President Mike Goodpasture presented Mr. Clifford Porter, Director of the Booker T. Washington Community Center, a check in the amount of \$754.00, representing ASFCME's proceeds from concession sales during the Thunder basketball games shown at David Allen Memorial Ballpark.

Motion was made by Commissioner Janzen and seconded by Commissioner Ritchie to remove from the table an appointment to the Vance Development Authority, which was tabled at the August 21, 2012 regular Commission meeting, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

NAY: None.

Following brief discussion, motion was made by Commissioner Janzen and seconded by Commissioner Ritchie to appoint Mr. Steve Barnes to the Vance Development Authority, as representative of the Garfield County Industrial Authority, to serve the remainder of a four (4) year term to March 1, 2016, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie and Mayor Shewey.

NAY: Commissioner Wilson.

A hearing was conducted on a request to rezone property known as the North 265 feet of Lot 2, Block 1, King's Garden Addition, located at 3711 King Street, from Class "R-7" Residential Multi-Family District, to "C-3" General Commercial District.

No comments were received.

Motion was made by Commissioner Ritchie and seconded by Commissioner Blackburn to adopt an ordinance rezoning property known as the North 265 feet of Lot 2, Block 1, King's Garden Addition, located at 3711 King Street, from Class "R-7" Residential Multi-Family District, to "C-3" General Commercial District, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

NAY: None.

ORDINANCE NO. 2012-18

AN ORDINANCE AMENDING TITLE 11, CHAPTER 2, SECTION 11-2-1 OF THE ENID MUNICIPAL CODE, 2003, BY CHANGING THE ZONING ON A CERTAIN PROPERTY AND DESCRIBING THE SAME, AMENDING THE ZONING MAP ACCORDINGLY.

Motion was made by Commissioner Ritchie and seconded by Commissioner Blackburn to approve a resolution increasing the 2012-2013 Capital Improvement Fund Budget by appropriating funds

in the amount of \$21,400.00 to fund Change Order No. 3 with Convergence Design, LLC, for additional design services for Project M-1109A, Enid Event Center; and to approve said change order as presented, which will design additional structural steel in the Event Center to support overhead equipment necessary to sustain the full range of uses anticipated, and re-design the south parking lot around Café Garcia restaurant, at an additional cost of \$21,400.00, for a total revised contract amount of \$1,554,150.00, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

NAY: None.

Discussion was held regarding an ordinance amending Section 6-1-4 in Chapter 1, Title 6 of the Enid Municipal Code, 2003, entitled “Security Verification Form”; amending Section 6-1-5 entitled “Driving Without Valid License; Unauthorized Drivers; Failure To Produce License; Failure To Update License”, amending Section 6-1-11 entitled “School Zones”; amending Section 6-1-13 entitled “License Tag Required On Vehicle”; amending Section 6-5-1 in Chapter 5, Title 6, entitled “Speed And Related Restrictions”; creating Section 6-5-10 in Chapter 5, Title 6, entitled “Overtaking And Passing Bicycles”; and amending Section 6-7-3 in Chapter 7, Title 6, entitled “Obstruction To Driver’s View; Overloading School Bus”.

Captain Jack Morris of the Enid Police Department reviewed the proposed ordinance, and answered questions and concerns of the Commission.

Motion was made by Commissioner Ritchie to adopt said ordinance as presented.

Motion died for lack of second.

Motion was made by Commissioner Wilson to adopt said ordinance, with the exception of Section 6-5-1, entitled “Speed And Related Restrictions”, which would change un-posted speeds from 30 miles per hour to 25 miles per hour to improve safety.

Motion was seconded by Commissioner Ritchie.

Following discussion, Commissioner Ritchie withdrew his second, and Commissioner Wilson withdrew her motion.

Motion was made by Commissioner Ritchie to consider Section 6-5-1, entitled "Speed And Related Restrictions", independently, which motion was seconded by Commissioner Wilson.

Clarification of the motion was requested, whereupon Commissioner Wilson amended her second and Commissioner Ritchie amended his motion to consider Section 6-5-1 independently, with an AYE vote meaning that the speed limit would be changed from 30 miles per hour to 25 miles per hour, and a NAY vote meaning that the speed limit would remain unchanged.

The vote was taken as follows:

AYE: Commissioners Blackburn, Ritchie and Mayor Shewey.

NAY: Commissioners Janzen and Wilson.

Motion was then made by Commissioner Ritchie and seconded by Commissioner Wilson to adopt the balance of said ordinance as presented, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

NAY: None.

ORDINANCE NO. 2012-19

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, AMENDING TITLE 6, ENTITLED "MOTOR VEHICLES AND TRAFFIC," CHAPTER 1, ENTITLED "GENERAL TRAFFIC PROVISIONS," SECTION 6-1-4, ENTITLED "SECURITY VERIFICATION FORM," TO ALLOW FOR THE SEIZURE AND TOWING OF VEHICLES; AMENDING 6-1-5, ENTITLED "DRIVING WITHOUT A LICENSE; UNAUTHORIZED DRIVERS," FOR CLARIFICATION AND TO PROVIDE PENALTIES FOR FAILURE TO PRODUCE LICENSE AND FAILURE TO UPDATE LICENSE; AMENDING TITLE 6, ENTITLED "MOTOR VEHICLES AND TRAFFIC," CHAPTER 1, ENTITLED "GENERAL TRAFFIC PROVISIONS," SECTION 6-1-11, ENTITLED "SCHOOL ZONES," TO CLARIFY LANGUAGE REGARDING VIOLATIONS; AMENDING TITLE 6, ENTITLED "MOTOR VEHICLES AND TRAFFIC," CHAPTER 1, ENTITLED "GENERAL TRAFFIC PROVISIONS," SECTION 6-1-13, ENTITLED "LICENSE TAG REQUIRED ON VEHICLE," TO ALLOW FOR THE SEIZURE AND TOWING OF VEHICLES AND SALE OF VEHICLES; AMENDING TITLE 6, ENTITLED "MOTOR VEHICLES AND TRAFFIC," CHAPTER 5, ENTITLED "DRIVING RULES," SECTION 6-5-1, ENTITLED "SPEED AND RELATED RESTRICTIONS," TO CLARIFY THE LANGUAGE REGARDING THE OFFENSE OF CARELESS DRIVING AND TO CHANGE THE CITY-WIDE SPEED LIMIT; CREATING TITLE 6, ENTITLED "MOTOR VEHICLES AND TRAFFIC,"

CHAPTER 5, ENTITLED “DRIVING RULES,” SECTION 6-5-10, ENTITLED “OVERTAKING AND PASSING BICYCLES”; AMENDING TITLE 6, ENTITLED “MOTOR VEHICLES AND TRAFFIC,” CHAPTER 7, ENTITLED “MISCELLANEOUS RULES,” SECTION 6-7-3, ENTITLED “OBSTRUCTION TO DRIVER’S VIEW; OVERLOADING SCHOOL BUS” TO CLARIFY LANGUAGE; PROVIDING FOR REPEALER, SAVINGS CLAUSE SEVERABILITY, AND CODIFICATION.

An ordinance amending Section 3-7-6 in Chapter 7, Title 3 of the Enid Municipal Code 2003, entitled “False Alarms”, and amending Section 5-4-1 in Chapter 5 entitled “Administration”, Section 5-4-2 entitled “Cooperation With Other Governing Bodies”, and Section 5-4-3 entitled “Misuse Of 911 And False Reporting Of An Emergency”, was presented by Lt. Ryan Singleton of the Enid Police Department. He explained that the proposed ordinance would allow the Enid/Garfield County 911 Center to enter into an Interlocal Agreement with Garfield County and Major County, and create a new 911 Board entitled “The 911 Board of Enid, Garfield County, and Major County”, to oversee the operation of the Joint Emergency Telephone system.

Following brief discussion, motion was made by Commissioner Janzen and seconded by Commissioner Ritchie to adopt said ordinance as presented, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

NAY: None.

ORDINANCE NO. 2012 - 20

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2003, TITLE 3, ENTITLED “BUSINESS LICENSE REGULATIONS; CHAPTER 7, ENTITLED “SECURITY COMPANIES AND ALARM SYSTEMS,” SECTION 3-7-6 FOR CLARIFICATION AND AMENDING PENALTIES; AMENDING THE ENID MUNICIPAL CODE 2003, TITLE 5, ENTITLED PUBLIC SAFETY; CHAPTER 4, ENTITLED “ENHANCED 911 EMERGENCY TELEPHONE SERVICE,” SECTION 5-4-1 TO PROVIDE FOR THE ENID CHIEF OF POLICE TO ADMINISTER THE 911 SYSTEM; AMENDING MUNICIPAL CODE 2003, TITLE 5, ENTITLED PUBLIC SAFETY; CHAPTER 4, ENTITLED “ENHANCED 911 EMERGENCY TELEPHONE SERVICE,” SECTION 5-4-2 TO PROVIDE FOR COOPERATION WITH GARFIELD AND MAJOR COUNTIES TO CREATE THE 911 BOARD OF ENID, GARFIELD COUNTY, AND MAJOR COUNTY; AMENDING MUNICIPAL CODE 2003, TITLE 5, ENTITLED PUBLIC SAFETY; CHAPTER 4, ENTITLED “ENHANCED 911 EMERGENCY TELEPHONE SERVICE,” SECTION 5-4-3 FOR CLARIFICATION AND AMENDING

PENALTIES; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY, AND CODIFICATION.

Discussion was held regarding bids received for the lease of 150 acres of grassland located west of Enid Woodring Regional Airport and east of Rupe Avenue. It was noted that bids were received from Rodney Timm Farms, Enid, Oklahoma, in the amount of \$4,000 per year, and Mr. Mike Cantellay, Carrier, Oklahoma, in the amount of \$4,100.00 per year.

Director of Public Works Jim McClain explained that both bids were twenty percent (20%) less than estimated lease prices for this category of property, and asked commissioners to consider rejecting the bids, and authorize staff to rebid the lease.

Motion was made by Commissioner Janzen to reject the bids and authorize staff to rebid the lease as recommended by staff.

Mr. Mike Cantellay addressed the Commission, stating that his bid of \$27.00 per acre was in line with current grass leases. He stated he would like a long-term lease, would make improvements to the acreage at his own expense, and offered to re-negotiate his bid for the first year.

Motion was seconded by Commissioner Wilson.

Following further discussion, Commissioner Wilson withdrew her second.

Commissioner Ritchie then seconded the original motion to reject said bids and authorize staff to rebid the lease, and the vote was as follows:

AYE: Commissioners Janzen, Ritchie, Wilson and Mayor Shewey.

NAY: Commissioner Blackburn.

Motion was made by Commissioner Ritchie and seconded by Commissioner Wilson to approve staff recommendations on the following Consent Items as listed, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

NAY: None.

- (1) Approval of contract award for the purchase of Furniture for the Enid Event Center and Convention Hall offices and limited public space areas, to the low bidder, Business Interiors by Staples, Aston, Pennsylvania, in the amount of \$49,787.96;
- (2) Approval of award of purchase for Plastic Tables, Skirting and Carts for the Enid Event Center and Convention Hall, to Mity-Lite (General Services Administrator contractor), Orem, Utah, in the amount of \$68,886.20;
- (3) Approval of award of purchase for Chairs and Carts for the Enid Event Center and Convention Hall, to Gill Marketing Company (General Services Administrator contractor), Phoenix, Arizona, in the amount of \$82,210.50;
- (4) Acceptance of the following described Easement for Public Highway and Temporary Easement in Block 4, Willow West Subdivision, from Scott and Juanita Warfield, in conjunction with Project R-0303D, Willow Road Widening;
- (5) Approval of Change Order No. 1 with S. L. Madison Construction, LLC, for Project P-1207A, ADA Improvements at Meadowlake Park South and Northeast Restrooms, which will install new ceiling plywood and insulation in the restrooms at Meadowlake Park South, at an additional cost of \$1,935.00, for a total revised contract amount of \$56,658.00;
- (6) Approval of Change Order No. 1 with Heritage Roofing Systems of Oklahoma, Inc. for Project M-0908A, Enid Service Center Building 100 Roof Replacement, which will add \$345.80 to the contract for replacement of rotted wood and one (1) additional downspout, for a total revised contract amount of \$118,845.80; and acceptance of work in said project as completed by the contractor;
- (7) Acceptance of work completed by The Cummins Construction Company, Inc., for Project R-1102A, 2011 Street Resurfacing Program;
- (8) Acceptance of property acquisition in the N.W./4 of Section 3-22-7, located east of Garland Road and south of Willow Road, from Eldon and Aletha Craig for Project R-0303D, Garland Tributary and Chestnut West Detention Facilities, in the amount of \$840,446.00;
- (9) Approval of Change Order No. 3 with Luckinbill, Inc. for Project S-1101A, Sanitary Sewer Point Repairs, which will add 23 additional point repairs and adjust pricing to match quantities placed in Change Order No. 2, at an additional cost of \$125,000.00, for a total revised total contract amount of \$1,544,178.50, and will add 360 days to the original contract to complete the additional work;
- (10) Approval of Agreement with the United States Department of the Interior Geological Survey for stream monitoring on Skeleton Creek;

and

(11) Allowance of the following claims for payment as listed:

Mayor Shewey recessed the meeting to convene as the Enid Municipal Authority.

-TRUSTEES OF THE ENID MUNICIPAL AUTHORITY-

PRESENT: Trustees Janzen, Blackburn, Ritchie, Wilson, Chairman Shewey, Assistant Trust Manager Joan Riley, Trust Attorney Andrea Springer and Secretary Linda Parks.

ABSENT: Trustees Stuber and Ging.

Motion was made by Trustee Ritchie and seconded by Trustee Blackburn to approve a resolution increasing the 2012-2013 Fiscal Financial Plan for the Enid Municipal Authority in the amount of \$21,400.00, to support Amendment No. 3 with Convergence Design, LLC for additional design services for Project M-1109A, Enid Event Center, and the vote was as follows:

AYE: Trustees Janzen, Blackburn, Ritchie, Wilson and Chairman Shewey.

NAY: None.

Motion was made by Trustee Ritchie and seconded by Trustee Blackburn to allow the following claims for payment as listed, and the vote was as follows:

AYE: Trustees Janzen, Blackburn, Ritchie, Wilson and Chairman Shewey.

NAY: None.

Chairman Shewey adjourned the meeting to convene as the Enid Economic Development Authority.

-TRUSTEES OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY-

PRESENT: Trustees Janzen, Blackburn, Ritchie, Wilson, Chairman Shewey, Assistant Trust Manager Joan Riley, Trust Attorney Andrea Springer and Secretary Linda Parks.

ABSENT: Trustees Stuber and Ging.

Motion was made by Trustee Ritchie and seconded by Trustee Blackburn to allow the following claims for payment as listed, and the vote was as follows:

AYE: Trustees Janzen, Blackburn, Ritchie, Wilson and Chairman Shewey.

NAY: None.

Chairman Shewey adjourned the meeting to reconvene as the Enid City Commission.

-MAYOR AND BOARD OF COMMISSIONERS-

There being no further business to come before the Board at this time, motion was made by Commissioner Ritchie and seconded by Commissioner Wilson that the meeting adjourn, and the vote was as follows:

AYE: Commissioners Janzen, Blackburn, Ritchie, Wilson and Mayor Shewey.

NAY: None.

The meeting adjourned at 7:15 P.M.