

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 18TH 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 18th 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 17th 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, Stuber, Blackburn, Ritchie, Wilson, Ging and Mayor Shewey.

ABSENT: None.

Staff present were City Manager Eric Benson, Assistant City Manager Joan Riley, City Attorney Andrea Springer, City Clerk Linda Parks, Engineering Director Robert Hitt, Finance Director Jerald Gilbert, Human Resource Director Sonya Key, Safety Director Billy McBride, Fire Chief Joe Jackson, Director of Aviation Dan Ohnesorge, and Ex-Officio Member Chief Master Sgt. Mark Aman.

Pastor Noah Bailey from Enid Reformed Presbyterian Church gave the Invocation, and Chief Master Sgt. Mark Aman led the Flag Salute.

Motion was made by Commissioner Ritchie and seconded by Commissioner Janzen to approve the minutes of the regular Commission meeting of September 6, 2012, and the vote was as follows:

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

NAY: None.

Mr. Stan Locke presented “BeBe”, a three-month old female Boxer mix, available for adoption at the Enid Animal Shelter.

City Manager Eric Benson recognized City Administration Building receptionists Sheri Wise and Janice Alfonso.

Proclamations were read and presented proclaiming September 24, 2012 as “A. W. Brueggemann Co., Inc. Day”, and the week of September 17-23, 2012 as “Constitution Week”.

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 additional funds in the amount of \$298,535.00 to fund installation of network hardwiring and equipment, and installation of wireless technology hardware and software for Convention Hall and the Enid Event Center, and the vote was as follows:

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

NAY: None.

Motion was made by Commissioner Ritchie and seconded by Commissioner Stuber to award the purchase of a Network Hardwiring System for Convention Hall and the Event Center, Project M-1109J, to the State contractor, Chickasaw Telecom, Inc., Oklahoma City, Oklahoma, in the amount of \$161,285.60, and the vote was as follows:

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

NAY: None.

Motion was made by Commissioner Ritchie and seconded by Commissioner Blackburn to award the purchase of Wireless Service Installation for Convention Hall and the Event Center, Project M-1109J, to the State contractor, Sigma Technology Solutions, Inc., Broken Arrow, Oklahoma, in the amount of \$117,249.40, and the vote was as follows:

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

NAY: None.

Discussion was held regarding a resolution increasing the 2012-2013 Capital Improvement Fund Budget by appropriating additional funds in the amount of \$471,620.00 to fund the construction of parking lots for the Renaissance Project.

Director of Engineering Robert Hitt provided a brief update regarding the project, and bids received. He noted that the lowest responsible bid for asphalt pavement was submitted by Henson Construction Company, Enid, Oklahoma, with a total bid, including all alternates, in the amount of \$2,268,010.00. Additionally, he noted that the lowest responsible bid for concrete pavement was also submitted by Henson Construction Company, with a total bid, including all alternates, in the amount of \$2,395,610.00.

Motion was made by Commissioner Stuber and seconded by Commissioner Wilson to award a contract to Henson Construction Company for said project, for concrete pavement and all alternates.

Following brief comments, Commissioner Wilson amended her second, and Commissioner Stuber amended his motion, to approve said resolution as presented by staff, and the vote was as follows:

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

NAY: None.

Motion was made by Commissioner Ritchie and seconded by Commissioner Blackburn to award a contract for Project M-1215A, Enid Renaissance Parking, to the lowest responsive bidder, Henson Construction Company, Enid, Oklahoma, for the base bid and all alternates for concrete pavement in the amount of \$2,395,610.00, and the vote was as follows:

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

NAY: None.

Motion was made by Commissioner Stuber and seconded by Commissioner Blackburn to table contract award for Project P-1205A, Meadowlake Park Carousel House.

Following discussion, Commissioner Blackburn amended his second and Commissioner Stuber amended his motion to table said item, with the request that the design team come back with other options for said project, with cost savings estimates, and the vote was as follows:

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

NAY: None.

Discussion was held regarding modifications to the freestanding sign at the Van Buren Square Shopping Center. Comments were received from Ms. Whitney Box, Director of Strategic and Long Range Planning, regarding an exception to the height restriction of the sign abutting Van Buren Avenue, sought by the applicant. Commissioners were advised that if modified, the grandfathered sign would become subject to the City's sign ordinance, which restricted height to 30 feet. She added that the sign

currently stood at approximately 38 feet, and with requested modifications, would be approximately 40 feet in height. She went on to say that if the exception was denied by the Commission, the applicant could appeal the decision to the Board of Adjustment, and District Court, if denied by that body.

Mr. Brad Waken addressed the Commission on behalf of the applicant, stating that the sign height was a key element in promoting sales and traffic to the shopping center, and a specific benefit to the store.

Following further discussion, motion was made by Commissioner Ritchie and seconded by Commissioner Blackburn to deny the exception, and the vote was as follows:

AYE: Commissioners Stuber, Blackburn, Ritchie, Wilson, Ging and Mayor Shewey.

NAY: Commissioner Janzen.

A presentation on water restriction modifications was made by City Manager Eric Benson. Following a review of water conservation measures implemented by the City of Enid, Mr. Benson advised commissioners that with recent temperature drops and rains, he was prepared to re-implement Phase I of the restrictions, which provided odd/even watering without time restrictions, by September 24, 2012, and lift all restrictions by October 1, 2012.

Motion was made by Commissioner Ritchie and seconded by Commissioner Blackburn to approve the list of Consent Items as recommended by staff.

Commissioner Janzen asked that Item 9.4, Award The Purchase Of The Enid Event Center And Convention Hall Performance Stage, Americans With Disabilities (ADA) Ramp, Mix Platforms, Meeting Room Risers, And Crowd Control Barricades, be removed from the list of Consent Items.

Commissioner Blackburn amended his second and Commissioner Ritchie amended his motion to approve the list of Consent Items as recommended by staff, with the exception of Item 9.4, and the vote was as follows:

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

NAY: None.

- (1) Approval of Request for the Release of Funds and Certification to the U.S. Department of Housing and Urban Development for 2012 Community Development Block Grant Program activities in the amount of \$405,210.00;
- (2) Approval of Funding Approval Agreement with the U.S. Department of Housing and Urban Development for Fiscal Year 2012 Community Development Block Grant funding in the amount of \$405,210.00;
- (3) Approval of Change Order No. 3 with Contech, Inc. for Oklahoma Aeronautics Commission Project WDG-12-S, Rehabilitate Taxiway and Aprons at Enid Woodring Regional Airport, which will remove paint from the taxiway and adjust quantities as placed, at an additional cost of \$2,576.65, for a total revised contract amount of \$549,469.61; and acceptance of work completed by the contractor in said project;
- (4) Approval of Change Order No. 1 with Hembree & Hodgson Construction, LLC, for Project M-1212A, Service Center Building Maintenance Facility, which will add extended metal side panels to the facility and excavate and dispose an unforeseen layer of asphalt found under the topsoil, at a cost of \$5,390.00, for a total revised contract amount of \$123,640.00, and add 21 calendar days to the contract time for the additional work;
- (5) Approval of Agreement with Oklahoma State University for Project No. W-1204B, Professional Services for Sampling Analysis Evaluation of Water Depth and Water Quality in Enid Well Fields, Phase II, in an amount not to exceed \$106,520.00;
- (6) Approval of Change Order No. 2 with RJR Enterprises, Inc. for Project No. P-1203A, Champion Park Splash Pad, which will remove bermuda grass solid slab sod at a reduction of \$6,720.00, for a total revised contract amount of \$256,142.50;

and

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

Commissioner Janzen asked for clarification of items being purchased with respect to Item 9.4, Award The Purchase Of The Enid Event Center And Convention Hall Performance Stage, Americans With Disabilities (ADA) Ramp, Mix Platforms, Meeting Room Risers, And Crowd Control Barricades.

Mr. Keller Taylor, General Manager of Convention Hall and the Enid Event Center, addressed the Commission, and provided an explanation of items being purchased.

Motion was made by Commissioner Janzen and seconded by Commissioner Ritchie to award the purchase of said items to the lowest responsible bidder, StageRight, Claire, Michigan, in the amount of \$127,910.00, and the vote was as follows:

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

NAY: None.

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

-TRUSTEES OF THE ENID MUNICIPAL AUTHORITY-

PRESENT: Trustees Janzen, Stuber, Blackburn, Ritchie, Wilson, Ging, Chairman Shewey, Trust Manager Eric Benson, Trust Attorney Andrea Springer and Secretary Linda Parks.

ABSENT: None.

Motion was made by Trustee Ritchie and seconded by Trustee Stuber to approve a resolution increasing the 2012-2013 Fiscal Financial Plan for the Enid Municipal Authority in the amount of \$298,535.00, to fund installation of network hardwiring and equipment, and installation of wireless technology hardware and software for Convention Hall and the Enid Event Center, and the vote was as follows:

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

NAY: None.

Motion was made by Trustee Ritchie and seconded by Trustee Stuber to approve a resolution increasing the 2012-2013 Fiscal Financial Plan for the Enid Municipal Authority in the amount of \$471,620.00, to fund the construction of parking lots for the Renaissance Project, and the vote was as follows:

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

NAY: None.

A brief presentation was made by Robinson Camp, Deputy Director of Public Works, regarding a proposed contract with Cartegraph Systems, Inc., Dubuque, Iowa, to implement software for training and support services. Trustees were advised that work management and fleet management software from Cartegraph Systems, Inc., was currently being utilized by the City of Enid, and the new software would upgrade and personalize the program to further meet the needs of the City, at a total cost of \$124,485.00.

Following discussion, motion was made by Trustee Stuber and seconded by Trustee Wilson to award a contract to implement software for training and support services, to Cartegraph Systems, Inc., in the amount of \$124,485.00, and the vote was as follows:

AYE: Trustees Janzen, Stuber, Blackburn, Ritchie, Wilson, Ging 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, Stuber, Blackburn, Ritchie, Wilson, Ging 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, Stuber, Blackburn, Ritchie, Wilson, Ging, Chairman Shewey, Trust Manager Eric Benson, Trust Attorney Andrea Springer and Secretary Linda Parks.

ABSENT: None.

Brief discussion was held regarding amendments for the purchase of downtown properties in the amount of \$100,173.00. It was noted that in July 2011, properties located at 414 South Grand and 412 South Grand were purchased by the City of Enid. Original agreements required both sellers to construct new buildings. Subsequently, additional costs for parking and fencing that were not known at the time of the original agreements were encountered by the sellers. As a result, tentative agreements were reached to pay for the required parking and fencing, in the total amount of \$100,173.00.

Motion was made by Trustee Ritchie and seconded by Trustee Wilson to approve amendments to downtown property purchases located at 414 South Grand and 412 South Grand in the amount of \$100,173.00, and the vote was as follows:

AYE: Trustees Janzen, Stuber, Blackburn, Ritchie, Wilson, Ging 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, Stuber, Blackburn, Ritchie, Wilson, Ging 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 Janzen that the meeting adjourn, and the vote was as follows:

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

NAY: None.

The meeting adjourned at 7:49 P.M.