



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

BOARD OF COMMISSIONERS

NOTICE OF SPECIAL STUDY SESSION

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 special session at 5:00 p.m. on the 10th day of February, 2014, in the Lower Level Conference Room 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:

- SPECIAL STUDY SESSION AGENDA -

1. CALL TO ORDER/ROLL CALL.
2. AT THE COMMISSIONERS' REQUEST, DISCUSS ANY ITEM OF CONCERN ON THE REGULAR SESSION AGENDA OF FEBRUARY 10, 2014.
3. FINANCING OPTIONS FOR DOWNTOWN GARAGE PRESENTED BY ALLAN BROOKS.
4. NORTH DAKOTA-BAKKEN IMPACT STUDY PRESENTATION.
5. CIP PROJECT STATUS REVIEW.
6. 4TH QUARTER 2013 WORKERS' COMPENSATION UPDATE.
7. DISCUSS ORDINANCE CONCERNING VACANT BUILDING REGISTRY.

8. AT THE REQUEST OF COMMISSIONER EZZELL, DISCUSS LOAVES AND FISHES PARKING SITUATION.
9. ADJOURN.



City of Enid
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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 10th day of February, 2014, 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 THE REGULAR MEETING OF JANUARY 23, 2014.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
 - 5.2 PROCLAMATION: AMBUCS.

5.3 PROCLAMATION: WAGON WHEEL WAY.

5.4 PROCLAMATION: ENID TEEN THEATRE AT GASLIGHT.

6. HEARINGS.

6.1 NONE.

7. COMMUNITY DEVELOPMENT.

7.1 CONSIDER APPROVAL OF THE RE-PLAT OF BLOCK 32, ORIGINAL TOWNSITE OF ENID, AND THE NORTH HALF OF CHEROKEE AVENUE LYING SOUTH AND CONTIGUOUS TO BLOCK 32.

BACKGROUND: This item involves a re-plat of Block 32, original Townsite of Enid and the north half of Cherokee Avenue. The proposed replat of Block 32 contains three (3) lots. Lot One (1) will be developed as retail and parking garage, Lot Two (2) will be developed as a hotel, and Lot Three (3) is part of the Event Center development.

Currently, the property is zoned C-4 Commercial Central Business District.

The replat conforms to the provisions of Title 12 Chapter 5, The Final Plat of the City of Enid Subdivision Regulations.

The Metropolitan Area Planning Commission unanimously recommended approval at their January 27, 2014 meeting.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Re-plat.

RECOMMENDATION: Approve Re-plat.

PRESENTER: Chris Bauer, Planning Administrator.

8. ADMINISTRATION.

8.1 AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, TITLE 7, ENTITLED "PUBLIC WAYS AND PROPERTY," CREATING CHAPTER 11, ENTITLED "PUBLIC ACCESS TELEVISION ADVISORY BOARD," SECTIONS 7-11-1 THROUGH 7-11-6 TO CREATE AND OUTLINE THE RULES AND RESPONSIBILITIES OF THE BOARD; PROVIDING FOR TERMS AND

VACANCIES; AND PRESCRIBING ITS OFFICERS AND MEETINGS; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

BACKGROUND: This ordinance is being brought to the Commission as a result of a resolution passed by the Commission on January 23, 2014.

This ordinance creates the Public Access Television Advisory Board; identifies its purpose, powers, duties, officers and meetings; outlines the number of members, their qualifications and compensation, and provides rules for terms, term limits and vacancies.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Approve Ordinance.

PRESENTER: Andrea L. Chism, City Attorney.

8.2 CONSIDER APPOINTMENTS TO THE PUBLIC ACCESS TELEVISION ADVISORY BOARD.

BACKGROUND: The Public Access Television Advisory Board shall consist of seven (7) members. In addition, the Mayor may appoint one (1) Commissioner as an ex-officio member of the Board. All seven (7) members must be residents of the City of Enid. For this initial appointment of Board members, two (2) will be appointed for one (1) year; two (2) will be appointed for two (2) years; and three (3) will be appointed for three (3) years.

2013-2014 BUDGETED ITEM: Not Applicable.

FUNDING SOURCE: Not Applicable.

ATTACHMENTS: Ballot and Applications.

RECOMMENDATION: Appoint seven (7) members to the Public Access Television Advisory Board and accept the Mayor's appointment of one (1) Commissioner to serve as an ex-officio member of the Board.

PRESENTER: Andrea L. Chism, City Attorney.

9. CONSENT.

9.1 ACCEPT THE JUNE 30, 2013 INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS OF THE CITY OF ENID, OKLAHOMA AND ITS RELATED AUTHORITIES.

BACKGROUND: This is a companion to items 12.1 and 15.1. Cole and Reed, P.C. completed the annual independent audit for Fiscal Year ended June 30, 2013. Oklahoma law and various federal and state agencies for which the City of Enid receives grants require an annual financial audit. The financial statements provide valuable information concerning the City of Enid's financial condition, and gives reasonable assurance that the financial statements are correct and free of material misstatement.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Independent Auditor's Report and Financial Statements, and Management's Discussion and Analysis are on file in the Office of the City Clerk, and the Mayor and Commissioners have each been provided a copy for review and approval.

RECOMMENDATION: Accept the audit.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

9.2 ACCEPT A PUBLIC HIGHWAY EASEMENT FROM OKLAHOMA BIBLE ACADEMY FOR WIDENING GARLAND ROAD DRAINAGE WAY TO CARRY DRAINAGE AS PART OF THE GARLAND NORTH DETENTION, PROJECT NO. F-0406F.

BACKGROUND: This public highway easement will provide 25 feet of additional right-of-way on the west side of Garland Road from Randolph Avenue, north approximately 600 feet. The cost of this right-of-way is \$4,200.00 and consists of 0.334 acres.

This section of Garland Road drainage way will be widened in order to accept the discharge from the Garland North Detention Facility.

2013-2014 BUDGETED ITEM: Yes.

FUNDING SOURCE: Storm Water Fund.

ATTACHMENTS: Location Map. Easement is on file in the Office of the City Clerk.

RECOMMENDATION: Accept easement.

PRESENTER: Christopher Gdanski, Director of Engineering.

9.3 ACCEPT A 20-FOOT ACCESS UTILITY EASEMENT AND A 20-FOOT UTILITY EASEMENT FROM PHYLLIS E. MORGAN AND BUFORD D. MORGAN FOR THE MAINTENANCE OF UTILITIES FOR THE WATER RECLAMATION FACILITY (WRF), PROJECT NO. S-0703E.

BACKGROUND: This item will accept a 20-foot wide access utility easement from 42nd Street to provide monitoring of the existing sanitary sewer manholes and valves located at the Boggy Creek crossing north of the Water Reclamation Facility. Access to this site is necessary to comply with the Oklahoma Department of Environmental Quality monitoring requirements.

In addition, this item will accept a 20-foot wide utility easement to provide for the six-inch sludge line from the Morgan's property at the Boggy Creek crossing to the existing Water Pollution Control Plant.

The acquisition of both easements is \$4,500.00 and contains 0.23 acres.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

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

RECOMMENDATION: Accept easements and authorize payment.

PRESENTER: Christopher Gdanski, Director of Engineering.

9.4 DENIAL OF TORT CLAIM OF EVERETT GEORGE

BACKGROUND: On December 2, 2013, Everett George submitted a tort claim for vehicle damage in the amount of \$713.93. The claim alleged that he hit a pot hole at the corner of Cherry and Spruce causing damage to his 2003 Ford F150 pickup. The City forwarded that claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation of the claim. OMAG found no liability on the City's part regarding the incident and recommended that the City deny the claim.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

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

RECOMMENDATION: Deny tort claim.

PRESENTER: Andrea L. Chism, City Attorney.

9.5 APPROVE AN AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT WITH LODGEWELL, LLC, TO REASSIGN DUTIES AND RESPONSIBILITIES TO REFLECT CURRENT CIRCUMSTANCES.

BACKGROUND: Several of the duties and responsibilities of both LodgeWell and the City have morphed over the past year and the agreements should be amended to reflect current circumstances.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Amendment.

RECOMMENDATION: Approve Amendment.

PRESENTER: Andrea L. Chism, City Attorney.

9.6 APPROVAL OF CLAIMS IN THE AMOUNT OF \$901,463.92.

ATTACHMENTS: List of claims.

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 ACCEPT THE JUNE 30, 2013 INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS OF THE ENID MUNICIPAL AUTHORITY.

BACKGROUND: This is a companion to items 9.1 and 15.1.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Independent Auditor's Report and Financial Statements, and Management's Discussion and Analysis are on file in the Office of the City Clerk, and the Mayor and Commissioners have each been provided a copy for review and approval.

RECOMMENDATION: Accept the audit.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

- 12.2 **CONSIDER A RESOLUTION TERMINATING THE CONTRACT FOR PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS SERVICES BETWEEN THE CITY OF ENID, OKLAHOMA, AND PEGASYS, INC., AND THE LEASE AGREEMENT BETWEEN THE CITY OF ENID, THE ENID MUNICIPAL AUTHORITY, AND SUDDENLINK.**

BACKGROUND: At the January 20, 2014 Commissioner meeting the Council voted to eliminate funding for Pegasys and effectively end the City's support of Pegasys as currently designed. This vote reflects that decision as it applies to the Enid Municipal Authority.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve Resolution.

PRESENTER: Andrea Chism, City Attorney.

- 12.3 **APPROVAL OF CLAIMS IN THE AMOUNT OF \$273,282.20.**

ATTACHMENTS: List of claims.

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 **ACCEPT THE JUNE 30, 2013 INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY.**

BACKGROUND: This is a companion to items 9.1 and 12.1.

2013-2014 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Independent Auditor's Report and Financial Statements, and Management's Discussion and Analysis are on file in the Office of the City Clerk, and the Mayor and Commissioners have each been provided a copy for review and approval.

RECOMMENDATION: Accept the audit.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

15.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$49,630.33.

ATTACHMENTS: List of claims.

16. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.

17. PUBLIC DISCUSSION.

18. CONSIDER CONVENING INTO EXECUTIVE SESSION TO PERFORM THE ANNUAL PERFORMANCE EVALUATION OF MUNICIPAL JUDGES JIM LONG AND LINDA PICKENS, TO CONSIDER EMPLOYMENT CONTRACTS, AND TO RECONVENE INTO REGULAR SESSION TO TAKE ANY NECESSARY ACTION.

BACKGROUND: The City Attorney recommends the Mayor and Board of Commissioners go into Executive Session pursuant to 25 O.S. §307(B)(1), employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried employee.

Upon conclusion of the Executive Session, the Commission will reconvene into Regular Session to take any necessary action.

PRESENTER: Andrea L. Chism, City Attorney.

19. ADJOURN.