

NOTICE OF SPECIAL MEETING

Mayor and Board of Commissioners of the City of Enid, Oklahoma,
the Trustees of the Enid Municipal Authority, a Public Trust,
the Trustees of the Enid Economic Development Authority, a Public Trust,
and the Trustees of the Enid Public Transportation 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, the Trustees of the Enid Economic Development Authority, a Public Trust, and the Trustees of the Enid Public Transportation Authority, a Public Trust will meet in special session at 5:00 p.m. on the 12th day of May, 2016, 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 SPECIAL MEETING

1. CALL TO ORDER/ROLL CALL.
2. AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2014, TITLE 11, ENTITLED "ZONING," CHAPTER 2, ENTITLED "ADMINISTRATION AND ENFORCEMENT," SECTION 3, ENTITLED "REZONING FEE," TO ALLOW CERTAIN ENTITIES OTHER THAN ABSTRACT AND TITLE COMPANIES TO PROVIDE THE PROPERTY OWNERSHIP LIST AND TO ADD THE ONE-QUARTER MILE PROPERTY OWNERSHIP LIST FOR TREATMENT FACILITIES, MULTIPLE FAMILY FACILITIES, TRANSITIONAL LIVING FACILITIES, HALFWAY HOUSES AND ANY HOUSING OR FACILITY THAT MAY BE USED FOR MEDICAL DETOXIFICATION; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.
3. DISCUSS AND TAKE NECESSARY ACTION ON THE FISCAL YEAR 2016-2017 CITY OF ENID BUDGET.
4. RECESS TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.
5. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY SPECIAL MEETING.
6. ENID MUNICIPAL AUTHORITY SPECIAL MEETING.
7. DISCUSS AND TAKE NECESSARY ACTION ON THE FISCAL YEAR 2016-2017 ENID MUNICIPAL AUTHORITY FINANCIAL PLAN.
8. ADJOURN TO CONVENE AS THE ENID ECONOMIC DEVELOPMENT AUTHORITY.
9. TRUSTEES OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING.
10. ENID ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING.
11. DISCUSS AND TAKE NECESSARY ACTION ON THE FISCAL YEAR 2016-2017 ENID ECONOMIC DEVELOPMENT AUTHORITY FINANCIAL PLAN.
12. ADJOURN TO CONVENE AS THE ENID PUBLIC TRANSPORTATION AUTHORITY.
13. TRUSTEES OF THE ENID PUBLIC TRANSPORTATION AUTHORITY SPECIAL MEETING.
14. ENID PUBLIC TRANSPORTATION AUTHORITY SPECIAL MEETING.
15. DISCUSS AND TAKE NECESSARY ACTION ON THE FISCAL YEAR 2016-2017 ENID PUBLIC TRANSPORTATION AUTHORITY FINANCIAL PLAN.
16. ADJOURN TO RECONVENE AS THE MAYOR AND BOARD OF COMMISSIONERS.
17. DISCUSS AND TAKE NECESSARY ACTION ON THE FISCAL YEAR 2016-2017 CITY OF ENID BUDGET.
18. CONSIDER CONVENING INTO EXECUTIVE SESSION PURSUANT TO 25 O.S. §307(B)(3) TO DISCUSS THE PURCHASE OF REAL PROPERTY AND PURSUANT TO 25 O.S. §307(C)(10) TO DISCUSS MATTERS PERTAINING TO ECONOMIC DEVELOPMENT BECAUSE AN EXECUTIVE SESSION IS NECESSARY TO PROTECT THE CONFIDENTIALITY OF THE BUSINESS, AND TO RECONVENE INTO REGULAR SESSION TO TAKE ANY NECESSARY ACTION.
19. ADJOURN.

CERTIFICATE AS TO POSTING

I, the undersigned Assistant City Clerk of the City of Enid, Oklahoma, do hereby certify that prior to 5:00 P.M. on the 11th day of May 2016, a true copy of the above Notice of Meeting was posted at the entrance to the Administration Building of the City of Enid, located at 401 W. Owen K. Garriott Road, Enid, Oklahoma 73701. I further certify that I received at least forty-eight (48) hours advance notice of said meeting as required by State Statutes.

DATED at Enid, Oklahoma this 11th day of May 2016.

Assistant City Clerk

(SEAL)

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**MINUTES OF SPECIAL MEETING OF THE
MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ENID, OKLAHOMA,
TRUSTEES OF THE ENID MUNICIPAL AUTHORITY, A PUBLIC TRUST,
TRUSTEES OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY, A PUBLIC TRUST,
AND TRUSTEES OF THE ENID PUBLIC TRANSPORTATION AUTHORITY, A PUBLIC TRUST
HELD ON THE 12TH DAY OF MAY 2016**

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, the Trustees of the Enid Economic Development Authority, a Public Trust, and the Trustees of the Enid Public Transportation Authority, a Public Trust, met in special session at 5:00 P.M. on the 12th day of May 2016, in the Council Chambers of the Administration Building of the City of Enid, located at 401 West Owen K. Garriott Road in said city, pursuant to notice given forty-eight (48) hours in advance 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 11th day of May 2016.

-MAYOR AND BOARD OF COMMISSIONERS-

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

PRESENT: Commissioners Janzen, Brownlee, Ezzell, Timm, Wilson, Vanhooser and Mayor Shewey.

ABSENT: None.

Staff present were City Manager Jerald Gilbert, City Attorney Andrea Chism, City Clerk Linda Parks, Director of Engineering Services Christopher Gdanski, Chief Financial Officer Erin Crawford, Public Utilities Director Louis Mintz, Planning Administrator Chris Bauer, Police Chief Brian O'Rourke, Fire Chief Joe Jackson, and Director of Marketing and Public Relations Steve Kime.

Discussion was held regarding an ordinance amending Section 3 in Chapter 2, Title 11 of the Enid Municipal Code, 2014, entitled "Rezoning Fee," that would add language allowing attorneys who practiced title work in Garfield County to provide the required list of property owners for rezoning requests, and would address the statutory requirement to notify all property owners within one-quarter mile when the rezoning requests pertained to treatment facilities, multiple family facilities, transitional living facilities, halfway houses and any housing or facility used for medical detoxification.

Opening comments were made by Planning Administrator Chris Bauer who stated that if approved, the ordinance change would facilitate three multi-family projects in the community that were being held back because of notification requirements per the City's current ordinance. He stated that the City's current ordinance for all zoning requests, including those for multi-family, commercial, residential, agricultural, and multi-family, required the applicant to provide a certified list of all property owners within 300 feet. It was then the City's duty and responsibility to mail notices of the proposed rezoning to those property owners, publish the notice in the local newspaper at least 15 days prior to the Metropolitan Area Planning Commission meeting, and physically post the notice on the property 20 days prior to that meeting. He also stated that the current ordinance only

allowed licensed and bonded abstract companies and title companies to prepare those lists. As a result, staff was recommending that the ordinance be amended to also allow licensed Oklahoma attorneys who practiced title work to prepare the lists, which would provide an additional option for the customer. He noted that Section 11-2-3(B) had also been added to the ordinance, which stated that if a zoning change requested permits for the use of treatment facilities, multiple family facilities, transitional living facilities, halfway houses and any housing or facility that may be used for medical detoxification, the entity proposing the zoning change would be required to mail a written notice within 30 days of the hearing to all real property owners within one-quarter of a mile where the area to be affected was located, and be responsible for all costs incurred in mailing the notice. The additional language would mirror State statutes which required the quarter mile list.

Commissioner Wilson agreed that the proposed ordinance was verbatim from State statutes. However, it didn't refer to multi-family dwellings. It referred to treatment facilities, multiple family facilities, transitional living facilities, halfway houses and any housing or facility used for medical detoxification. She stated that the statute the ordinance was mirrored from referred to detoxification facilities. It didn't have anything to do with multi-family dwellings. She didn't feel that it was the correct application of the ordinance.

Commissioner Ezzell stated that he felt staff was interpreting the statute incorrectly. That the wrong language had been defined. He stated that it appeared that the use of the term "multi-family" did not apply to all multi-family dwellings, but to those multi-family dwellings that were also a detox facility. He felt that commissioners needed a clear answer from counsel.

Mr. Bauer stated that both Commissioner Wilson and Commissioner Ezzell were correct. There were two statutes that addressed multi-family: (1) 11 Oklahoma Statute Section 43-104 that Commissioner Wilson had cited; and (2) 11 Oklahoma Statute Section 43-106 titled "Additional Notice Requirements, Proposed Zoning Changes and Reclassifications," from which the section was mirrored from. That also included treatment facilities and multi-family transitional.

City Attorney Andrea Chism explained that the ordinance was directly from State law. The interpretation might possibly change later, but the ordinance would not change.

Lengthy discussion ensued. Commissioner Ezzell asked Ms. Chism to prepare a memo regarding the question of whether in 11 Oklahoma Statute 43-106, the term multi-family facilities, as defined and not defined in Section 3-403 of Title 43A, pertained to all multi-family, or whether it pertained to treatment facilities.

Ms. Chism stated that she would prepare an opinion on Commissioner Ezzell's request. She went on to say that her only concern was that there was case law that didn't define a multi-family facility. However, it did say, at one point, that fraternities were multi-family facilities. And a fraternity was much more like an apartment and anything else in that statute.

Following further discussion, motion was made by Commissioner Janzen to table the ordinance to the next Commission meeting.

Motion was seconded by Commissioner Wilson.

Mr. Chip McCoy, 900 West Maple, addressed the Commission and stated that the issues he had concerns with had been discussed, particularly with respect to the language that only allowed licensed and bonded abstract companies and title companies to provide certified property owner lists.

There being no further discussion, the vote to table was as follows:

AYE: Commissioners Janzen, Brownlee, Ezzell, Timm, Wilson and Mayor Shewey.

NAY: Commissioner Vanhooser.

Discussion was held on the Fiscal Year 2016-2017 City of Enid Budget.

Chief Financial Officer Erin Crawford presented the Enid Event Center and Convention Hall (EECCH) Fund Budget for FY2017. She provided a brief overview of revenues and expenditures, noting that hotel/motel tax for FY2017 had been budgeted conservatively at \$1.4 million, and transfers were projected at \$180,000.00 due to the decrease in hotel/motel tax. Additionally, she noted a slight decrease in insurance due a reduction in fees, and an increase in Capital Outlay expenditures due to various repairs that would be made during the new fiscal year.

Mr. Kevin Boryczki, new General Manager of the Enid Event Center and Convention Hall was introduced. He provided a brief overview for FY2015-2016, noting a projected net operating income of \$491,853.00, which was \$34,000.00 under that budgeted.

FY2016-2017 projections were presented by Mr. Boryczki. He stated that a combined total of 326 events for Convention Hall and the Event Center was projected for FY2017. He noted projected gross event operating revenue in the amount of \$1,511,379.00 and ancillary revenue of \$907,711.00, for a total gross event operating revenue of \$2,419,089.00. Event operating expense was noted at \$1,563,861.00, for a net event operating income of \$855,228.00. That number, combined with other income and sponsorships, and indirect expenses, equated to a proposed subsidy from the City of Enid for FY2017 of \$379,601.00, a \$140,000.00 decrease from FY2016.

Mr. Boryczki spoke regarding various opportunities to increase revenue in FY2017, and going forward. Those included a continued diversity of events, sponsorship growth with attendance numbers up, an increase in food and beverage sales, and long-term, a downtown hotel, all of which would help decrease the City's subsidy.

Following brief comments from commissioners, discussion on the EECCH budget concluded.

Ms. Crawford asked if there were areas in the City of Enid budget that commissioners would like to revisit.

Mr. Gilbert stated that commissioners had received revised budget options to consider for the Golf Course, and a revised budget option for EPTA would follow. He suggested foregoing discussion on both budgets until the May 17, 2016 Commission meeting to allow commissioners time to review and study the options.

There being no further business to come before the Board at this time, Mayor Shewey recessed the meeting to convene as the Enid Municipal Authority.

- TRUSTEES OF THE ENID MUNICIPAL AUTHORITY -

PRESENT: Trustees Janzen, Brownlee, Ezzell, Timm, Wilson, Vanhooser, Chairman Shewey, Trust Manager Jerald Gilbert, Trust Attorney Andrea Chism, and Secretary Linda Parks.

ABSENT: None.

Chairman Shewey introduced Item 7, Discuss And Take Necessary Action On The Fiscal Year 2016-2017 Enid Municipal Authority Financial Plan.

Ms. Diane Levesque, 1324 West Oak, addressed trustees. She spoke regarding the City's boards and commissions, which were served by volunteers passionate about the subject of the boards they were appointed to. They weren't paid, but they did take a lot of the workload off of City staff. She referred to the additional workload the Commission was placing on paid staff, stating that priorities would have to be assigned, and stating that there were many things of low priority compared to the many things the City needed to be doing.

There being no further comments, Chairman Shewey adjourned the meeting to convene as the Enid Economic Development Authority.

- TRUSTEES OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY -

PRESENT: Trustees Janzen, Brownlee, Ezzell, Timm, Wilson, Vanhooser, Chairman Shewey, General Manager Jerald Gilbert, Trust Attorney Andrea Chism, and Secretary Linda Parks.

ABSENT: None.

Chairman Shewey introduced Item 11, Discuss And Take Necessary Action On The Fiscal Year 2016-2017 Enid Economic Development Authority Financial Plan.

There being no discussion, Chairman Shewey adjourned the meeting to convene as the Enid Public Transportation Authority.

- TRUSTEES OF THE ENID PUBLIC TRANSPORTATION AUTHORITY -

PRESENT: Trustees Janzen, Brownlee, Ezzell, Timm, Wilson, Vanhooser, Chairman Shewey, General Manager Jerald Gilbert, Trust Attorney Andrea Chism, and Secretary Linda Parks.

ABSENT: None.

Chairman Shewey introduced Item 15, Discuss And Take Necessary Action On The Fiscal Year 2016-2017 Enid Public Transportation Authority Financial Plan.

There being no discussion, Chairman Shewey adjourned the meeting to reconvene as the Enid City Commission.

- MAYOR AND BOARD OF COMMISSIONERS -

Mayor Shewey introduced Item 16, Discuss And Take Necessary Action On The Fiscal Year 2016-2017 City Of Enid Budget.

Mr. Joe Jackson, 1950 Arapaho, addressed commissioners regarding Meadowlake Golf Course. He stated that he was a member of the Golf Course Advisory Board, and over the past few years, with Cody Lack's management, and the addition of Michael League, the Course was a nice municipal course. He would compare it to any municipal course in the state. He stated that the Golf Course had personnel costs just like any department of the City, and they were rising. To keep the course maintained the way it was took personnel. It was a park with a special use, and the only park in the city that made any kind of income. He stated that there were many things in Enid that were quality of life. Meadowlake Golf Course was quality of life. He wasn't saying it was impossible to break even at the Golf Course, but it was tough to do with the facilities that were there. He was proud of the Golf Course, and would appreciate the Commission's consideration in funding it fully.

Ms. Crawford noted the following revisions to the proposed budget as previously discussed: \$10,000.00 was added to the Administration Department for leadership training; \$202,500.00 was added to the Community Development Department for a Joint Land Use Study, plus matching grant funds in the amount of \$22,500.00; The Glenwood Safe Routes to School Grant, budgeted in the Capital Improvement Fund, was revised to \$205,000.00, with the City's match increasing to \$51,250.00; \$10,000.00, budgeted for software implementation, was removed from the 911 Fund; and two buses were added in EPTA, for to the Section 5339 Grant in the amount of \$95,200.00, and the local match of \$16,800.00.

Commissioner Brownlee stated that commissioners had discussed the Golf Course and EPTA at length, and there were many options to consider with both of those departments. He asked if Mr. Gilbert would be willing to allow two or three commissioners to sit down with him, Mr. Lack and Ms. Williams, to flush out some of those options. If they could come back with a narrowed-down recommendation for each, it would be more efficient for both the Commission and staff.

Mr. Gilbert agreed and stated that he would set up meetings as soon as possible.

Commissioner Wilson asked if staff had come to a conclusion regarding the \$87,000.00 credit card fee expense budgeted in the Records & Receipts Department.

Ms. Crawford responded, stating that staff had made contact with the City's credit card processors. She stated that if the Commission elected to charge a convenience fee on credit card transactions, the City would lose the fee currently paid on utility transactions, and be assessed a significantly higher fee overall.

Mr. Gilbert stated that staff would continue to look into the issue, and hopefully, would have more information for commissioners prior to the May 17, 2016 Commission meeting.

Motion was made by Commissioner Ezzell and seconded by Commissioner Vanhooser to convene into Executive Session pursuant to 25 O.S. §307(B)(3) to discuss the purchase of real property, and

pursuant to 25 O.S. §307(C)(10) to discuss matters pertaining to economic development, because an executive session is necessary to protect the confidentiality of the business, and the vote was as follows:

AYE: Commissioners Janzen, Brownlee, Ezzell, Timm, Wilson, Vanhooser and Mayor Shewey.

NAY: None.

The meeting convened into Executive Session at 5:57 P.M.

In Executive Session the Commission discussed the purchase of real property, and discussed matters pertaining to economic development.

It was noted that Commissioner Wilson left the meeting during Executive Session.

Motion was made by Commissioner Timm and seconded by Commissioner Ezzell to reconvene into special session, and the vote was as follows:

AYE: Commissioners Janzen, Brownlee, Ezzell, Timm, Vanhooser and mayor Shewey.

NAY: None.

The meeting reconvened into special session at 6:31 P.M.

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

AYE: Commissioners Janzen, Brownlee, Ezzell, Timm, Vanhooser and Mayor Shewey.

NAY: None.

The meeting adjourned at 6:31 P.M.

CITY OF ENID, OKLAHOMA

BY: _____

WILLIAM E. SHEWEY, MAYOR

(SEAL)

ATTEST:

LINDA S. PARKS, CITY CLERK

ENID MUNICIPAL AUTHORITY

BY: _____

WILLIAM E. SHEWEY, CHAIRMAN

SEAL)

ATTEST:

LINDA S. PARKS, SECRETARY

ENID ECONOMIC DEVELOPMENT AUTHORITY

BY: _____
WILLIAM E. SHEWEY, CHAIRMAN

(SEAL)

ATTEST:

LINDA S. PARKS, SECRETARY

ENID PUBLIC TRANSPORTATION AUTHORITY

BY: _____
WILLIAM E. SHEWEY, CHAIRMAN

(SEAL)

ATTEST:

LINDA S. PARKS, SECRETARY