

**AGENDA OF A REGULAR MEETING OF THE
MAYOR AND BOARD OF COMMISSIONERS
OF
THE CITY OF ARDMORE, OKLAHOMA,
HELD ON 04/01/2019 AT 7:00 PM IN THE
COMMISSION CHAMBERS**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL**
- 5. PRESENTATIONS**
 - 5.A. Presentation A**
Presentation of Proclamation by Mayor Ellis to Amber Wilson,
Director of Emergency Management, Declaring the Month of April
as "Severe Weather Preparedness Month"
 - 5.B. Presentation B**
Presentation of Proclamation by Mayor Ellis to Ken Campbell,
Director of Finance/City Clerk, Declaring the Month of April as
"Fair Housing Month"
- 6. APPROVE AGENDA - ORDER OF BUSINESS
AND CONTENTS**
- 7. APPROVE MINUTES**
 - 7.A. City Commission Regular Minutes**
of the City Commission Regular Meeting of March 18, 2019

Documents:

[MINUTES OF 03-18-19.PDF](#)

- 8. CONSENT AGENDA**

All items listed are considered to be routine by the City Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner or a citizen so requests, in which event the item will be removed from the consent status and considered in its normal sequence on the agenda.

8.A. **Consent A**

**Consideration and Take Action to Confirm Mayor and City Commissions Appointments to the Ardmore Animal Care Trust Authority to Serve First Three Year Terms to be Lee Brown and Staci Lambert and to Serve a Second Three Year Term to be DeLisa Taylor with Terms to Expire in May of 2022
(J.D. Spohn, City Manager)**

Documents:

[CONSENT A.PDF](#)

9. **REGULAR BUSINESS**

9.A. **BID(S)**

9.A.1. **Bid 1**

**Consideration and Possible Action to Accept the Bid Received from Ron Walker Construction for the Demolition and Replacement of the Concrete Apron at the Ardmore Downtown Executive Airport in the Total Amount of \$24,480.00
(Kevin Boatright, Assistant City Manager)**

Documents:

[BID 1.PDF](#)

9.B. **AGREEMENT(S)**

9.B.1. **Agreement 1**

**Consideration and Possible Action on Change Order No. 6 to the Contract between the City of Ardmore and Wynn Construction for the Ardmore East Main Streetscape Phase 1 Project in the Net Increased Amount of \$5,830.41
(Kevin Boatright, Assistant City Manager)**

Documents:

[AGREMENT 1.PDF](#)

10. **ADJOURN**

**MINUTES
OF
A REGULAR MEETING OF THE MAYOR AND BOARD OF COMMISSIONERS OF
THE CITY OF ARDMORE, OKLAHOMA, HELD ON MARCH 18, 2019
AT 7:00 PM IN THE COMMISSION CHAMBERS**

Present:	Sheryl Ellis	Mayor
	Keith King	Vice-Mayor
	Martin Dyer	Commissioner
	John Moore	Commissioner
	Doug Pfau	Commissioner
	J.D. Spohn	City Manager
	David Davis	City Attorney
	Ken Campbell	City Clerk

This meeting was held in compliance with the Oklahoma Open Meeting Act (OSS 25)

1. CALL TO ORDER, BY THE MAYOR

Mayor Ellis called the meeting to order.

2. INVOCATION

The invocation was led by Robert Newell, Director of Information Technology.

3. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Vice-Mayor King.

4. ROLL CALL

The City Clerk called roll. All were present.

5. APPROVE AGENDA – ORDER OF BUSINESS AND CONTENTS

Motion was made by Commissioner Dyer and seconded by Commissioner Pfau to approve the agenda with the removal of Consent Agenda Item 8.A.

Ayes:	Dyer, Moore, Pfau, King, Ellis
Nays:	None

6. APPROVE MINUTES

A. City Commission Regular Meeting of March 4, 2019.

Motion was made by Vice-Mayor King and seconded by Commissioner Pfau to approve the minutes of the City Commission Regular Meeting of March 4, 2019.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

7. PUBLIC HEARING(S)

A. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone 2.5 Acres located at 2235 Merrick Drive from CC (Commercial Corridor), RMM (Residential Multifamily Medium Density) and RS-6 (Residential Single Family) to CC (Commercial Corridor)

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that the City received a Rezoning Application from the property owner of 2.5 acres located at 2235 Merrick Drive, requests rezoning of the subject property from CC (Commercial Corridor), RMM (Residential Multifamily Medium Density) and RS-6 (Residential Single Family) to CC (Commercial Corridor). In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on March 7, 2019. Per Section 319, a public hearing is now required before the City Commission.

No One Present to Speak For or Against

Public Hearing Closed

B. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone 2.78 Acres located at 1920 Cooper Drive from CC (Commercial Corridor) to IL (Light Industrial)

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that the City received a Rezoning Application from the property owner of 2.78 acres located at 1920 Cooper Drive, requests rezoning of the subject property from CC (Commercial Corridor) to IL (Light Industrial). In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on March 7, 2019. Per Section 319, a public hearing is now required before the City Commission.

No One Present to Speak For or Against

Public Hearing Closed

C. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning a Request for a Conditional Use Permit to locate a Church in the CD (Downtown Commercial) Zoning District at 109 West Main Street

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that the City received a Rezoning Application from the property owner of 109 West Main Street, requests approval to allow a church at this location. In keeping with the requirements of Section 319 of the Unified Development Code, a public hearing was held before the Planning Commission on March 7, 2019. Per Section 319, a public hearing is now required before the City Commission.

Present to Speak For: Chris Frederick, Transition Team Chair of First Christian Church
Patricia Cox stated the church was limited in funds for purchase elsewhere.
Megan Shelton stated she is for a church to be located at 109 West Main Street.

Present to Speak Against: Jeff DiMicelli, Director of Ardmore Main Street Authority
Jeff St. Clair, Investor, owner of property located at 127 West Main Street

Public Hearing Closed

8. CONSENT

A. Consider and Take Action on Approval of the Ardmore Downtown Executive Airport Ground Lease Agreement between the City of Ardmore and Rocky Air, LLC, located at 2502 Executive Airport Drive

Item Removed from Agenda

B. Consider and Take Action on Approval of a Minor Subdivision Plat by Resolution of 2.78 Acres of the Tres Cruces South Addition located at 1920 Cooper Drive

On March 7, 2019, the Planning Commission considered the application to approve the Minor Subdivision Plat of 1 lot of 2.78 acres of the Tres Cruces South Addition. The Planning Commission voted (9-0) to recommend approval of a Minor Subdivision Plat by Resolution of 2.78 acres of the Tres Cruces South Addition located at 1920 Cooper Drive.

Motion was made by Commissioner Pfau and seconded by Commissioner Moore to approve Consent Agenda Item 8.B by Resolution 4096.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

9. REGULAR BUSINESS

A. ORDINANCE(S)

- 1. Consider and Take Action on Approval of an Ordinance to Rezone 2.5 Acres located at 2235 Merrick Drive from CC (Commercial Corridor), RMM (Residential Multifamily Medium Density) and RS-6 (Residential Single Family) to CC (Commercial Corridor)**

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff received a request from SDG Architects on behalf of the Oklahoma Blood Institute, property owner of property located at 2235 Merrick Drive to rezone this property from CC (Commercial Corridor), RMM (Residential Multifamily Medium Density) and RS-6 (Residential Single Family) to CC (Commercial Corridor). The Planning Commission voted (9-0) to recommend approval of rezoning to CC (Commercial Corridor) zoning District.

Motion was made by Commissioner Moore and seconded by Commissioner Pfau to approve Ordinance 3063.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

- 2. Consider and Take Action on Approval of an Ordinance to Rezone 2.78 Acres located at 1920 Cooper Drive from CC (Commercial Corridor) to IL (Light Industrial)**

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff received a request from Fox Engineering on behalf of Tres Cruces Development Company, Inc., property owner of property located at 1920 Cooper Drive to rezone this property from CC (Commercial Corridor) to IL (Light Industrial). The Planning Commission voted (9-0) to approve the rezoning to IL (Light Industrial) zoning district.

Motion was made by Commissioner Pfau and seconded by Vice-Mayor King to approve Ordinance 3064.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

B. RESOLUTION(S)

1. Consider and Take Action on Approval of a Resolution for a Conditional Use Permit to locate a Church in the CD (Downtown Commercial) Zoning District at 109 West Main Street

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that on March 7, 2019, the Planning Commission considered the request by Christi Frederick on behalf of First Christian Church for a Conditional Use Permit to allow a church in the CD (Downtown Commercial) Zoning District. The Planning Commission voted (5-4) to recommend denial of the Conditional Use Permit.

Motion was made by Commissioner Moore and seconded by Commissioner Dyer to deny Resolution 4097.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

C. BID(S)

1. Consider and Take Action on Approval of the Bids Received from KMB Trucking, LLC and CM Construction for Materials and Supplies for Street Construction, Maintenance and Repair

A presentation was made by Thomas Mansur, City Engineer, to the Commission. He stated that the City advertised for and received bids for a variety of materials and supplies used for street construction, maintenance and repair. Staff received bids from KMB Trucking, LLC and CM Construction for aggregate materials.

Motion was made by Commissioner Moore and seconded by Commissioner Dyer to approve the bids received from KMB Trucking, LLC and CM Construction for materials and supplies for street construction, maintenance and repair.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

2. Consider and Take Action on Approval of Bid Received from V and R Enterprise Inc. for the 2019 Concrete Labor Contract for Street Rebuilding and Repair Projects in the Amount of \$459,500.00

A presentation was made by Thomas Mansur, City Engineer, to the Commission. He stated that the City advertised for and received bids for the 2019 Concrete Labor Contract which supports the Street Division's street rebuilding and repair projects. The work items include placement and finishing of concrete structures for street projects, utility cuts, storm sewerage and related jobs throughout the City. Bids were received as follows:

V and R Enterprise	\$ 459,500.00
CJB Construction	\$ 610,200.00
EMC Services, LLC	\$1,141,050.00

The bid of V and R Enterprises is the low bid and their unit prices are balanced. The funds for this contract are a budgeted item. The Concrete Labor Contract with V and R Enterprises Inc. is in the amount of \$459,500.00.

Motion was made by Commissioner Pfau and seconded by Vice-Mayor King to approve the bid received from V and R Enterprise Inc. for the 2019 Concrete Labor Contract for street rebuilding and repair projects in the amount of \$459,500.00.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

D. AGREEMENT(S)

1. Consider and Take Action on Approval of Disability Retirement from OkMRF for Mr. Michael Thomas

A presentation was made by Cheryl Smith, Director of Human Resources, to the Commission. She stated that the Mr. Michael Thomas requests a monthly disability retirement distribution of his account with OkMRF. Under the requirements of the OkMRF agreement with the City of Ardmore, Oklahoma, it is required that the City Commission approve a disability retirement distribution.

Motion was made by Vice-Mayor King and seconded by Commissioner Dyer to approve the Disability Retirement from OkMRF for Mr. Michael Thomas.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

Vice-Mayor King recused himself from the Commission Chambers before discussion and vote of Agreement Items 9.D.2 and 9.D.3.

2. Consider and Take Action on Approval of the Agreement for Shared Government Services between the City of Ardmore and Ardmore Independent School District No. 19 for Street Construction near Jefferson Elementary School in the Total Amount of \$225,000.00

A presentation was made by Thomas Mansur, City Engineer, to the Commission. He stated that as a part of the 2016 Department Street Repair Program staff proposed to undertake some major street repairs and reconstruction throughout the City. One of those projects included modifications to Carter Road, 4th Avenue SE and E Street SE in the neighborhood around Jefferson School. Those repairs were driven by the need to repair the streets and also improve fire truck access to the school; and, according to the original estimate amount to be about \$250,000.00 in contract labor and materials. During this same period of time staff found out that the Ardmore City Schools were developing plans for a school expansion. Staff proposed to undertake a joint project whereby the Schools would conceive, engineer and construct their expansion project and include City street work as a part of their project. Such an arrangement significantly reduces engineering and contracting effort and ensures that the work at the school and City street work are synchronized. The agreement provides for city street work to be undertaken as part of the Jefferson School expansion and the City thereby reimburse the School in the amount of \$225,000.00 for the street work. The agreement has been reviewed by the City Attorney and funds have been budgeted for the work.

Motion was made by Commissioner Moore and seconded by Commissioner Pfau to approve the Agreement for Shared Government Services between the City of Ardmore and Ardmore Independent School District No. 19 for street construction near Jefferson Elementary School in the total amount of \$225,000.00.

Ayes:	Dyer, Moore, Pfau, Ellis
Nays:	None
Absent:	King

3. Consider and Take Action on Approval of a Lease Agreement between the City of Ardmore and Ardmore Independent School District No. 19 for Property located at 1997 Veterans Boulevard

A presentation was made by J.D. Spohn, City Manager, to the Commission. He stated that the Lease Agreement entered into is between the City of Ardmore (Landlord) and Ardmore Independent School District No. 19 (Tenant) in the sum of One Hundred Dollars (\$100.00) per month, payable on the 1st day of each month for a building and associated property owned by the Landlord located at 1997 Veterans Boulevard in Ardmore, Oklahoma. The term of this Lease shall be for one (1) year, beginning on the 1st day of March, 2019 and ending on the 30th day of June, 2019. The term of this lease shall automatically renew for one (1) year periods, unless the Landlord or Tenant gives thirty (30) day written notice to the other party that the Lease will not be renewed and extended and will be terminated.

Motion was made by Commissioner Dyer and seconded by Commissioner Moore to approve the one (1) Year Lease Agreement between the City of Ardmore and Ardmore Independent School District No. 19 for property located at 1997 Veterans Boulevard.

Ayes: Dyer, Moore, Pfau, Ellis
Nays: None
Absent: King

Vice-Mayor King re-entered the Commission Chambers after the discussion and vote of Agreement Items 9.D.2 and 9.D.3.

E. PURCHASE(S)

1. Consider and Take Action on Approval for the Purchase of an Orion Meter Modules and Beacon Meter Reading Software from Atlas Utility Supply Company a Sole Source Vendor in the Total Amount of \$1,383,165.00

A presentation was made by Ken Campbell, Director of Finance, to the Commission. He stated that that Customer Service-Meter Maintenance/Finance Department requests approval for the purchase of Orion Cellular Meter Modules and Beacon Meter Reading Software, in the amount of \$1,383,165.00 from Atlas Utility Supply Company a single source vendor. Staff budgeted \$1,390,000.00 in Fiscal Year 2018/2019, Customer Service Fund for this project.

Motion was made by Commissioner Pfau and seconded by Commissioner Dyer to approve the purchase of an Orion Meter Modules and Beacon Meter Reading Software from Atlas Utility Supply Company a sole source vendor in the total amount of \$1,383,165.00.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

10. ADJOURN

Motion was made by Commissioner Dyer and seconded by Commissioner Pfau to adjourn from this meeting.

Ayes: Dyer, Moore, Pfau, King, Ellis
Nays: None

CITY OF ARDMORE
Office of the City Manager

Council Letter No. 4375
Meeting Date: April 1, 2019

Mayor and City Commission
City of Ardmore, Oklahoma

Re: Ardmore Animal Care Trust Authority Appointments


Dear Commission Members:

It is the recommendation of the Ardmore Animal Care Trust Authority to appointment the following individual to the Ardmore Animal Care Trust Authority:

Appointment of Lee Brown to Serve a First Three Year Term (Expire Date: May 2022)
Appointment of Staci Lambert to Serve a First Three Year Term (Expire Date: May 2022)
Re-Appointment of DeLisa Taylor to Serve a Second Three Year Term (Expire Date: May 2022)

Staff respectfully recommends approval of the appointment to the Ardmore Animal Care Trust Authority.

Respectfully submitted,


J.D. Spohn
City Manager

CITY OF ARDMORE
City Manager's Office

Council Letter No. 4376
Meeting Date: April 1, 2019

Mayor and City Commission
City of Ardmore, Oklahoma

Re: Acceptance of the Bid for the Demolition and Replacement of the
Concrete Apron at the Ardmore Downtown Executive Airport

Dear Commission Members:

On Monday, March 25, 2019 bids were opened to determine which vendor would replace the concrete apron on the north side of the T-Hangers at the Ardmore Downtown Executive Airport. There were eleven vendors solicited for bids for this project, with six vendors attending the pre-bid meeting and two bids submitted. The lowest bid was submitted by Ron Walker Construction in the amount of \$24,480.00.

The funding for this project is budgeted in the current fiscal year in fund 39. Please note, this bid is for the demolition and removal of the existing apron, as well as the labor to place the new concrete apron. The cost of the concrete itself will be paid directly by the City of Ardmore.

Staff respectfully recommends that the City Commission accept the bid of \$24,480.00 from Ron Walker Construction for the replacement of the concrete apron at the Ardmore Downtown Executive Airport.

Respectfully submitted,



Kevin Boatright
Assistant City Manager

Reviewed by: 
City Manager

CITY OF ARDMORE
Office of the City Manager

Council Letter No. 4377
Meeting Date: April 1, 2019

Mayor and City Commission
City of Ardmore, Oklahoma

Re: Consider and Take Action on Change Order Request Number Six to the Contract between the City of Ardmore and Wynn Construction for the Ardmore East Main Streetscape Phase 1 Project with a total net increase of \$5,830.41.

Dear Commission Members:

Attached you will find change order number six that results in a net increase in the cost of the contract in the amount of \$5,830.41. Change order number six reflects the change in several specified items in the original plan. The items in the change order are mostly a result of decisions that were made in the field with the guidance of our consultant and a result of things unforeseen prior to the start of the demolition process.

The change order includes some deductions as well some additions to the project. The primary sources of the increase are a small addition of sidewalk on the south side of Broadway, the reinforcement of a drive on Caddo, and the purchase of some additional material for the street lights. Funding is available in Fund 52 to pay for this increase in cost.

The staff respectfully recommends that change order number six (6) be approved to the contract between the City of Ardmore and Wynn Construction for the Ardmore East Main Streetscape Phase 1 Project in the net increased amount of \$5,830.41.

Respectfully submitted,



Kevin Boatright
Assistant City Manager

Reviewed by: 
City Manager

Date of Issuance: 3-27-19	Effective Date: 3-27-19
Owner: City of Ardmore	Owner's Contract No.: 17-900
Contractor: Wynn Construction, Inc.	Contractor's Project No.: 17-736
Engineer: LandPlan Consultants	Engineer's Project No.: 566.00
Project: Ardmore East Main Streetscape, Phase 1	Contract Name: Agreement Between Owner & Contractor

The Contract is modified as follows upon execution of this Change Order:

Description: Credits for items not needed, new flag pole, add tree root barrier, regrading at 116 E. Main, added and upgraded sidewalks, added removal, extended roof drain, added excavation, added anchor bolt cages.

Attachments: [List documents supporting change] revised sheets 40, 42, 49, 50 & contractor's breakdown of cost.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES [note changes in Milestones if applicable]
Original Contract Price: <u>\$ 3,422,341.50</u>	Original Contract Times: (based on May 7, 2018 start date) Substantial Completion: <u>February 1, 2019</u> Ready for Final Payment: <u>March 13, 2019</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>5</u> : <u>\$118,368.59</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>6</u> : Substantial Completion: <u>13 days</u> Ready for Final Payment: <u>0 days</u> days
Contract Price prior to this Change Order: <u>\$3,540,710.09</u>	Contract Times prior to this Change Order: Substantial Completion: <u>February 14, 2019</u> Ready for Final Payment: <u>March 26, 2019</u> days or dates
[Increase] [Decrease] of this Change Order: <u>\$5,830.41</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>29 days plus 10 days *</u> Ready for Final Payment: <u>-10 days **</u> days or dates
Contract Price incorporating this Change Order: <u>\$3,546,540.50</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>March 25, 2019 ***</u> Ready for Final Payment: <u>April 24, 2019 ***</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>Barbara Tatar, ASLA</u>	By: _____	By: <u>[Signature]</u>
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Project Manager</u>	Title: <u>Mayor</u>	Title: <u>President</u>
Date: <u>3/27/19</u>	Date: _____	Date: <u>3-27-19</u>

* Substantial completion date has been changed from 270 days per the contract to 280 days
 ** Final completion is still 310 days per the contract therefore more time given to substantial but total days not changed.
 *** With weather days included through February adding to 34 days, the actual substantial completion date is April 28th (Sunday) (will make April 29th for inspection date) and May 28th for final completion.
 NO MORE DAYS WILL BE GIVEN FOR KNOWN CHANGE ORDER ITEMS ON FINAL CHANGE ORDER UNLESS UNFORSEEN ISSUES OCCUR THAT WARRANT DAYS.

Ardmore East Main Streetscape change orders

Approval date	Payment number	Amount	Original Contract price	Accumulated Change to contract price
4/27/2018	Change order #1	\$ 29,555.80	\$ 3,422,341.50	\$ 3,451,897.30
8/6/2018	Change order #2	\$ -		\$ 3,451,897.30
8/6/2018	Change order #3	\$ (13,290.51)		\$ 3,438,606.79
1/22/2019	Change order #4	\$ (732.90)		\$ 3,437,873.89
1/22/2019	Change order #5	\$ 102,836.20		\$ 3,540,710.09
TBD	Change order #6	\$ 5,830.41		\$ 3,546,540.50