

**AGENDA OF A REGULAR MEETING OF THE
MAYOR AND BOARD OF COMMISSIONERS
OF
THE CITY OF ARDMORE, OKLAHOMA,
HELD ON 05/18/2020 AT 7:00 PM IN THE
COMMISSION CHAMBERS**

**1. VIDEO CONFERENCE MEETING
INSTRUCTIONS**

**When 07:00 PM Central Time (US and Canada)
Topic: Ardmore Commission Meeting**

**Please click the link below to join the webinar:
<https://us02web.zoom.us/j/84308975250>**

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+12532158782,,84308975250#**

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+1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656**

Webinar ID: 843 0897 5250

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**<https://us02web.zoom.us/j/84308975250>
<https://us02web.zoom.us/u/kcvE4aS9Z>**

2. CALL TO ORDER

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. ROLL CALL

**6. APPROVE AGENDA - ORDER OF BUSINESS
AND CONTENTS**

7. APPROVE MINUTES

7.A. **City Commission Regular Minutes
of May 4, 2020**

Documents:

[MINUTES OF 05-04-20.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 Possible Action to Confirm Mayor and City Commissions Re-Appointments to the Historic Preservation Board to Serve Second Three Year Terms to be Judi Elmore and Wesley Hull, and to Serve Third Three Year Terms to be Julie Longest and Kirk Rodden with Terms to Expire in May of 2023 (Jessica Scott, Director of Development Services)

Documents:

[CONSENT A.PDF](#)

8.B. **Consent B**

Consideration and Possible Action to Confirm Mayor and City Commissions Appointments to the Planning Commission to Serve a First Three Year Term as an Alternate Member to be Jadean Fackrell, and to Serve First Three Year Terms as Regular Members to be Ethan Bateman; Dee Ann Chatham; Marcus High, and Chris Sandvick with Terms to Expire in May of 2023 (Jessica Scott, Director of Development Services)

Documents:

[CONSENT B.PDF](#)

8.C. **Consent C**

Consideration and Possible Action to Declare Firefighter Protective Clothing as Surplus and Authorize Disposal of Said Property to be Destroyed/Buried at the Southern Oklahoma Regional Disposal Landfill (Cary Williamson, Fire Chief)

Documents:

[CONSENT C.PDF](#)

9. **REGULAR BUSINESS**

9.A. **RESOLUTION(S)**

9.A.1. **Resolution 1**

**Consideration and Possible Action of a Resolution Revising the Policy for Health Insurance Benefits for Retired City of Ardmore Employees and City Commissioners, and Replacing Resolution No. 3463
(J.D. Spohn, City Manager)**

Documents:

[RESOLUTION 1.PDF](#)

9.A.2. **Resolution 2**

**Consideration and Possible Action of a Resolution Determining the Necessity of Acquiring Certain Property located at 810 10th Avenue SE, Ardmore, Oklahoma in Order to Eliminate an Airport Hazard for the Runway at the Ardmore Downtown Executive Airport and Directing the Acquisition of said Property for this Public Purpose
(Kevin Boatright, Assistant City Manager)**

Documents:

[RESOLUTION 2.PDF](#)

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

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

**Consideration and Possible Action of an Easement Agreement between the City of Ardmore and Oklahoma Gas and Electric for a 10 Foot Wide Easement in Regional Park for The Clubhouse Project
(Kevin Boatright, Assistant City Manager)**

Documents:

[AGREEMENT 1.PDF](#)

10. **ADJOURN**

**MINUTES
OF
A REGULAR MEETING OF THE MAYOR AND BOARD OF COMMISSIONERS OF
THE CITY OF ARDMORE, OKLAHOMA, HELD ON MAY 4, 2020
AT 7:00 PM IN THE COMMISSION CHAMBERS**

Present:	John Moore Doug Pfau	Mayor Vice-Mayor
	Sheryl Ellis Beth Windel Martin Dyer	Commissioner Commissioner Commissioner
	J.D. Spohn Lori Linney	City Manager City Clerk

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

2. CALL TO ORDER, BY THE MAYOR

Mayor Moore called the meeting to order.

3. INVOCATION

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

4. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Ellis.

5. ROLL CALL

The City Clerk called roll. All were present.

Mayor Moore - In Person
Vice-Mayor Pfau - In Person
Commissioner Ellis - In Person
Commissioner Windel - Video Conference
Commissioner Dyer - In Person

6. PRESENTION(S)

A. Presentation of Certificate of Election by Mayor Moore to Doug Pfau for being Elected to the Office of City of Ardmore Commissioner at Large

Presentation of the Certificate of Election for being elected to the office of the City of Ardmore Commissioner at Large by Mayor Moore to Doug Pfau.

B. Election of Mayor for 2020/2021

Motion was made by Commissioner Dyer and seconded by Commissioner Ellis to elect Commissioner Doug Pfau as Mayor for 2020/2021.

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

C. Election of Vice-Mayor for 2020/2021

Motion was made by Commissioner Ellis and Seconded by Commissioner Dyer to elect Commissioner Beth Windel as Vice-Mayor for 2020/2021.

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

D. Seating of Commission

The City Clerk seated the Commission.

E. Presentation of Mayor's Gavel to Retiring Mayor by Newly Elected Mayor

Presentation of Mayor's gavel plaque, picture and scrapbook of the past year was presented to retiring Mayor Moore by newly elected Mayor Pfau in recognition and appreciation for outstanding service to the citizens of Ardmore as Mayor from May 6, 2019 to May 4, 2020.

F. Commission Meeting Called to Order by Newly Elected Mayor

Mayor Pfau called the meeting to order.

7. APPROVE AGENDA – ORDER OF BUSINESS AND CONTENTS

Motion was made by Commissioner Dyer and seconded by Commissioner Ellis to approve the agenda as written.

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

8. APPROVE MINUTES

A. of the City Commission Regular Meeting held on April 20, 2020

Motion was made by Commissioner Ellis and seconded by Commissioner Dyer to approve the minutes of the City Commission Regular Meeting of April 20, 2020 as written.

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

B. of the City Commission Special Meeting/Work Session held on April 30, 2020

Motion was made by Commissioner Moore and seconded by Commissioner Ellis to approve the minutes of the City Commission Special Meeting/Work Session of April 20, 2020 as written.

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

9. CONSENT

A. Consideration and Possible Action to Confirm Mayor and City Commissions Re-Appointment to the Board of Directors of Big Five Community Services, Inc. to Serve a Second Three (3) Year Term to be J.D. Spohn with Term to Expire in May of 2023

The Mayor and City Commissions confirmed the re-appointment of J.D. Spohn to the Board of Directors of Big Five Community Services, Inc. to serve a second three (3) year term with term to expire in May of 2023.

B. Consideration and Possible Action to Declare an Ardmore Police Department Lafayette Instrument Polygraph System as Surplus and Authorize Disposal of Said Property via OK Iron & Metal Company, Southern Oklahoma Regional Disposal Landfill or Donation

The Ardmore Police Department requests permission to declare a Lafayette Instrument Polygraph 3000 System surplus and dispose of said property via OK Iron & Metal Company, Southern Oklahoma Regional Disposal Landfill or donation. The polygraph is outdated, obsolete and no longer used by the Department.

C. Consideration and Possible Action of an Ardmore Downtown Executive Airport Ground Lease Agreement for Tract 11 and Tract 12 between the City of Ardmore and Russell Noble Trust

The Ground Lease Agreement is located at the Ardmore Downtown Executive Airport and is between the City of Ardmore and Lessee as follows:

Russell Noble Trust

Leased Premises: 1261 Executive Airport Drive, also known as Tract 11

Leased Premises: 1267 Executive Airport Drive, also known as Tract 12

The City of Ardmore is the co-sponsor, along with the State of Oklahoma, ex rel Oklahoma Planning and Resources Board, of the area known as the Ardmore Downtown Executive Airport, which is located in Southern Ardmore and in the northern portion of Lake Murray State Park. The initial term of the Ground Lease Agreement shall be for a term commencing on February 1, 2020 and ends on January 31, 2030, with the option of two (2) additional five (5) year extensions.

D. Consideration and Possible Action of an Ardmore Downtown Executive Airport Ground Lease Agreement for Tract 17 between the City of Ardmore and Noble Research Institute, LLC

The Ground Lease Agreement is located at the Ardmore Downtown Executive Airport and is between the City of Ardmore and Lessee as follows:

Noble Research Institute, LLC

Leased Premises: 1425 Executive Airport Drive, also known as Tract 17

The City of Ardmore is the co-sponsor, along with the State of Oklahoma, ex rel Oklahoma Planning and Resources Board, of the area known as the Ardmore Downtown Executive Airport, which is located in Southern Ardmore and in the northern portion of Lake Murray State Park. The initial term of the Ground Lease Agreement shall be for a term commencing on February 1, 2020 and ends on January 31, 2030, with the option of two (2) additional five (5) year extensions.

E. Consideration and Possible Action of an Ardmore Downtown Executive Airport Ground Lease Agreement for Tract 21 between the City of Ardmore and Hangar Village Associates

The Ground Lease Agreement is located at the Ardmore Downtown Executive Airport and is between the City of Ardmore and Lessee as follows:

Hangar Village Associates

Leased Premises: 1435 Executive Airport Drive, also known as Tract 21

The City of Ardmore is the co-sponsor, along with the State of Oklahoma, ex rel Oklahoma Planning and Resources Board, of the area known as the Ardmore Downtown Executive Airport, which is located in Southern Ardmore and in the northern portion of Lake Murray State Park. The initial term of the Ground Lease Agreement shall be for a term commencing on February 1, 2020 and ends on January 31, 2030, with the option of two (2) additional five (5) year extensions.

Motion was made by Commissioner Moore and seconded by Commissioner Ellis to approve Consent Agenda Items 9.A. - 9.E.

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

10. REGULAR BUSINESS

A. AGREEMENT(S)

1. Consideration and Possible Action of an Agreement between the City of Ardmore and Pepsi Bottling Group for the Exclusive Right to Provide Beverage Products for Facilities located at Regional Park; Lakeview Golf Course; The Clubhouse; Ardmore Community Water Park, and the YMCA Ball Fields in Cardinal Park

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that proposals were requested from the Great Plains Coca-Cola Bottling Company and the Pepsi Bottling Group. The proposals were solicited in order to find out which vendor would provide the best method of generating additional revenue to the Parks and Recreation Department. The Proposals would also give the Parks and Recreation Department and/or its concessionaires a better price for beverage products over a five (5) year period. Pepsi Bottling Group was the only vendor that submitted a proposal. The facilities included are located at Regional Park; Lakeview Golf Course; The Clubhouse; Ardmore Community Water Park, and YMCA ball fields in Cardinal Park. The Pepsi Bottling Group's proposal will give the Ardmore Parks and Recreation Department additional revenue, and a lower cost for the beverage products over the five (5) year period of the agreement.

Motion was made by Commissioner Moore and seconded by Commissioner Ellis to approve an Agreement between the City of Ardmore and Pepsi Bottling Group for the exclusive right to provide beverage products for facilities located at Regional Park; Lakeview Golf Course; The Clubhouse; Ardmore Community Water Park, and the YMCA Ball Fields in Cardinal Park.

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

2. Consideration and Possible Action of a Request for Proposal Received from Point of Sale Software and Facility Operational Systems for The Clubhouse in an Amount Not to Exceed \$70,160.85

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that the City of Ardmore advertised for a Request for Proposal for a vendor to supply; install; train, and provide on-going support for point of sale software; party management software; food service sales; inventory tracking software; plush inventory tracking software, and provide debit card readers for arcade game and attractions; and provide debit card dispensers and recharge station for The Clubhouse. Staff advertised directly to several companies and posted in the local newspaper on Sunday, April 5, 2020. One (1) proposal was submitted from Intercard in the amount of \$70,160.85. Funds are available in Reserve Management for this system.

Motion was made by Commissioner Dyer and seconded by Commissioner Windel to approve a Request for Proposal received from Intercard for point of sale software and facility operational systems for The Clubhouse in an amount not to exceed \$70,160.85.

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

B. BID(S)

1. Consideration and Possible Action of a Bid Received from Silver Star Construction for the Rockford Road Extension Project in the Total Amount of \$476,475.00

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that the City advertised for and received construction bids on April 23, 2020 for the North Rockford Extension Project. The project provides for widening of Rockford Road approximately from Veterans' Boulevard north approximately 1,250 feet to the intersection with Regional Park Way. Bids received as follows:

Silver Star Construction	\$476,475.00
Schiralli Construction	\$499,473.68
Overland Corporation	\$517,946.50
Engineer's Estimate	\$502,000.00

Staff requests the Commission approve the award of the Rockford Road Extension Project to Silver Star Construction in the amount of \$476,475.00.

Motion was made by Commissioner Moore and seconded by Commissioner Dyer to approve a bid received from Silver Star Construction for the Rockford Road Extension Project in the total amount of \$476,475.00.

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

2. Consideration and Possible Action of a Bid Received from Steve Bean Construction for the Waterline Replacement on Isabel from Myall to Drew in the Total Amount of \$153,298.80

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that four (4) bids were received on April 23, 2020 for a waterline replacement project on Isabel from Myall to Drew. Bids received as follows:

Steve Bean Construction	\$153,298.80
Built Right Construction, LLC	\$198,239.00
W. Brown Enterprises, Inc.	\$213,029.00
Frontline Utility Services	\$229,948.68
Engineer's Estimate	\$218,107.19

Staff's recommendation is to accept the low bid received from Steve Bean Construction in the amount of \$153,298.80.

Motion was made by Commissioner Moore and seconded by Commissioner Dyer to approve a bid received from Steve Bean Construction for the waterline replacement project on Isabel from Myall to Drew in the total amount of \$153,298.80.

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

11. ADJOURN

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

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

CITY OF ARDMORE
COMMUNITY DEVELOPMENT

Council Letter No. 4818
Meeting Date: May 18, 2020

Mayor and City Commission
City of Ardmore, OK

RE: Appointments to Historic Preservation Board

Dear Commission Members:

The Commission is requested to consent to the Mayor's reappointment of the following individuals to the Historic Preservation Board:

Reappointment of Judi Elmore to serve a second three year term (Expiration May 2023).

Reappointment of Wesley Hull to serve a second three year term (Expiration May 2023).

Reappointment of Julie Longest to serve a third three year term (Expiration May 2023).

Reappointment of Kirk Rodden to serve a third three year term (Expiration May 2023).

Staff respectfully recommends approval of the reappointments to the Historic Preservation Board.

Respectfully Submitted,



Jessica Scott
Development Services Director

Attachments:

City of Ardmore Biographical Information
Resume

Reviewed by: _____


City Manager

CITY OF ARDMORE
Office of the City Manager

Council Letter No. 4819
Meeting Date: May 18, 2020

Mayor and City Commission
City of Ardmore, Oklahoma

Re: Appointments to the Planning Commission

Dear Commission Members:

The Commission is requested to consent to the Mayor's appointment of the following individuals to the City's Planning Commission:

Appointment of Jadean Fackrell to serve a first three year term as an alternate member of the City Planning Commission (Expiration: May 2023).

Appointment of Dee Ann Chatham to serve a first three year term as a regular member (formally alternate member) of the City Planning Commission (Expiration: May 2023).

Appointment of Chris Sandvick to serve a first three year term as a regular member of the City Planning Commission. (Expiration May 2023).

Appointment of Ethan Bateman to serve a first three year term as a regular member of the City Planning Commission. (Expiration May 2023).

Reappointment of Marcus High to serve a first three year term (previously served the unexpired term of Brett Morton) as a regular member of the City Planning Commission (Expiration May 2023).

Staff respectfully recommends approval of the appointments to the Planning Commission.

Respectfully submitted,



Jessica Scott
Development Services Director

Reviewed By: _____


City Manager

CITY OF ARDMORE
Ardmore Fire Department

Council Letter No: 4820
Meeting Date: May 18, 2020

Mayor and City Commissioners
City of Ardmore, Oklahoma

RE: Declaration of Surplus and Disposal – Firefighter Protective Clothing

Dear Commission Members:

The Ardmore Fire Department is requesting permission to declare the below Firefighter Protective Clothing as obsolete and dispose of by rendering the protective clothing non-useable and disposing in the landfill. The items are damaged beyond their value or have exceeded their 10 year service life.

Item Description	Serial No.	Asset No.	Purchase Value
Firefighter Coat	0004405562	008364	\$1,171.25
Firefighter Coat	0004405542	008455	\$1,122.00
Firefighter Coat	0004445262	008485	\$1,107.15
Firefighter Coat	0004445252	008488	\$1,107.15
Firefighter Coat	0003738062	008655	\$1,171.25
Firefighter Coat	0003243823	008657	\$1,171.25

Respectfully Submitted,



Cary Williamson, Fire Chief

Reviewed by: _____


City Manager

CITY OF ARDMORE
Office of the City Manager

Council Letter No. 4821
Meeting Date: May 18, 2020

Mayor and City Commission
City of Ardmore, Oklahoma

RE: Resolution Revising the Policy for Health Insurance Benefits for Retired City of Ardmore Commissioners and Employees and Replacing Resolution No. 3463

Dear Commission Members:

The primary purpose of this Resolution is to provide affordable health care coverage for City of Ardmore employees who retire and former City Commissioners who provided extensive service on behalf of the City. The City of Ardmore, with the establishment of a health insurance policy for such City Commissioners and Employees, believes that the interests of the City of Ardmore will be served by revising the criteria to provide health benefits to these individuals

Staff recommends approval of the Resolution revising the policy for health insurance benefits for retired City of Ardmore Commissioners and employees and replacing Resolution No. 3463.

Respectfully submitted,



J.D. Spohn
City Manager

RESOLUTION NO. _____

A RESOLUTION REVISING THE POLICY FOR HEALTH INSURANCE BENEFITS FOR RETIRED CITY OF ARDMORE CITY COMMISSIONERS AND EMPLOYEES AND REPLACING RESOLUTION NO. 3463

WHEREAS, the City of Ardmore recognizes that it has City Commissioners and City employees who have rendered valuable services; and

WHEREAS, the City of Ardmore, with the establishment of a health insurance policy for such City Commissioners and Employees, believes that the interests of the City of Ardmore will be served by revising the criteria to provide health benefits to these individuals; and

WHEREAS, the primary purpose of this Resolution is to provide affordable health care coverage for City of Ardmore employees who retire and former City Commissioners who provided extensive service on behalf of the City. For the purpose of this Resolution, the term "employee retirement" shall be defined as separation from employment with the City of Ardmore by voluntary retirement: 1) if age fifty-five (55) years or older with a minimum of ten (10) continuous years of employment with the City; or 2) if less than age fifty-five (55) years old with twenty-five (25) continuous years of employment with the City. To be eligible for this benefit, the employee must elect to participate in the City's health plan within thirty (30) days after retirement and must not be eligible for health care insurance through a subsequent employer or through Medicare. Former City Commissioners are eligible for the retiree health coverage after having served a minimum of eight (8) years of service on the City Commission.

WHEREAS, retired City of Ardmore employees as defined above who elect to remain on the City's health plan will pay a monthly premium for single coverage as follows:

1. A retiree who is age fifty-five (55) or younger will be responsible for the full cost of the premiums;
2. A retiree who is between the ages of fifty-six (56) to sixty (60) will be responsible for seventy-five percent (75%) of the cost of the full premiums; and
3. A retiree who is between the ages and sixty-one (61) to sixty-five (65) will be responsible for fifty percent (50%) of the cost of the full premiums until the employee is eligible for Medicare.
4. Former City Commissioners who served for at least eight (8) years and elected to stay on the City's health plan will be responsible for the same rate of premiums as retired employees based on age set forth above.

This percentages will apply so long as the rates do not conflict with the calculation of the allowable premium increases under the Patient Protection and Affordable Care Act as may be in existence at the adoption of this Resolution in terms of protecting the "grandfathered" status of the City of Ardmore. If a retired employee elects to keep dependent coverage, the employee will be responsible for the same percentage of the premium cost for dependent coverage as for the employee him/herself. However, once the employee reaches age sixty-five (65), the employee

will be responsible for the full cost of the premiums for dependent coverage for the duration of any eligible coverage consistent with the provisions of 11 O.S. §23-108 as may be amended from time to time.

WHEREAS, since the City of Ardmore has no obligation to provide retired employees and City Commissions with reduced premium obligations, it reserves the right to change the premium contributions, benefit coverage, deductible, maximums, co-payments, exclusions, limitations, definitions, eligibility, health care company and the like at any time. The City of Ardmore also reserves the right to terminate, suspend and discontinue any person's coverage if payment is more than twenty (20) days in arrears or as may be authorized by law.

NOW, THEREFORE, BE IT RESOLVED that the City of Ardmore adopts this policy to become effective as of July 1, 2020 for the purpose of recognizing meritorious service on the part of its retired City employees and its long serving City Commissioners. This Resolution replaces and supersedes any prior Resolution addressing the same subject matter as of the effective date of this Resolution.

PASSED and SIGNED by the Mayor and Board of Commissioners of the City of Ardmore on this _____ day of May 2020.

CITY OF ARMDORE, OKLAHOMA
A MUNICIPAL CORPORATION

By: _____
Doug Pfau, Mayor

ATTEST:

LORI LINNEY, CITY CLERK

CITY OF ARDMORE
Office of the City Manager

Council Letter No. 4822
Meeting Date: May 18, 2020

Mayor and City Commission
City of Ardmore, Oklahoma

RE: Resolution Declaring the Necessity to Acquire Property to Remove Airport Hazard

Dear Commission Members:

This property has been a hazard to the operation of the downtown airport for years. City of Ardmore Staff has spoken on the telephone and met in person with the property owner several times in order to find a solution to remove the obstructions that are on this property. After visiting with our attorney regarding the issue, it was determined that the best course of action was for the City to acquire the property and remove all hazards, including any structures.

The attached Resolution is declaring the necessity of acquiring certain property located at 810 10th Avenue SE, Ardmore, Oklahoma in order to eliminate an airport hazard for the runway approaches at the Ardmore Downtown Executive Airport and directing the acquisition of said property for this public purpose.

Staff respectfully recommends approval of the Resolution declaring the necessity to acquire property to remove airport hazards.

Respectfully submitted,



Kevin Boatright
Assistant City Manager

Reviewed by: _____


City Manager

RESOLUTION NO. -----

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ARDMORE, OKLAHOMA, DETERMINING THE NECESSITY OF ACQUIRING CERTAIN PROPERTY LOCATED AT 810 10TH AVENUE, SE, ARDMORE, OKLAHOMA IN ORDER TO ELIMINATE AN AIRPORT HAZARD FOR THE RUNWAY AT THE DOWNTOWN EXECUTIVE AIRPORT AND DIRECTING THE ACQUISITION OF SAID PROPERTY FOR THIS PUBLIC PURPOSE.

WHEREAS, the City of Ardmore owns and maintains the Ardmore Downtown Executive Airport as an airport facility and as a public use; and,

WHEREAS, the City Commission of Ardmore, Oklahoma, has determined that it is essential and necessary that hazards to the runway approaches at the airport be removed to protect the safety of the aircraft using the airport runway; and,

WHEREAS, property located at 810 10th Avenue SE in Ardmore has become overgrown with trees which reach more than 30 feet in height in the approach zone to the airport runway and such tree growth constitutes an imminent hazard to aviation traffic and creates a substantial risk of an aircraft crash; and,

WHEREAS, the trees located on the subject property exceed the allowed height required by the Zoning Ordinance filed with the County Clerk of Carter County, Oklahoma at Book 567 Pages 237-247, and the conditions on the property are an airport hazard jeopardizing the safety of those person using the airport for take off and landing of aircraft.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Ardmore, Oklahoma, that it is immediately necessary, expedient, and essential to Ardmore's citizens that the subject propety be acquired to eliminate the above described airport hazard and to comply with regulations of the Federal Aviation Agency and the Zoning restrictions referenced above. The City Manager and City Attorney are hereby

directed to acquire the property by negotiation or if negotiation is unsuccessful then by instituting proceedings in Eminent Domain to acquire the property.

The property is described as Ardmore, Carter County, Oklahoma, as follows:

**Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7)
Block Four (4) Berry Garden Addition #2 to Ardmore, Carter County,
Oklahoma, according the recorded plat thereof, containing 1.65 acres
more or less.**

**The property is also know as 810 10th Ave., SE, Ardmore, Oklahoma
Tax ID# 0080-00-004-001-0-001-00**

BE IT FURTHER RESOLVED by the City Commission of the City of Ardmore, Oklahoma, that it is immediately necessary for the preservation of the public peace, health ,safety, and welfare of the City of Ardmore and the inhabitants thereof that this resolution be put into full force and effect, and an emergency is hereby declared to exist by reason whereof this resolution shall be in full force and effect from and after its passage and approval.

END

The foregoing Resolution was duly adopted and approved by the Mayor and City Commission of the City of Ardmore, Oklahoma, on the _____ day of _____, 2020, after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et seq.).

ATTEST:

MAYOR

CITY CLERK

CITY OF ARDMORE
Parks and Recreation Department

Council Letter No. 4823
Meeting Date: May 15, 2020

Mayor and City Commission
City of Ardmore, Oklahoma

Re: Approval to grant Oklahoma Gas and Electric Company an easement for
The Clubhouse project.

Dear Commission Members:

Attached you will find an proposed easement between the City of Ardmore and Oklahoma Gas and Electric Company for an 10 foot wide easement in Regional Park on The Clubhouse project site. They are asking for an easement in order to place facilities on the property. The City Engineer and the General Contractor has reviewed the easement.

Staff recommends providing Oklahoma Gas and Electric the necessary easement in Regional Park on The Clubhouse site.

Thank you for your consideration,



Teresa Ervin
Parks and Recreation Director

Reviewed by: 
City Manager

2214 West Broadway
Ardmore, Oklahoma 73402

OG&E
OG&E Electric Services
An OGE Energy Corp. Company

May 8, 2020

City of Ardmore
Teresa Ervin
23 South Washington
Ardmore, OK 73401

tervin@ardmorecity.org

Dear Mayor,

As part of a request for service we need to obtain an easement from the City of Ardmore, granting us the right to place our facilities on the property for the Ardmore Club House. This project and the location of facilities on your property require the easement for legal purposes.

Please review the following instructions to ensure that this easement will be legally correct and that there will be no delay in processing:

- The **date of signing** must match the **date of notarizing**.
- The notary must fill in **all blanks** in the acknowledgement and add the **notary seal**.
- The **notary expiration date** must be later than the **date of notarizing**.

Should you have any questions about this letter or the enclosed easement, please feel free to call me at (580) 220-2643 or on my mobile at (580) 515-3049 and I will do my best to answer your questions.. Have a great day!

Sincerely,



Ida Norman
Field Service Agent
Ardmore Service Center
OG&E Corp Services

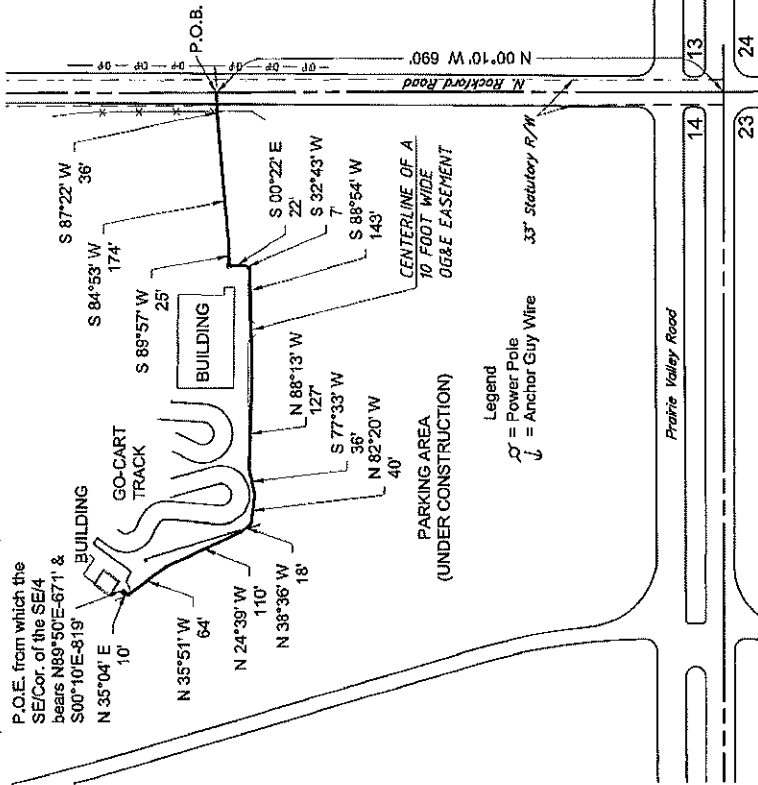
EXHIBIT "A"

EASEMENT SKETCH

10 FOOT WIDE OG&E EASEMENT IN A PART OF THE N/2 SE/4 SE/4 AND THE SE/4 SE/4 SECTION 14, T4S-R1E, I.M., CARTER COUNTY, OKLAHOMA

P.O.E. from which the SE/4 of the SE/4 bears N89°50'E-87'1" & S00°10'E-819'

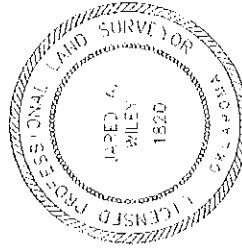
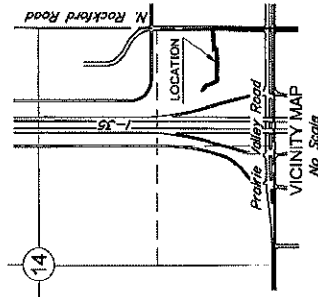
SECTION 14
T 4 S - R 1 E



BASIS OF BEARINGS ARE FROM GEODTIC NORTH AS REFERENCED BY THE EAST LINE OF THE SE/4 BEING N00°10'W AS SHOWN HEREON.



SCALE 1" = 200'

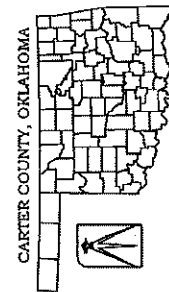


Jared A. Wiley L.P.L.S. No. 1820
Phone (580) 226-5108
Fax (888) 662-7778
1010 Northwest Blvd.
Ardmore, OK 73401

SURVEYOR'S CERTIFICATE

I, Jared A. Wiley, Licensed Professional Land Surveyor, hereby state this plat depicts an accurate representation of the easement description, as shown hereon, it is not a Land or Boundary Survey.

1
PT. N/2 SE/4 & SE/4 SE/4 SEC. 14, T4S-R1E, CARTER CO., OK. BOOK 1951, PAGE 235 CITY OF ARDMORE TOTAL LENGTH 812 OR 49.21 RODS



Bennett-Morris And Associates Land Surveying, P.C. ARDMORE, OKLAHOMA Surveying, P.C. - C.A. No. 5975 (L.S.)		OKLAHOMA GAS AND ELECTRIC COMPANY	
DRAWN BY: RLK		REVISIONS:	
APPROVED BY: Jared A. Wiley		OG&E EASEMENT SKETCH	
FILE #: 204073		W.O. # 7384719	
DRWG #: 204073A.DWG		Ardmore Club House	
DATE: 4-24-20		SCALE: 1 in = 200ft	
DATE: 4-24-20		SHEET 1	

RETURN TO:
Land Management Coordinator
OGE Electric Services
2214 West Broadway
Ardmore, OK 73401

EASEMENT

Work Order # 7384719

KNOW ALL MEN BY THESE PRESENTS: THAT the **City of Ardmore, Oklahoma**, a municipal corporation, Grantor, in consideration of Ten or more dollars in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby grant and warrant unto **OKLAHOMA GAS AND ELECTRIC COMPANY**, an Oklahoma corporation, Grantee, its successors and assigns, the right, privilege and authority to enter upon and install, erect, operate, maintain, and reconstruct underground and/or above ground a system of conduits, wires, cables, vaults, junction boxes, switches, fuses, transformers, service connection boxes and other fixtures for the transmission and distribution of electrical current and communication messages, including the right of ingress and egress to and from said system across adjoining lands of Grantor, upon and across the following real property and premises, situated in **CARTER** County, State of Oklahoma, to wit:

A part of the **N/2 SE/4 SE/4 & SE/4 SE/4 SE/4 Section 14, T4S, R1E, I.M.**, Carter County, Oklahoma, being a part of a tract described in a deed recorded in Book 1935, Pages 235 and 236 at the County Clerk, as shown and described on Exhibit "A", attached hereto and hereby made a part of this easement.

Grantor further covenants and agrees that no building or other structure shall ever be erected nor shall any excavation or other removal of soil, so as to change the grade of terrain, be accomplished by Grantor, its heirs or assigns, within the above described easement area unless the written consent of the Grantee is first obtained. Grantor further acknowledges the requirements of 63 Oklahoma Statutes (2011) Section 142.1, et. seq. (One-call statute).

The rights and privileges above granted to continue so long as same are used or needed for the transmission and distribution of electric current or communication messages; but should the Grantee remove its property from the premises and abandon the right of way herein granted, then the rights granted in this easement shall terminate.

Signed and delivered this _____ day of May 2020.

City of Ardmore, Oklahoma
a municipal corporation

Doug Pfau, Mayor

CORPORATION ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF _____ SS.

Before me, the undersigned, a Notary Public, in and for said County and State, on this _____ day of May 2020, personally appeared Doug Pfau to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Mayor of the City of Ardmore, Oklahoma, a municipal corporation, and acknowledged to me that he executed the same as his free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

My Commission Expires: _____

Commission # _____

Notary Public