

**AGENDA OF A REGULAR MEETING OF THE MAYOR
AND BOARD OF COMMISSIONERS OF
THE CITY OF ARDMORE, OKLAHOMA,
HELD ON 10/05/2020 AT 7:00 PM IN THE COMMISSION
CHAMBERS**

1. VIDEO CONFERENCE MEETING INSTRUCTIONS

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Topic: Ardmore Commission Meeting

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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 the Meeting held on September 21, 2020**

Documents:

[REGULAR MINUTES 09-21-20.PDF](#)

7.B. **City Commission Special Minutes
of the Meeting held on September 22, 2020**

Documents:

[SPECIAL MINUTES 09-22-20.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 of a Lump Sum Distribution from the Oklahoma Municipal Retirement Fund to Mr. Wyndell Goodin
(Cheryl Smith, Director of Human Resources)**

Documents:

[CONSENT A.PDF](#)

8.B. **Consent B**

**Consideration and Possible Action for the Execution of an Interstate Cooperation Contract for Texas Department of Information Resource Technology Contracts
(Kristi McElroy, Purchasing Coordinator/Grant Administrator)**

Documents:

[CONSENT B.PDF](#)

9. **REGULAR BUSINESS**

9.A. **AGREEMENT(S)**

9.A.1. **Agreement 1**

**Consideration and Possible Action of an Addendum to the Professional Service Contract between the City of Ardmore and Davis & Davis, Inc. Recreational Planning Consultants for Additional Construction Meetings and Site Visits for The Clubhouse in an Amount Not to Exceed \$14,000.00
(Teresa Ervin, Director of Parks and Recreation)**

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 SEPTEMBER 21, 2020
AT 7:00 PM IN THE COMMISSION CHAMBERS**

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

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

1. VIDEO CONFERENCE INSTRUCTIONS

2. CALL TO ORDER, BY THE MAYOR

Mayor Pfau 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 Dyer.

5. ROLL CALL

The City Clerk called roll. All were present.

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

6. 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

7. APPROVE MINUTES

A. of the City Commission Regular Meeting held on September 8, 2020

Motion was made by Commissioner Moore and seconded by Vice-Mayor Windel to approve the minutes of the City Commission Regular Meeting of September 8, 2020 as written.

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

8. PUBLIC HEARING(S)

A. Public Hearing for the Purpose of Hearing and Considering Any Objections and/or Complaints Concerning the Request to Rezone Approximately 0.785 Acres located at 1008 and 1020 North Washington Street from O (Office) to CC (Commercial Corridor)

The City received a Rezoning Application from the property owner of approximately 0.785 acres located at 1008 and 1020 North Washington Street requesting rezoning of the subject property from O (Office) 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 September 10, 2020. 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 Approximately 0.55 Acres located at 1020 8th Avenue NW from O (Office) to CC (Commercial Corridor)

The City received a Rezoning Application from the property owner of approximately 0.55 acres located at 1020 8th Avenue NW, requesting rezoning of the subject property from O (Office) 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 September 10, 2020. 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 the Request for a Conditional Use Permit to locate a Communication Tower in the CC (Commercial Corridor) Zoning District at 1211 Veterans Boulevard

The City received a Conditional Use Permit application from the property owner of 1211 Veterans Boulevard, requesting to allow a Communications Tower at this location. In keeping with the requirements of Section 314 of the Unified Development Code, a public hearing was held before the Planning Commission on September 10, 2020. Per Section 314, a public hearing is now required before the City Commission.

Present to Speak For: Ty Knott, AT&T Build Project Manager

Present to Speak Against: None

Public Hearing Closed

9. CONSENT

A. Consideration and Possible Action of an Assignment Approval and Agreement between the City of Ardmore; T & C Aviation, LLC, and Citizens Bank and Trust Company of Ardmore for Tract 8 located at the Ardmore Downtown Executive Airport

The Assignment Approval and Agreement is between City of Ardmore; T & C Aviation, LLC, and Citizens Bank and Trust Company of Ardmore. T & C Aviation, LLC entered into a Ground Lease Agreement with the City of Ardmore to lease a tract of land located at the Ardmore Downtown Executive Airport known as Tract 8. T & C Aviation, LLC desires to assign the subject lease to Citizens Bank and Trust Company of Ardmore, Oklahoma as security.

B. Consideration and Possible Action to Consent to a Sublease Agreement for a Box Hangar located at 610 McDonnell at the Ardmore Municipal Airport between the Ardmore Development Authority a Public Trust of the City of Ardmore and Southern Market Group, Inc., an Oklahoma Corporation for a Term of Five (5) Years with an Annual Lease Rate of \$10,200.00

The Box Hangar Sublease Agreement entered into is between the Ardmore Development Authority, a public trust of the City of Ardmore and Southern Market Group, Inc., which will allow certain property to be subleased located within the Ardmore Industrial Airpark, which property is encompassed within the Lease by the City of Ardmore, a consenting party to this Agreement to the Ardmore Development Authority of the Ardmore Industrial Airpark. The Box Hangar Sublease Agreement requires approval by the City Commissions.

C. Consideration and Possible Action to Consent to a Sublease Agreement for a Box Hangar located at 622 McDonnell at the Ardmore Municipal Airport between the Ardmore Development Authority a Public Trust of the City of Ardmore and Blackbeard Aviation LLC, for a Term of Five (5) Years with an Annual Lease Rate of \$10,200.00

The Box Hangar Sublease Agreement entered into is between the Ardmore Development Authority, a public trust of the City of Ardmore and Blackbeard Aviation LLC, which will allow certain property to be subleased located within the Ardmore Industrial Airpark, which property is encompassed within the Lease by the City of Ardmore, a consenting party to this Agreement to the Ardmore Development Authority of the Ardmore Industrial Airpark. The Box Hangar Sublease Agreement requires approval by the City Commissions.

D. Consideration and Possible Action to Consent to a Sublease Agreement for a Box Hangar located at 606 McDonnell at the Ardmore Municipal Airport between the Ardmore Development Authority a Public Trust of the City of Ardmore and Steve Baggerly for a Term of Five (5) Years with an Annual Lease Rate of \$10,200.00

The Box Hangar Sublease Agreement entered into is between the Ardmore Development Authority, a public trust of the City of Ardmore and Steve Baggerly which will allow certain property to be subleased located within the Ardmore Industrial Airpark, which property is encompassed within the Lease by the City of Ardmore, a consenting party to this Agreement to the Ardmore Development Authority of the Ardmore Industrial Airpark. The Box Hangar Sublease Agreement requires approval by the City Commissions.

E. Consideration and Possible Action to Consent to Ground Sublease Agreement between the Ardmore Development Authority a Public Trust of the City of Ardmore and Holbrook Hobbies for a Parcel of Land 4400 Square Feet located at 606 McDonnell Drive for a Term of Five (5) Years with an Annual Lease Rate of \$432.00

The Ground Sublease Agreement (Lease Agreement) is between the Ardmore Development Authority, a public trust of the City of Ardmore (ADA) and Holbrook Hobbies, LLC (Lessee). The ADA leases from the City of Ardmore the Ardmore Municipal Airport (Airport) in Ardmore, Oklahoma. The ADA desires to sublease property to Lessee and Lessee hereby subleases from the ADA property at the Airport to include; a parcel of land 4400 square feet at 606 McDonnell Drive for a term of five years with an annual lease rate of \$432.00. Lessee likewise desires to sublease such property under the same terms and conditions for the purpose of a personal hangar facility.

F. Consideration and Possible Action to Consent to an Option to Lease Agreement between the Ardmore Development Authority a Public Trust of the City of Ardmore and Cowboy Holdco, LLC, and Oklahoma Limited Liability Corporation for Three (3) Hardstands South of Taxiway Delta and Fifty-Six (56) Additional Acres South of Hardstand Area located at the Ardmore Municipal Airport

The Option to Sublease Property Agreement entered into is between the Ardmore Development Authority, a public trust of the City of Ardmore and Cowboy Holdco, LLC, an Oklahoma Limited Liability Company which will allow certain property to be subleased located within the Ardmore Industrial Airpark, which property is encompassed within the Lease by the City of Ardmore, a consenting party to this Agreement to the Ardmore Development Authority of the Ardmore Industrial Airpark. This Agreement is for two tracts of land consisting of three Hardstands south of Taxiway Delta and fifty-six acres additional acres south of the hardstand area in the Ardmore Municipal Airport located in the Southwest Quarter of Section 17, Township 3 South, Range 3 East, Carter County Oklahoma and the Southeast Quarter of Section 18, Township 3 South, Range 3 East, Carter County Oklahoma. The Option to Sublease Property Agreement requires approval by the City Commissions.

G. Consideration and Possible Action for a Minor Subdivision Plat of 2 Lots on 0.81 Acres of the DJ Farms Addition located at 620 F Street SW

On September 10, 2020, the Planning Commission considered the application to approve the Minor Subdivision Plat of the DJ Farms Addition. The Planning Commission, after discussing the application voted (7-1) to recommend approval of the Minor Subdivision Plat.

H. Consideration and Possible Action for a Minor Subdivision Plat of 1 Lot on 0.95 Acres of the Pleasant Land Addition located at 1518 and 1520 Mt. Washington Road

On September 10, 2020, the Planning Commission considered the application to approve the Minor Subdivision Plat of The Pleasant Land Addition. The Planning Commission, after discussing the application voted (8-0) to recommend approval of the Minor Subdivision Plat.

I. Consideration and Possible Action of a Lump Sum Distribution from the Oklahoma Municipal Retirement Fund to Mr. Brian Scott Sheehy

Mr. Scott Sheehy, a past employee, requests a lump sum distribution of his retirement account with Oklahoma Municipal Retirement Fund (OkMRF). Under the requirements of the OkMRF Agreement with the City of Ardmore, it is required that the City Commission approve any lump sum distribution.

Motion was made by Commissioner Moore and seconded by Commissioner Ellis to approve Consent Agenda Items 9. A-I with Item 9.G. by Resolution No. 4139 and Item 9.H. by Resolution No. 4140.

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

10. REGULAR BUSINESS

A. ORDINANCE(S)

1. Consideration and Possible Action of an Ordinance to Rezone Property located at 1008 and 1020 North Washington from O (Office) Zoning District to CC (Commercial Corridor) Zoning District

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that staff received a request from Robert and Brandi Rogers, property owners of property located at 1008 and 1020 North Washington Street to rezone this property from O (Office) to CC (Commercial Corridor). The Planning Commission, after discussion and consideration of the applicant's responses to the 15 criteria used to justify a rezoning, and after consideration of information provided by staff, voted (8-0) to recommend approval of rezoning to CC (Commercial Corridor) zoning district.

Motion was made by Commissioner Ellis and seconded by Commissioner Dyer to approve Ordinance No. 3093.

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

2. Consideration and Possible Action of an Ordinance to Rezone Property located at 1020 8th Avenue NW from O (Office) Zoning District to CC (Commercial Corridor) Zoning District

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 Mary Littleton, property owner of property located at 1020 8th Avenue NW to rezone this property from O (Office) to CC (Commercial Corridor). The Planning Commission, after discussion and consideration of the applicant's responses to the 15 criteria used to justify a rezoning, and after consideration of information provided by staff, voted (8-0) to recommend approval of rezoning to CC (Commercial Corridor) zoning district.

Motion was made by Commissioner Dyer and seconded by Vice-Mayor Windel to approve Ordinance No. 3094.

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

B. RESOLUTION(S)

1. Consideration and Possible Action of a Resolution for a Conditional Use Permit for CRB Companies, LLC to locate a Communications Tower at 1211 Veterans Blvd.

A presentation was made by Jessica Scott, Director of Community Development, to the Commission. She stated that on September 10, 2020, the Planning Commission considered the request by CRB Properties for a Conditional Use Permit to allow a Communications Tower in CC (Commercial Corridor) zoning district for 1211 Veterans Boulevard. The Planning Commission, after discussion and consideration of the applicant's responses to the 15 criteria used to justify a rezoning, and after consideration of information provided by staff, voted (8-0) to recommend approval of the Conditional Use Permit in the CC (Commercial Corridor) zoning district to allow a Communications Tower. The tower must be a monopole tower with fall protection design in place.

Motion was made by Commissioner Moore and seconded by Commissioner Ellis to approve Resolution No. 4141.

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

C. BID(S)

1. Consideration and Possible Action of a Bid Received from Bean Construction for the Western Heights Storm Sewer Project in the Total Amount of \$139,900.00 and Authorize the Mayor to Execute the Contract

A presentation was made by Thomas Mansur, City Engineer, to the Commission. He stated that the City advertised for and received construction bids on September 10, 2020 for the Western Heights Storm Sewer Repair Project. The project provides for repair and replacement of a failed segment of storm sewer in the subdivision. Staff received bids from two (2) competent and experienced contracting firms. Bids received as follows:

Bean Construction	\$139,900.00
Howard Construction	\$176,150.00
Engineer's Estimate	\$125,500.00

Staff requests that the Commissions approve the award of the Western Heights Storm Sewer Project to Bean Construction in the amount of \$139,900.00 and authorize the Mayor to execute the contract.

Motion was made by Commissioner Ellis and seconded by Commissioner Dyer to approve the bid received from Bean Construction for the Western Heights Storm Sewer Project in the total amount of \$139,900.00 and authorize the Mayor to execute the contract.

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

2. Consideration and Possible Action of a Bid Received from GCC Enterprises, Inc., for the Ardmore Downtown Executive Airport to Clean and Seal Joints and Cracks, Seal Coat, and Re-Mark Runway 17 and Install LED Medium Intensity Runway Lights in the Total Amount of \$2,243,401.25

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that in June of 2020, the City of Ardmore solicited bids to clean and seal joints and cracks; seal coat; re-mark Runway 17, and Install LED medium intensity runway lights for the Ardmore Downtown Executive Airport. Four add alternates were included in the solicitation to reconstruct partial parallel taxiway; construct concrete connecting taxiway; remove asphalt connecting taxiway, and install Runway 17-35 LED runway end identifier lights. The lowest, most responsible bidder meeting specifications was received from GCC Enterprises, Inc., in the amount of \$2,243,401.25. Therefore, the City applied for Federal Aviation Administration (FAA) grant funding in the aforementioned plus engineering in the total amount of \$2,690,100.00. Ninety percent (90%) of funding for the project will be paid by the FAA and ten percent (10%) will be

paid by the CARES Act. The City's Engineer, H.W. Lochner, Inc., has previously worked with GCC Enterprises and recommends then for the award.

Motion was made by Commissioner Dyer and seconded by Commissioner Moore to approve the bid received from GCC Enterprises, Inc., for the Ardmore Downtown Executive Airport to clean and seal joints and cracks, seal coat, and re-mark Runway 17 and install LED Medium Intensity Runway Lights in the total amount of \$2,243,401.25.

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

D. AGREEMENT(S)

1. Consideration and Possible Action to Amend an Agreement with H.W. Lochner, Inc., to Provide Required Engineering Oversight Services at the Ardmore Downtown Executive Airport for the Rehabilitation of Runway 17-35 in an Increased Amount of \$233,000.00 for a Total Engineering Cost of \$587,600.00

A presentation was made by Kevin Boatright, Assistant City Manager, to the Commission. He stated that the City of Ardmore executed an agreement with H.W. Lochner, Inc., on June 3, 2019 to provide engineering services at the Ardmore Downtown Executive Airport, for the rehabilitation of Runway 17-35. The construction phase of the project requires engineering oversight and therefore, amending the original agreement to include those in the amount of \$233,000.00 for a total engineering cost of \$587,600.00. The Federal Aviation Administration (FAA) requires that the agreement is signed when applying for grant funds. The City Commission authorized the City Manager to execute agreements per Resolution 4136. The funding for the services will be paid with funds by the FAA at ninety percent (90%) and the CARES Act for the remaining ten percent (10%).

Motion was made by Vice-Mayor Windel and seconded by Commissioner Dyer to approve to amend an Agreement with H.W. Lochner, Inc., to provide required engineering oversight services at the Ardmore Downtown Executive Airport for the rehabilitation of Runway 17-35 in an increased amount of \$233,000.00 for a total engineering cost of \$587,600.00.

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

2. Consideration and Possible Action of Supplemental Budget Amendments to the Fiscal Year 2019/2020 Budget

A presentation was made by Sandy Doughty, Director of Finance, to the Commission. She stated that the supplemental budget amendments to the Fiscal Year 2019/2020 budget need to bring the original approved budget into compliance. All of the expenses were either related to grants that were not known at the time of the original budget, or an increase of tax revenue received over the budgeted revenue, which then is sent to other entities creating the additional expense. All budget increases are covered by additional revenues or by the contingency funds.

Motion was made by Commissioner Ellis and seconded by Commissioner Moore to approve supplemental budget amendments to the Fiscal Year 2019/2020 budget.

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

3. Consideration and Possible Action of Supplemental Budget Amendments to the Fiscal Year 2020/2021 Budget

A presentation was made by Sandy Doughty, Director of Finance, to the Commission. She stated that the supplemental budget amendments to the Fiscal Year 2020/2021 budget need to bring the original approved budget into compliance. In general, the expenses are budget projects from Fiscal Year 2020/2021, not known during the budget process. All budget increases are covered by additional revenues/grants or by the contingency funds.

Motion was made by Commissioner Moore and seconded by Vice-Mayor Windel to approve supplemental budget amendments to the Fiscal Year 2020/2021 budget.

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

4. Consideration and Possible Action of Change Order No. 1 for the Isabel Waterline Replacement Project in an Increased Amount of \$7,975.00 for a Total Project Cost of \$161,273.80

A presentation was made by Shawn Geurin, Director of Utilities, to the Commission. He stated that Change Order No. 1 for the Isabel Waterline Replacement Project is in the additional amount of \$7,975.00. This changes the total cost of the project from \$153,298.80 to a cost of \$161,273.80 and will finalize the project. This project is being funded through the GAPS Tax.

Motion was made by Commissioner Ellis and seconded by Commissioner Dyer to approve Change Order No. 1 for the Isabel Waterline Replacement Project in an increased amount of \$7,975.00 for a total project cost of \$161,273.80.

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

5. Consideration and Possible Action to Confirm the Receipt of a Construction Permit received from the Oklahoma Department of Environmental Quality for the Exit 29 Waterline Project

A presentation was made by Shawn Geurin, Director of Utilities, to the Commission. He stated that the City of Ardmore received a Construction Permit from the Oklahoma Department of Environmental Quality (ODEQ) for the Exit 29 Waterline Project. It is a requirement of the ODEQ to place these permits on a regular meeting to be noted in the minutes and made a matter of permanent record.

Motion was made by Commissioner Dyer and seconded by Commissioner Ellis to approve to confirm the receipt of a Construction Permit received from the Oklahoma Department of Environmental Quality for the Exit 29 Waterline Project.

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

E. PURCHASE(S)

1. Consideration and Possible Action for the Purchase of Three (3) Thermal Imaging Cameras for the Ardmore Fire Department from Northern Safety from the Oklahoma State Contract No. SW241 in the Total Amount of \$29,276.46

A presentation was made by Cary Williamson, Fire Chief, to the Commission. He stated that for the Fiscal Year 2020/2021, the Ardmore Fire Department budgeted \$30,000.00 for the purchase of two (2) Thermal Imaging Cameras. Fortunately, with current pricing, staff are able to purchase three (3) of the units for under the budget amount. The purchase of three (3) Thermal Imaging Cameras with spare battery and truck charger will be from Northern Safety from the Oklahoma State Contract SW241 in the total amount of \$29,276.46.

Motion was made by Vice-Mayor Windel and seconded by Commissioner Ellis to approve the purchase of three (3) Thermal Imaging Cameras for the Ardmore Fire Department from Northern Safety from the Oklahoma State Contract No. SW241 in the total amount of \$29,276.46.

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

11. ADJOURN

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

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

**MINUTES OF
A SPECIAL MEETING OF THE MAYOR AND BOARD OF COMMISSIONERS OF
THE CITY OF ARDMORE, OKLAHOMA,
HELD ON SEPTEMBER 22, 2020, AT 12 NOON
IN THE COMMISSION CHAMBERS**

Present:	Doug Pfau	Mayor
	Beth Windel	Vice-Mayor
	Sheryl Ellis	Commissioner
	John Moore	Commissioner
	Martin Dyer	Commissioner
	J.D. Spohn	City Manager
	Kevin Boatright	Assistant City Manager
	Lori Linney	City Clerk
	David Davis	Attorney for Legal Counsel
Margaret Love	Attorney for Legal Counsel	
Teresa Ervin	Director of Parks and Recreation	

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

1. CALL TO ORDER BY MAYOR

Mayor Pfau called the meeting to order.

2. ROLL CALL

The City Clerk called roll. All were present.

3. APPROVE AGENDA – ORDERE OF BUSINESS AND CONTENTS

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

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

4. REGULAR BUSINESS

A. DISCUSSION(S)

1. H.F.V. Wilson Community Center Operations

Discussion of H.F.V. Wilson Community Center operations.

No Action Taken

5. Adjourn

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

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

CITY OF ARDMORE
Human Resources Department

Council Letter No. 4930
Meeting Date: October 5, 2020

Mayor and City Commission
City of Ardmore, Oklahoma

Re: Retirement: Lump Sum Distribution
From OkMRF for Mr. Wyndell Goodin

Dear Commission Members:

Mr. Goodin is requesting a lump sum distribution of his retirement account with OkMRF.

Under the requirements of the OkMRF agreement with the City of Ardmore, OK, it is required that the City Commission approve any lump sum distribution, I am requesting your approval for the retirement distribution to Mr. Goodin.

Respectfully submitted,



Cheryl Smith
HR Director

Reviewed by: 
City Manager

CITY OF ARDMORE
Finance Department

Council Letter No. 4931
Meeting Date: October 5, 2020

Mayor and City Commission
City of Ardmore, Oklahoma

Re: Enter Texas Department of Information Resource Technology Interstate
Cooperation Contract

Dear Commission Members:

The City of Ardmore frequently utilizes interstate and interlocal cooperation agreements as a procurement method. In order to utilize the State of Texas Department of Information Resource Technology Interstate Cooperation Contract, the City must execute a contract. The City Attorney has reviewed and approved the contract.

Staff, respectfully recommends execution of the Interstate Cooperation Contract with the State of Texas Department of Information Resource Technology.

Respectfully submitted,



Kristi McElroy,
Purchasing Coordinator/
Grant Administrator

Reviewed by: 
City Manager

INTERSTATE COOPERATION CONTRACT
for Texas Department of Information Resource Technology Contracts

THIS INTERSTATE COOPERATION CONTRACT is entered into by and between City of Ardmore, Oklahoma, with its principal place of business at P.O. Box 249, Ardmore, OK 73402 and the STATE OF TEXAS, acting by and through the DEPARTMENT OF INFORMATION RESOURCES, 300 West 15th Street, Suite 1300, Austin, Texas 78701, pursuant to the authority granted and in compliance with the provisions of the Interlocal Cooperation Act, Texas Government Code, Chapter 791 for Texas based Customers and Section 2054.0565, Texas Government Code, for out of state Customers.

I. STATEMENT OF PURPOSE:

The purpose of this Interstate Cooperation Contract [Contract] is to allow DIR Customer to purchase information resources technologies through DIR Contracts.

II. CONSIDERATION:

- a. Per the Interlocal Cooperation Act, Texas Government Code, § 791.025, or other applicable law, the DIR Customer satisfies the requirement to seek competitive bids for the purchase of goods and/or services.
- b. DIR agrees to allow DIR Customer to procure information resources technologies through existing Vendor contracts and Vendor contracts that DIR may enter into during the term of this interstate cooperation contract, in accordance with specifications submitted through purchase orders from Customer. All DIR Vendor contracts shall be made available to the DIR Customer via the DIR Internet web site. DIR Customers utilizing the Cooperative Contracts shall issue a Purchase Order directly to the relevant Vendor. DIR Customers utilizing a DIR Contract for which DIR is the fiscal agent, the DIR Customer's Purchase Order shall be issued to DIR.
- c. DIR Customer agrees to notify DIR of any substantial problems in quality or service in relations with a vendor under a DIR vendor contract.

III. PAYMENT FOR GOODS AND SERVICES:

- a. DIR Customer shall comply with Chapter 2251, Texas Government Code, or applicable local law, in making payments to the Vendor. Payment under a DIR Contract shall not foreclose the right to recover wrongful payments.
- b. Payments must be made in accordance with laws and procedures applicable to DIR Customer.
- c. DIR Customer agrees to pay the rates and/or prices set by DIR with its vendors. DIR Customer understands these rates and/or prices include a DIR administrative fee.
- d. All purchases executed under a DIR Contract will require a DIR Customer purchase order.

IV. TERM OF CONTRACT:

This Interstate Cooperation Contract shall begin when fully executed by both parties and shall continue until June 30, 2021.

Either party, upon written notice, may terminate this contract on thirty (30) days advance written notice. Customers shall pay for all goods and services received through the effective date of termination.

V. GOVERNING LAW AND OTHER REPRESENTATIONS:

DIR Customer:

Unit of Texas Local Government hereby certifying that is has statutory authority to perform its duties hereunder pursuant to Chapter _____ Code.

Non-Texas State agency or unit of local government of another state hereby certifying that it has statutory authority to enter in to this Interstate Cooperation Contract and perform its duties hereunder pursuant to Oklahoma Statute Title 74 Sections 1001, et. seq.

Customer that is neither a unit of Texas Local Government nor a Non-Texas State agency or unit of local government of another state hereby certifies that it has statutory authority to enter in to this Interstate Cooperation Contract and perform its duties hereunder pursuant to _____.

VI. CERTIFYING FUNCTION:

Department of Information Resources acting as the owner of the DIR Contracts hereby certifies the eligibility of the DIR Customer to use the DIR Contracts.

VII. TERMS AND CONDITIONS FOR OUT OF STATE DIR CUSTOMERS:

SELECTIONS PER THE GOVERNING LAW OF THE OUT OF STATE DIR CUSTOMER:

1. In any issue concerning this Interstate Cooperation Contract, or the DIR Contracts, in which DIR is involved shall be governed by the law of the State of Texas, excluding the conflict of law provisions.
2. Exclusive Venue for any litigation whatsoever involving DIR is the state district court of Travis County, Texas.
3. DIR Customer's use of the DIR Contracts shall be governed by the law of the State of Oklahoma, excluding the conflicts of law provisions.
4. Exclusive Venue for litigation arising between DIR Customer and Vendor from use of the DIR Contracts is Carter County Oklahoma.
5. The following dispute resolution procedures shall be used to resolve disputes arising from use of the DIR Contracts. Litigation.

VIII. Notification

All notices under this Interstate Cooperation Contract shall be sent to a party at the respective address indicated below.

If sent to the DIR:

Hershel Becker or Successor in Office
 Chief Procurement Officer
 Department of Information Resources
 300 W. 15th Street, Suite 1300
 Austin, Texas 78701
 Facsimile: (512) 475-4700

DIR Customer:

Contact Name: Kristl McElroy, Purchasing Coordinator
 Customer Name: City of Ardmore
 Address: P.O. Box 249
 City, State, Zip Code: Ardmore, OK 73402
 Phone Number: (580) 221-2548
 Facsimile: (580) 221-2563
 Email: kmcelroy@ardmorecity.org

This Interstate Cooperation Contract is executed to be effective as of the date of the last party to sign.

City of Ardmore (OK)

(Insert Entity Name here)

Authorized By: Ardmore City Commission

Name: _____

Title: JD. Spohn, City Manager

Date: October 5, 2020

THE STATE OF TEXAS, acting by and through the DEPARTMENT OF INFORMATION RESOURCES

Authorized By: _____

Name: Hershel Becker

Title: Chief Procurement Officer

Date: _____

Office of General Counsel: _____ Date: _____

CITY OF ARDMORE
Parks and Recreation Department

Council Letter No. 4932
Meeting Date: October 5, 2020

Mayor and City Commission
City of Ardmore, Oklahoma

Re: Approval of an addendum to the professional service contract between the City of Ardmore and the Davis & Davis, Inc. Recreational Planning Consultants in the amount not to exceed \$14,000 (fourteen thousand dollars) for additional construction meetings and site visits regarding The Clubhouse.

Dear Commission Members:

Due to delays at The Clubhouse in landscaping and signage it became apparent that additional services would be needed to ensure a successful completion. The Consultant Kim Davis provided an additional cost proposal to work through to completion, which includes construction phase services such as additional visits by the consultant team. The scope of this project has grown and I felt with the magnitude it warrants additional involvement from Davis and Davis Recreational Consultants. However after speaking with Lambert Construction they have agreed to share in the cost and provide 50% of the cost for these additional services. These additional funds would be available from the Reserve Management Fund.

Staff respectfully requests approval of the addendum in the amount not to exceed \$14,000 (fourteen thousand dollars) to provide additional services from Davis and Davis, Inc. Recreational Planning Consultants.

Thank you for your consideration,



Teresa Ervin
Parks and Recreation Director

Reviewed by: 
City Manager

September 29, 2020

Ms. Teresa Ervin
Parks and Recreation Director
City of Ardmore
Ardmore, OK 73401

Subject: Clubhouse End of Project Services

Dear Teresa,

The purpose of this email is to project forward as to the amount of professional time that might be required to continue providing construction phase services to the City of Ardmore on this project. Our current contract ran through June and we were able to facilitate it through July. Now, it appears that weekly site visits through August will need to continue with an allowance of 8hrs per week for administrative time. Looking into September, there could be three site visits and 24 hours of administrative time. This should get us through Substantial Completion, an Opening and Final Project Closeout Documentation.

The maximum foreseen values are projected as:

- Site visits: 7 x \$1,000/visit = \$7,000.00, plus reimbursable expenses.
- Administrative time: 56hrs x \$125.00/hr = \$7,000.00

Billing will only be for the actual time required. We are working to close this project out as soon as possible.

Thank you for your consideration.



Kim C. Davis, RLA
President, Davis & Davis, Inc.
For and on behalf of Davis & Davis, Inc.

Client

Date