



January 3, 2017

The **REGULAR** meeting of the **CHICKASHA CITY COUNCIL** was held in the council chambers in city hall on the 3rd day of January 2017 as specified by advance public notice with a properly prepared agenda stating the subject matter or matters to be discussed at said meeting. Mayor Ross called the meeting to order at 5:30 p.m.

**ITEM 1. Call to Order / Roll Call / Opening Prayer / Pledge of Allegiance**

**MAYOR AND COUNCIL**

**PRESENT:** Hank Ross, Mayor  
John Toland  
Howard Carpenter  
Dr. R.P Ashanti-Alexander  
Phylis Steelman  
Kimberly Loggins  
Mike Sutterfield  
Blake Elliott  
Jerry Pittman

**STAFF**

Tom Frailey, Attorney  
Tina Smith, City Clerk  
Stewart Steele, Police Chief  
Brian Zalewski, Fire Chief  
Susan Jones, Executive Assistant  
Kim Kohler, Special Event Manager  
Kathleen Easley, Community Development Director  
Lena Smith, Asst. City Manager  
Rob Camp, Capital Project Manager  
Kristal Kuhn, Emergency Management Director  
Summer Sanders, Recreation Coordinator  
Jim McClain, Public Works Director  
Lillie Huckaby, Library Director  
Stewart Fairburn, Consultant

Council Member Sutterfield gave the invocation and lead the pledge of allegiance.

**ITEM 2. Visitor Presentation / Citizen and Council Communication.**

*(City Council Rules and Regulations limit visitor comments to a maximum of three minutes.)*

**\*Visitor Communications\***

*Barry Thomas 2900 W. Idaho property owner for 25 years and is against the RV Storage.*

*Wayne Robnett 2901 Idaho 40 years property owner against RV Storage.*

*Kelly Boyd 801 S. 29<sup>th</sup> property, business owner, tax payer. Would like the property rezoned from A-1 to C-2 stated there were just as many businesses as residential properties on 29<sup>th</sup>.*

*Charles (Charlie) Burruss 201 St. James, he believes the City has made mistakes to property owners and citizens and questioned the railroad crossing closers.*

*Barbara Cole 1206 S. 29<sup>th</sup> against RV Storage also handed out packages to Council and Mayor with petition, pictures and newspaper clipping.*

*Phillip Willis 28008 CR 1260 Verden, talked about the AG lease at Chickasha lake, NE 10-8-9.*

**ITEM 3.**

**Consent Docket: ITEM 3a through ITEM 3b and ITEM 3d. through ITEM 3i.**

**ITEM 3a.**

**Consider approving the minutes of the December 5, 2016, regular meeting**

Approval is requested for the minutes of the December 5, 2016 regular meeting.

**Staff Recommendation:** Approve minutes, and authorize filing thereof.

**ITEM 3b.**

**Consider approving the Purchase Order list for the first half of January, 2017 in the amount of \$245,085.76; Purchase Order list for the last half December 2016 in the amount of \$254,178.42; Payroll Claims for December 2016, in the amount of \$852,856.25; and estimated Payroll Claims for February 2017, in the approximate amount of \$765,500.**

Approve the Purchase Order list for the first half of January, 2017 in the amount of \$245,085.76; Purchase Order list for the last half December 2016 in the amount of \$254,178.42; Payroll Claims for December 2016, in the amount of \$852,856.25; and estimated Payroll Claims for February 2017, in the approximate amount of \$765,500.

**ITEM 3d.**

**Consider approving Contractor's Application for Payment No. 2 to MTZ Construction Inc. for \$2,565.00 for Street Storm Sewer Inlet Replacement**

On September 19, 2016, City Council Approved Bid# 2017-016 Street Storm Sewer Inlet Replacement for 46 storm water inlets to be replaced in various locations across town. Total contract was \$127,800.00. MTZ Construction is currently working on the West

side of Choctaw Ave. In accordance with the Contract Documents, based on on-site observations and the data comprising this application the Project Manager, Robinson Camp, certifies to Council of the City of Chickasha that to the best of his knowledge, information and belief the Work has progressed as indicated the quantity of Work in accordance with the Contract documents, and the Subcontractor is entitled to payment of the amount requested. A copy of the Contractor's Application is kept on file.

Original Contract Sum	\$	127,800.00
Previous Payments	\$	8,521.50
Current Payment Due	\$	2,565.00
Amount Left in Contract	\$	116,713.50

This project is funded through the Street and Alley Fund.

**Staff Recommendation:** Approve Contractor's Application for Payment No. 2 to MTZ Construction, Inc. in the amount of \$2,565.00

**ITEM 3e. Consider approving Contractor's Application for Payment No. 2 to MTZ Construction Inc. for \$63,403.00 for Sidewalk Replacement Project**

On September 19, 2016, City Council Approved Bid# 2017-015 Sidewalk Replacement Project, in the total amount of \$193,250.00. MTZ Construction is currently working on the West side of Choctaw Ave. In accordance with the Contract Documents, based on on-site observations and the data comprising this application the Project Manager, Robinson Camp, certifies to Council of the City of Chickasha that to the best of his knowledge, information and belief the Work has progressed as indicated the quantity of Work in accordance with the Contract documents, and the Subcontractor is entitled to payment of the amount requested. A copy of the Contractor's Application is kept on file.

Original Contract Sum	\$	193,250.00
Previous Payments	\$	59,358.61
Current Payment Due	\$	63,403.00
Amount Left in Contract	\$	70,488.39

This project is funded through the Street and Alley Fund.

**Staff Recommendation:** Approve Contractor's Application for Payment No. 2 to MTZ Construction, Inc. in the amount of \$63,403.00

**ITEM 3f. Consider authorizing the opening of a donation account for the Police Chaplain Program.**

The Chickasha Police Department is working to expand the Chaplain program to not only assist employees within the department, but also assist those in the community who need assistance after being victimized/traumatized. The Police Department is requesting that a

donation account titled "Police Chaplain Program" be opened to assist the department with this program.

**Staff Recommendation:** Approve the creation of a Police Chaplain Program donation account.

**ITEM 3g. Consider authorizing the signing of a Pest Control Contract for the Police Department building**

The Police Department building at 2001 W. Iowa Avenue has an infestation of wasps, bees, mice, crickets and other related vermin. This includes the adjacent property room. The problem is creating a potential health hazard for some employees who are allergic. Flying stinging insects are dropping through the light fixtures and into the building.

Competitive pricing has been sought and the contract requested is with Terminix. The contract is for the eradication of the current nests and includes a monthly on sight service.

Competitive pricing was sought through Terminix & Gonzales Pest Control. Both vendors pricing is the same. Terminix offers a ULV Treatment to prevent a re-infestation after eradication, Gonzales Pest Control did not.

Both vendors quoted \$100 per month.

**Staff Recommendation:** Authorize the signing of the Terminix Pest Control contract.

**ITEM 3h. Consider approving payment to Strategic Government Resources for management training.**

This is the last billing for management training this year. It consisted of three days in September and October to examine Managing Relationships, Conflicting Resolution, and the book Smarter, Faster, Better.

The total cost of training and mileage is \$10,200 to be paid from 11-517-5211-001.

**Staff Recommendation:** Approve payment to SGR for management training of \$10,200.

**ITEM 3i. Consider approving payment of \$4,000 to Prairie Rock Architecture for design work on old Police/Fire Building.**

Earlier this year staff was discussing the possible use of the old Police/Fire Building with Chickasha Public Schools, Chamber of Commerce and EDC. The former City Manager authorized some preliminary work to be done by Prairie Rock Architecture. The City received examples of how some of the proposed uses would look. After further discussion, it was determined that the project could not go forward.

**Staff Recommendation:** Approve payment of \$4,000 to Prairie Rock Architecture for preliminary design work on the old Police/Fire building.

\*Motion by Council Member Steelman, second by Council Member Loggins to approve the Consent Docket: ITEM 3a. through ITEM 3b and ITEM 3d. through ITEM 3i.\*

Roll call vote:

“Ayes:” Loggins, Steelman, Toland, Ross, Sutterfield, Elliott, Ashanti-Alexander, Carpenter and Pittman  
“Nays:” None  
“Abstain:” None  
Motion carried. 9-0

**ITEM 4. Discussion/Approval of Items Removed from Consent Docket:**

**ITEM 3c. Consider approving the request from Carson & Barnes Circus to rent the Sports Complex for a Circus and authorize the Mayor to execute the agreement.**

Staff received a request from Carson & Barnes Circus requesting to use 300’ by 400’ area of ground at our Sports Complex to hold their tented Circus on April 11, 2017. For use of these grounds, the Circus agrees to pay the sum of \$500.00. The Circus provides their own electricity but will need access to our water. The agreement also states the Circus is responsible for all clean up.

A copy of the request and liability insurance is attached. An Indemnity agreement is currently being prepared by Tom Frailey’s office.

**Staff Recommendation:** Approve the request from Carson & Barnes Circus to rent the Sports Complex for a Circus and for Mayor Hank Ross to execute the agreement.

*Council Member Elliott asked why the Sports Complex and not the Fair Grounds.*

*Council Member Sutterfield asked about the fee \$100.00 hour.*

*Council Member Steelman said to make sure all signs around town needs to be cleaned up afterwards.*

*Tom Frailey City Attorney stated we could pass the place and bring back the contract, Circus is April 11<sup>th</sup>.*

\*Motion by Council Member Sutterfield, second by Council Member Elliott to approve the Consent Docket: ITEM 3c. to approval only the rental of the Sports Complex to Carson & Barnes Circus and bring back to Council the contract for approval.\*

Roll call vote:

“Ayes:” Steelman, Toland, Ross, Sutterfield, Elliott, Ashanti-Alexander, Carpenter, Pittman and Loggins  
“Nays:” None  
“Abstain:” None  
Motion carried. 9-0



The applicant is requesting the 20-foot alley be closed. Ms. Duff owns the 5-acre property directly east of this plat and uses this alley way to access the property, formerly the Bitsche Nursery. She is wanting to build a new home on the property. Currently her only frontage onto 6<sup>th</sup> Street is the 60-foot right of way on the south side of Block 8: Wisconsin Avenue (undeveloped). This is an undesirable access point due to the heavily wooded area on her property at this location and steep slopes. She is proposing to continue using the current driveway.

Planning Commission reviewed the request to close the public way at the December 13, 2016 meeting and recommends approval.

**Staff Recommendation:** Approve Ordinance No. 2017-01 approving the closing of the public way in Block 8 of the Amended Plat of Highland Park.

\*Motion by Council Member Sutterfield, second by Council Member Loggins to approve Ordinance No. 2017-01. \*

Roll call vote:

“Ayes:”	Ross, Sutterfield, Elliott, Ashanti-Alexander, Carpenter, Pittman, Loggins, Steelman and Toland
“Nays:”	None
“Abstain:”	None
Motion carried.	9-0

**ITEM 5c. Consider a request to rezone a portion of property located at 801 S. 29<sup>th</sup> Street from Agricultural (A-1) to General Commercial (C-2).**

The applicant is requesting the property be rezoned from A1: Agricultural to C-2: General Commercial.

The city community plan Commercial Development Policies state “Rigidly control commercial encroachment into stable residential areas through strict enforcement of zoning regulations”. This property is surrounded by residential and agricultural zoned land and residential and agricultural uses. The city community plan also states commercial development should be in planned clusters (commercial parks) along major thoroughfares.

Planning Commission reviewed the rezone request at the December 13, 2016 meeting and recommends denial.

**Staff Recommendation:** Deny rezone request.

*Council Member Loggins asked Kathleen Easley Community Development Director if the planning commission board reviewed, Easley stated yes.*

*Council Member Pittman stated that it has gone before the planning commission twice.*

\*Motion by Council Member Elliott, second by Council Member Pittman to deny the rezoning at 801 S. 29<sup>th</sup> street from Agricultural (A-1) to General Commercial (C-2). \*

Roll call vote:

“Ayes:” Sutterfield, Elliott, Ashanti-Alexander, Pittman, Loggins, Steelman, Toland and Ross  
“Nays:” Carpenter  
“Abstain:” None  
Motion carried. 8-1

**ITEM 5d. Consider authorizing the continuation of contract with Emergency Communications Network LLC (Code Red – Reverse 911)**

The City of Chickasha previously entered into an agreement with ECN (Code Red) to provide a reverse 911 system for the mass notification of civil emergencies, water main breaks, or just general information that the City of Chickasha deemed necessary to be distributed to citizens in a mass outreach via phone or text. The cost of this system is an annual fee of \$5000.00. This will be the last payment for this system.

**Staff Recommendation:** Award the contract back to ECN for continued use of the CODE red system in the amount of \$5,000.00. The expenses will be paid from E911 funds 27-27-5302-019-1.

\*Motion by Council Member Elliott, second by Council Member Loggins to authorize the continuation of contract with Emergency Communications Network LLL (Code Red-Reverse 911). \*

Roll call vote:

“Ayes:” Elliott, Ashanti-Alexander, Carpenter, Pittman, Loggins, Steelman, Toland, Ross and Sutterfield  
“Nays:” None  
“Abstain:” None  
Motion carried. 9-0

**ITEM 5e. Consider a request to amend the Fairfield Inn Planned Unit Development**

The Planned Unit Development for the Fairfield Inn, previously approved at the April 20, 2015 council meeting, is being amended to include some revisions to the layout/parking/swimming pool and a few additional rooms. The original PUD was for 84 rooms. The developer is now proposing 91 rooms. The swimming pool has been relocated from the east side of the building to the south side. Many of the changes were due to staff recommendations to allow for a fire lane on the south side of the building. There are no changes to the landscaping or fencing as previously approved.



\*Motion by Council Member Elliott second by Council Member Sutterfield authorize the purchase of a new 911 Solution from Emergency Call Works. \*

Roll call vote:

“Ayes:” Carpenter, Pittman, Loggins, Steelman, Toland, Ross, Sutterfield, Elliott and Ashanti-Alexander

“Nays:” None

“Abstain:” None

Motion carried. 9-0

**ITEM 7.**

**Bid Openings and Awards:**

**ITEM 7a.**

**Consider rejecting the bid for the installation of banner poles and the purchase/installation of banner brackets and authorize to re-bid.**

Staff opened bids for the installation of banner poles and the purchase/installation of banner brackets on November 7, 2016. Staff purchased (12) banner poles some time back for Chickasha Avenue to display the City banners.

Only one bid from Bordwine Development was received for \$9,000.00. This bid is higher than we anticipated and due to the bid notice not going out through our website to reach multiple contractors, staff is requesting we reject the one bid and be authorized to re-bid this at a later date.

**Staff Recommendation:** Authorize staff to reject the bid and authorize to re-bid the installation of banner poles and purchase/installation of banner brackets at a later date.

*Council Member Elliott asked when we rebid would we get a better price, and if we have the funds to spend.*

*Council Member Carpenter asked if we fixed the problem with the bid process.*

\*Motion by Council Member Steelman second by Council Member Elliott to reject the bid for the installation of banner poles and the purchase/installation of banner brackets and authorize to re-bid. \*

Roll call vote:

“Ayes:” Pittman, Loggins, Steelman, Toland, Ross, Sutterfield, Elliott, Ashanti-Alexander and Carpenter

“Nays:” None

“Abstain:” None

Motion carried. 9-0

**ITEM 7b.**

**Consider rejecting the bid for construction of outdoor electrical panels at the Train Depot and authorize to re-bid.**

Staff opened bids for the construction of outdoor electric panels at the Train Depot on November 7, 2016. The new panels would have been used to light the new flagpole as well as better accommodate vendors for festivals and community events.

Only one bid from Phoenix Services, LLC was received for \$24,218.00. This bid is higher than we anticipated. It was also brought to my attention bid notice to contractors through our website did not go out. Which explains only receiving one bid. This issue has been resolved.

Staff is requesting we reject the one bid and be authorized to re-bid this project at a later date.

**Staff Recommendation:** Authorize staff to reject the bid and re-bid the construction of outdoor electrical panels at the Train Depot at a later date.

\*Motion by Council Member Steelman second by Council Member Elliott to reject the bid for construction of outdoor electrical panels at the train depot and authorize to rebid.

Roll call vote:

“Ayes:” Loggins, Steelman, Toland, Ross, Sutterfield, Elliott, Ashanti-Alexander, Carpenter and Pittman  
“Nays:” None  
“Abstain:” None  
Motion carried. 9-0

\*Motion by Council Member Sutterfield, second by Council Member Elliott to recess the City Council meeting and enter into Chickasha Municipal Authority and Chickasha Municipal Airport Authority at 6:19 pm. \*

Roll call vote:

“Ayes:” Steelman, Toland, Ross, Sutterfield, Elliott, Ashanti-Alexander Carpenter, Pittman and Loggins  
“Nays:” None  
“Abstain:” None  
Motion carried. 9-0

\*Motion by Council Member Sutterfield, second by Council Member Loggins to reconvene the City Council meeting at 6:30 pm. \*

Roll call vote:

“Ayes:” Ross, Sutterfield, Elliott, Ashanti-Alexander Carpenter, Pittman, Loggins, Steelman and Toland  
“Nays:” None  
“Abstain:” None  
Motion carried. 9-0

**ITEM 8.**

**Executive Session:**

**ITEM 8a.**

**Discussion, consideration and possible action to enter into Executive Session to discuss negotiations with FOP Lodge #129 concerning a Memorandum of Understanding involving a temporary modification of Article 17, Section 1 of the Collective Bargaining Agreement between the City of Chickasha and FOP Lodge #129 concerning shift scheduling and implementation of a temporary 12 hour shift under the provisions of 25 O.S. §307B(2).**

Staff wishes to enter into an Executive Session to discuss negotiations with FOP Lodge #129 concerning a Memorandum of Understanding involving a temporary modification of Article 17, Section 1 of the Collective Bargaining Agreement between the City of Chickasha and FOP Lodge #129 concerning shift scheduling and implementation of a temporary 12 hour shift under the provisions of 25 O.S. §307B(2).

**Staff Recommendation:** Enter into Executive Session.

\*Motion by Council Member Elliott, second by Council Member Sutterfield to enter into Executive Session at 6:31 p.m.\*

Roll call vote:

“Ayes:”	Steelman, Toland, Ross, Sutterfield, Elliott, Ashanti-Alexander, Carpenter, Pittman and Loggins
“Nays:”	None
“Abstain:”	None
Motion carried.	9-0

*City Attorney Tom Frailey asked into Executive Session*

\*Motion by Council Member Sutterfield, second by Council Member Ashanti-Alexander to reconvene from Executive Session at 6:51 p.m.\*

Roll call vote:

“Ayes:”	Toland, Ross, Sutterfield, Elliott, Ashanti-Alexander, Carpenter, Pittman, Loggins and Steelman
“Nays:”	None
“Abstain:”	None
Motion carried.	9-0

**ITEM 8b.**

**Discussion, consideration and possible action to reconvene open session and take action and possible approval of Memorandum of Understanding concerning at temporary modification Article 17,**

**Section 1 of the Collective Bargaining Agreement between the City of Chickasha and FOP Lodge #129 concerning shift scheduling and implementation of a temporary 12-hour shift.**

Staff wishes to reconvene open session and take appropriate action and possible approval of Memorandum of Understanding concerning at temporary modification Article 17, Section 1 of the Collective Bargaining Agreement between the City of Chickasha and FOP Lodge #129 concerning shift scheduling and implementation of a temporary 12-hour shift.

Motion by Council Member Elliott, second by Council Member Sutterfield to approve a memorandum of understanding between the City of Chickasha and FOP Lodge no. 129 to a modified 12-hour shift for the patrol division as more fully set out in the memorandum of understandings subject to and contingent upon approval of the memorandum of understanding by FOP Lodge no. 129. \*

Roll call vote:

“Ayes:”	Ross, Sutterfield, Elliott, Ashanti-Alexander, Carpenter, Pittman, Loggins, Steelman and Toland
“Nays:”	None
“Abstain:”	None
Motion carried.	9-0

**ITEM 8c. Discussion, consideration and possible action to enter into executive session to discuss negotiations concerning employees and representatives of employee groups under the provisions of 25 O.S. §307B.2. (Discussion of status of negotiations between the City and IAFF Lodge No. 2041 for fiscal year 2016-2017)**

Staff wishes to enter into an Executive Session to discuss negotiations concerning employees and representatives of employee groups under the provisions of 25 O.S. §307B.2. (Discussion of status of negotiations between the City and IAFF Lodge No. 2041 for fiscal year 2016-2017)

**Staff Recommendation:** Enter into Executive Session.

*PULLED*

**ITEM 8d. Discussion, consideration and possible action to reconvene open session and to take action on any matter discussed in executive session including possible approval of a Collective Bargaining Agreement between the City and IAFF Lodge No. 2041 for the fiscal year beginning July 1, 2016 ending June 30, 2017 and if**

**approved authorize Mayor to execute the same under the provisions of 25 O.S. §307B.2.**

Staff wishes to reconvene open session and to take action on any matter discussed in executive session including possible approval of a Collective Bargaining Agreement between the City and IAFF Lodge No. 2041 for the fiscal year beginning July 1, 2016 ending June 30, 2017 and if approved authorize Mayor to execute the same under the provisions of 25 O.S. §307B.2.

*PULLED*

**ITEM 9.                      Motion to Adjourn.**

No further business Mayor Ross called the meeting adjourned.

**TIME:                      6:52 P.M**

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Hank Ross, Mayor

ATTEST:

*Tenahill*  
\_\_\_\_\_  
Iona Smith City Clerk



Approved this 17<sup>th</sup> day of January, 2017.