



July 05, 2016

The **REGULAR** meeting of the **CHICKASHA CITY COUNCIL** was held in the council chambers in city hall on the 5th day of July 2016 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
Phylis Steelman
Howard Carpenter
Jerry Pittman
Blake Elliott
Ashanti-Alexander

STAFF

Alan Guard, City Manager
Tom Frailey Attorney
Lena Smith, Assistant City Manager
Stewart Steele, Police Chief
Brian Zalewski, Fire Chief
Susan Jones, Executive Assistant
Gina Snedeker, Finance Director
Lillie Huckaby, Library Director
Jim McClain, Public Works Director
Kim Kohler, Special Event Manage

Council Member Ashanti-Alexander gave the invocation and led 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.)

Mayor Ross read a proclamation for Officer Hobbs, Officer Peck, Sgt. Brewer, Deputy Kennell and Deputy Alexander. News Channels 4, 5 and 9 were all present.

****Citizens Communications****

Tom Rose Talked about the approved drainage fee he would like the ordinance revised, doesn't think it is fair.

****Council Communications****

Council Member Pittman talked about the geese at Shannon Springs park, and wanted update on the batting cages.

Council Member Carpenter agreed that the City has a duck and goose problem in the park.

Council Member Ashanti-Alexander asked about code-enforcement repairing residences homes and if the City is using law enforcement to contact the residences, he thinks we need to revise the procedure.

ITEM 3.

Consent Docket: ITEM 3a through ITEM 3e.

ITEM 3a.

Consider approving the minutes of the June 20, 2016, regular meeting

Approval is requested for the minutes of the June 20, 2016 regular meeting.

Staff Recommendation: Approve minutes, and authorize filing thereof.

ITEM 3b.

Consider approving the Purchase Order List for the first half of July 2016 in the amount of \$377,679.74; Payroll Claims for June 2016, in the amount of \$765,629.46; and estimated Payroll Claims for August 2016 in the approximate amount of \$835,000.00.

The Purchase Order List for the first half of July 2016 in the amount of \$377,679.74; Payroll Claims for June 2016, in the amount of \$765,629.46; and estimated Payroll Claims for August 2016 in the approximate amount of \$835,000.00 needs approval by Mayor and Council.

Staff Recommendation: Approve the Purchase Order List for the first half of July 2016 in the amount of \$377,679.74; Payroll Claims for June 2016, in the amount of \$765,629.46; and estimated Payroll Claims for August 2016 in the approximate amount of \$835,000.00.

ITEM 3c. Consider authorizing Staff to solicit bids for reconstruction at the 2nd and Missouri Intersection, the 2nd and Florida Intersection, and the 2nd and Washington Intersection.

The following intersections have been identified as needing to be reconstructed:

- 2nd and Missouri
- 2nd and Florida
- 2nd and Washington

These projects are a few of the street projects identified for fiscal year 2016-2017.

Staff Recommendation: Authorize Staff to Solicit Bids for the Reconstruction at the Intersection of 2nd and Missouri, 2nd and Florida, and 2nd and Washington.

ITEM 3d. Consider authorizing Staff to solicit quotes for annual purchase of Diesel and Unleaded fuel; and authorize payment of the invoice within 10 days.

Due to the volatile nature of fuel pricing, Staff has received permission from the Council in the past to solicit quotes for the purchase of fuel for city use at the time of purchase rather than soliciting bids from vendors. Quotes are solicited from several vendors and the lowest written quote is awarded the purchase of fuel in the quantity requested. The invoice is then paid within ten days of delivery to avoid penalties enforced by the vendor as part of their quote.

Staff will review this policy each year and will continue to follow these guidelines until such time as changes need to be made and then this item will be brought back to Council for additional action. If no changes are made to the policy this practice will continue on from year to year as needed.

Staff Recommendation: Authorize staff to solicit written quotes for Diesel and Unleaded fuel when a purchase needs to be made and award the purchase to the vendor offering the lowest price at the time of delivery; And authorize staff to pay the invoice within the required 10 days.

ITEM 3e. Consider authorizing staff to solicit bids for the Beechcraft and Commander Road Airport Project

Chickasha Municipal Airport is an entitlement airport which means that we receive \$150,000 annually in federal funding for airport projects as part of the FAA Airport Improvement Program. Over the last three years the Airport has saved the entitlement funds for the purpose of reconstructing the entrance roads (Beechcraft and Commander Dr.) to the airport.

The project is eligible for 90% FAA reimbursement through the AIP program. The construction cost estimate for the project is approximately \$532,800.00.

Airport Staff has been working with CEC, the Airport engineering firm, to engineer the airport entrance roads since 2013. Council approved two agreements with CEC for engineering and construction administration on January 7, 2013 and the amendment specific to this project was passed by Council on October 6, 2014.

CEC has prepared the bid documents for the airport entrance road project. The project includes reconstructing and widening the roads and improving drainage.

Recommendation: Authorize Staff to solicit bids for the Beechcraft and Commander Road improvement projects.

Motion by Council Member Elliott, second by Council Member Steelman to approve the Consent Docket: ITEM 3a. through ITEM 3e.

Roll call vote:

“Ayes:”	Steelman, Ross, Elliott, Ashanti-Alexander, Carpenter and Pittman
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

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

No action taken on ITEM 4.

ITEM 5. Ordinances and Resolutions:

ITEM 5a Consider an ordinance approving the rezoning of property located at 3002 W. Grand Avenue from C1: Local Commercial to C2: General Commercial.

The applicant is requesting the property be rezoned from C1: Local Commercial to C2: General Commercial. Property to the west is zoned R1: Single Family Residential, to the east is C1: Local Commercial, to the north is C2: General Commercial and to the south is C1: Local Commercial. The properties are not within a special flood hazard area.

Legal Description:

A TRACT OF LAND SITUATED IN LOT FIVE (5), ALSO KNOWN AS THE FRACTIONAL NORTHEAST QUARTER (NE/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION SIX (6) IN TOWNSHIP SIX (6) NORTH, OF RANGE SEVEN (7)

WEST OF THE INDIAN MERIDIAN, GRADY COUNTY, OKLAHOMA,
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 282.5 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION SIX (6) IN TOWNSHIP SIX (6) NORTH, OF RANGE SEVEN (7) WEST OF THE INDIAN MERIDIAN, THENCE RUNNING WEST 167.5 FEET, THENCE SOUTH 195 FEET, THENCE EAST 167.5 FEET, THENCE NORTH 195 FEET TO THE POINT OF BEGINNING.

Planning Commission reviewed the rezone request at the June 14, 2016 meeting and recommends approval.

Staff Recommendation: Approve Ordinance # 2016-15 approving the rezoning of this property to C2: General Commercial.

*Motion by Council Member Elliott second by Council Member Ashanti-Alexander approve Ordinance 2016-15. *

Roll call vote:

“Ayes:”	Ross, Elliott, Ashanti-Alexander, Carpenter, Pittman and Steelman
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 5b. Consider an ordinance approving the rezoning of property located at 1402 S. 7th from R1: Single Family Residential to R4: Residential Office.

The applicant is requesting the property located at 1402 S. 7th, the southwest corner of 7th and Georgia, be rezoned from R1: Single Family Residential to R4: Residential Office to use as an office. The building was built in 1957, listed on the county assessors records as commercial, and was previously used for commercial purposes (candy store). The property to the east is zoned R4. The properties to the north, south and west are zoned R1. Zoning map attached.

The property is not within a special flood hazard area.

Legal Description: East 98 feet of the north 50 feet of Lot 1 Block 282 Chickasha-OT. Planning Commission reviewed the rezone request at the June 14, 2016 meeting and recommends approval.

Staff Recommendation: Approve Ordinance # 2016-16 approving the rezoning of this property to R4: Residential Office.

*Motion by Council Member Elliott, second by Council Member Ashanti-Alexander to approve Ordinance #2016-16. *

Roll call vote:

“Ayes:” Elliott, Ashanti-Alexander, Carpenter, Pittman, Steelman and Ross
“Nays:” None
“Abstain:” None
Motion carried. 6-0

ITEM 5c. Consider approving Ordinance No. 2016-14 - Rescinding - Ordinance No. 2007-08 – Assessing a Capital Improvement Fee to the Water System

In May of 2007, Mayor, Council and Staff were researching future water resources for the City of Chickasha. At the time it was not definite on the duration of the Ft. Cobb water supply. Due to the most recent studies on the Ft. Cobb water duration; indications prove that we should have an abundant source of water supply for numerous years.

Staff is asking to rescind the Capital Improvement Fee providing funds for water system improvements.

Ordinance No. 2007-08 was adopted and approved on the 4th day of June 2007. This fee is charged, assessed and collected from each consumer of water supplied by the City’s water system; a \$1.00 fee for customer inside the city limits; and \$2.00 fee for customers outside the city limits.

By rescinding Ordinance No. 2007-08; fees will be removed.

Staff Recommendation: Approve Ordinance No. 2016-14 – Rescinding – Ordinance No. 2007-08 – Removing the Capital Improvement Fee.

*Motion by Council Member Elliott second by Council Member Steelman to approve Ordinance #2016-14. *

Roll call vote:

“Ayes:” Ashanti-Alexander, Carpenter, Pittman, Steelman, Ross and Elliott
“Nays:” None
“Abstain:” None
Motion carried. 6-0

ITEM 5d. Consider an ordinance approving the Use on Review for a tattoo shop proposed at 3002 W. Grand Avenue.

The applicant is requesting a Use on Review to all for a tattoo shop located in the existing commercial building at 3002 W. Grand Avenue. Tattoo shops are listed in the

City of Chickasha Municipal Code Chapter 54: Zoning as allowed in C2 General Commercial Zoning District with a Use on Review.

Legal Description:

A TRACT OF LAND SITUATED IN LOT FIVE (5), ALSO KNOWN AS THE FRACTIONAL NORTHEAST QUARTER (NE/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION SIX (6) IN TOWNSHIP SIX (6) NORTH, OF RANGE SEVEN (7) WEST OF THE INDIAN MERIDIAN, GRADY COUNTY, OKLAHOMA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 282.5 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SAID SECTION SIX (6) IN TOWNSHIP SIX (6) NORTH, OF RANGE SEVEN (7) WEST OF THE INDIAN MERIDIAN, THENCE RUNNING WEST 167.5 FEET, THENCE SOUTH 195 FEET, THENCE EAST 167.5 FEET, THENCE NORTH 195 FEET TO THE POINT OF BEGINNING.

Planning Commission reviewed the request at the June 14, 2016 meeting and recommends approval.

Staff Recommendation: Approve Ordinance # 2016-17 approving the Use on Review for a tattoo shop.

*Motion by Council Member Carpenter, second by Council Member Ashanti-Alexander to approve Ordinance #2016-17. *

Roll call vote:

“Ayes:”	Carpenter, Pittman, Steelman, Ross, Elliott and Ashanti-Alexander
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 5e. Consider an ordinance closing a public way

The applicant is requesting the city close the public way shown on the plat map of the University Heights Addition. The request is to close the 80-foot right of way on California north of and adjacent to Block 18 and the 80-foot right of way on Arizona south of and adjacent to Block 18. These are right of way on paper only, the roads were never constructed. PSO, CenterPoint Energy, AT&T, Fire Department and Public Works have all reviewed the proposed closing and have no objections.

Planning Commission reviewed the closing request at the June 14, 2016 meeting and recommends approval.

Staff Recommendation: Approve Ordinance # 2016-18 approving the closing of the public way on the north and south sides of Block 18 University Heights Addition.

Motion by Council Member Elliott, second by Council Member Sutterfield to approve Ordinance #2016-18.

Roll call vote:

“Ayes:”	Pittman, Steelman, Ross, Elliott, Ashanti-Alexander and Carpenter
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 6.

Consideration and Discussion:

ITEM 6a.

Consider approving payment for the 2016-2017 Service Fees for Chickasha to the Oklahoma Municipal League in the amount of \$15,027.26.

We have received our annual invoice from the Oklahoma Municipal League for the 2016-2017 Service Fee in the amount of \$15,027.26.

The 2013-2014 and 2014-2015 Service Fee were in the same amount of \$13,764.39, and 2015-2016 fees totaled \$15,027.26, this year’s amount was calculated in the amount of \$16,012.14.

Due to some OML member experiencing a sales tax decline, the OML Board of Director voted during their April 6, 2016 meeting to ensure each municipality receive the most favorable service fee option for 2016-2017. Please, note they compared our 2015-2016 and 2016-2017 service fees. The invoice that is attached reflects the lesser amount of the two to be paid.

Enclosed is the letter and service fee formula for the 2016-2017 from OML Executive Director, Carolyn Stager.

If approved, this payment will be budgeted under line item 11-517-5301-016 for the FY 16-17 and paid in July, 2016.

Staff Recommendation: Approve payment to the Oklahoma Municipal League in the amount of \$15,027.26 for the 2016-2017 Service Fees for Chickasha.

Motion by Council Member Steelman, second by Council Member Ashanti-Alexander to approve payment for the 2016-2017 service fees to Oklahoma Municipal League.

Roll call vote:

“Ayes:”	Steelman, Ross, Elliott, Ashanti-Alexander, Carpenter and Pittman
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 6b. Consider authorizing the Agreement for Administration of the Sales and Use Tax Ordinances between the City of Chickasha and the Oklahoma Tax Commission

On Tuesday, April 5, 2016, the City of Chickasha submitted to the qualified electors the calling of a special election for the purpose of extending the ED-Dedicated Sales Tax 7/32% and moving these finances to the General Fund.

The 7/32% sales tax FAILED dropping the existing rate from 3.969% to 3.75.

Every time a tax rate changes a new Agreement for Administration of the Sales and Use Tax must be approved, signed and returned to the Oklahoma Tax Commission so that they will collect our monies.

Effective July 1, 2016:

State Sales Tax	4.50
City Sales Tax	3.75
<u>County Sales Tax</u>	<u>.75</u>
 TOTAL RATE	 9.00%

Please, note the rate has increased from the amount of 8.969% to 9.00% due to the passage of the County Hospital Tax.

Staff Recommendation: Approve the Agreement for Administration of the Sales and Use Tax Ordinances between the City of Chickasha and the Oklahoma Tax Commission.

*Motion by Council Member Elliott second by Council Member Steelman to authorize agreement with the Oklahoma Tax Commission. *

Roll call vote:

“Ayes:”	Ross, Elliott Ashanti-Alexander, Carpenter, Pittman and Steelman
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 6c. Consider approving renewal of the 522 EMS District Agreement

The Grady County 522 EMS District has submitted a proposal for the City of Chickasha to renew the long standing 522 EMS District contract. If approved, our city will receive \$370,173.12, divided into two payments for the 2016-2017 fiscal year. The two payments will be \$185,086.56 made available in February 2017 and June 2017.

Staff Recommendation: Approve the request to renew the Grady County 522 EMS District agreement.

*Motion by Council Member Elliott second by Council Member Ashanti-Alexander to approving renewal of the 522 District Agreement. *

Roll call vote:

“Ayes:”	Elliott, Ashanti-Alexander Carpenter, Pittman, Steelman and Ross
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 6d. Consider entering into a contract with Code Compliance Consultants for oil and gas well inspections.

Community Development has in the past used Code Compliance Consultants for oil and gas well inspections and has entered into a contract with them previously. The last contract expired May 19, 2015. We would like to enter into a new contract with them, paying them \$200 per site plus \$2.00 per picture taken. We will bill the owner of the wells \$300.00 per our annual inspection rate established in Section 38-29 of the city code.

Staff Recommendation: Enter into a contract with Code Compliance Consultants.

*Motion by Council Member Ashanti-Alexander second by Council Member Elliott to enter into a contract with Code Compliance Consultants. *

Roll call vote:

“Ayes:”	Ashanti-Alexander, Carpenter, Pittman, Steelman, Ross and Elliott
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 6e. Consideration and Discussion of an Agreement with Strategic Government Resources for the provision of Supervisory Training

The 2015 employee climate assessment feedback indicated the need for training for supervisors. Council approved supervisory training with Strategic Government Resources in FY16 and the 2016 employee climate assessment indicates there have been significant improvements with communication between employees and supervisor. The data also shows we need to continue to make improvements with coaching and mentoring, and overall leadership.

These are skills that can be improved through proper training. Strategic Government Resources (SGR) had created the Fourth Dimension Leadership Employee Development Model for the purpose of providing high performance leaders. This approach will allow Chickasha to develop not just our current leaders, but the next generation of leaders as well.

The underlying foundation for success is Relational Leadership which is comprised of human relations and customer service. Operational Leadership provides learning tracks that focus on supervisory and managerial effectiveness. In this second dimension, individuals progress from managing relationships to managing performance and effectiveness. The first year the focus was on the first two dimensions of leadership. This year the focus will be on the third dimension, coaching, mentoring and recognition.

Staff has identified 30 people in the organization who can benefit from this training. Chickasha will work with SGR to make the training available to surrounding cities. This could help bring down the cost overall for Chickasha from \$2000 per class to \$1500.

The proposal includes four additional executive book briefing, however, we will only be using one EBB.

The Proposal is attached for your review and information.

Staff Recommendation: Authorize the City Manager to enter into an agreement with Strategic Government Resources for supervisory training.

*Motion by Council Member Elliott second by Council Member Steelman to approve agreement with Strategic Government Resources. *

Roll call vote:

“Ayes:”	Carpenter, Pittman, Steelman, Ross, Elliott and Ashanti-Alexander
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 7.

Bid openings and Awards:

ITEM 7a. Consider awarding Bid # 2016-055 2016 Asphalt Resurfacing Project Grand Boulevard from 4th to 29th to T&G Construction.

On June 28, 2016, sealed bids were opened for project #2016-055 (Asphalt Resurfacing Project Grand Boulevard 4th to 29th). Bids were opened at 1:30 p.m. at the Public Works Building.

Listed below is a list of the companies who submitted a bid, along with the total price bid:

- Haskell Lemon Construction \$1,533,599.99
- T & G Construction \$1,390,859.22

T & G Construction was the low bidder with a base price and additive alternate bid of \$1,390,859.22 which comes in lower than the Engineer's estimate of \$1,464,611.19.

Staff Recommendation: Authorize the award of bid #2016-055 to T & G Construction in the amount of \$1,390,859.22.

*Amended Motion by Council Member Steelman, second by Council Member Elliott to award bid 2016-055 to T & G Construction for \$1,195,278.42. *

Roll call vote:

“Ayes:” Pittman, Steelman, Ross, Elliott, Ashanti-Alexander and Carpenter
 “Nays:” None
 “Abstain:” None
 Motion carried. 6-0

* Motion by Council Member Elliott, second by Council Member Pittman to recess the City Council Meeting at 6:11pm. *

Reconvene City Council Meeting at 6:17pm

ITEM 8. Executive Session:

ITEM 8a. Discussion, consideration and possible action to enter into an executive session to discuss confidential communications between the City and the City Attorney concerning a pending investigation, claim or action if the City with the advice of the City Attorney, determines that disclosure will seriously impair the ability of the City to process the claim or conduct the pending investigation, litigation, or proceeding in the public interest under the provisions of 25 O.S. 307B.4

(In the matter of the arbitration between the City of Chickasha, Oklahoma and the Fraternal Order of Police, Lodge #129, Case No. FMCS 161111-50971-6 David M. Harper-Head.)

Staff wishes to enter into an Executive Session for the following purposes:

- (a) Discussion, consideration and possible action to enter into an executive session to discuss confidential communications between the City and the City Attorney concerning a pending investigation, claim or action if the City with the advice of the City Attorney, determines that disclosure will seriously impair the ability of the City to process the claim or conduct the pending investigation, litigation, or proceeding in the public interest under the provisions of 25 O.S. 307B.4 (In the matter of the arbitration between the City of Chickasha, Oklahoma and the Fraternal Order of Police, Lodge #129, Case No. FMCS 161111-50971-6 David M. Harper-Head.)

Staff Recommendation: Enter into Executive Session.

*Motion by Council Member Elliott second by Council Member Carpenter to enter into Executive Session at 6:18pm. *

Roll call vote:

“Ayes:”	Pittman, Steelman, Ross, Elliott, Ashanti-Alexander and Carpenter
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

ITEM 8b. Consider to reconvene meeting to take action on any matters discussed in Executive Session.

Staff wishes to reconvene meeting to take action on any matters discussed in Executive Session.

Staff Recommendation: Reconvene meeting to take action on any matters discussed in Executive Session.

*Motion by Council Member Elliott second by Council Member Ashanti-Alexander to reconvene from Executive Session at 6:40pm to authorize the staff and City Attorney to negotiate a settlement agreement with David Harper-Head and bring back to council for final approval. *

Roll call vote:

“Ayes:”	Steeleman, Ross, Elliott, Ashanti-Alexander, Carpenter and Pittman
“Nays:”	None
“Abstain:”	None
Motion carried.	6-0

Chickasha City Council Meeting 07-05-2016
TIME: 5:30

ITEM 9. **Motion to Adjourn.**

No further business Mayor Ross called the meeting adjourned.

TIME: 6:41 P.M

[Handwritten signature]

Hank Ross, Mayor

ATTEST:

[Handwritten signature]

Tina Smith, City Clerk



Approved this 18th day of July, 2016.