



September 19, 2016

The **REGULAR** meeting of the **CHICKASHA CITY COUNCIL** was held in the council chambers in city hall on the 19th day of September 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  
John Toland  
Howard Carpenter  
Jerry Pittman  
Dr. R.P Ashanti-Alexander  
Phylis Steelman  
Kimberly Loggins  
Blake Elliott  
Mike Sutterfield

**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  
Tina Smith, City Clerk  
Steve Chapman, Park and Recreation Director  
Lillie Huckaby, Library Director  
Jim McClain, Public Works Director  
Kim Kohler, Special Event Manager  
Kathleen Easley, Community Development Director  
Rob Camp, Capital Project Manager  
Kristal Kuhn, Emergency Management Director  
Summer Sanders, Recreation Coordinator

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.)*

G. G. Music was pinned by his wife, Joanna for his new position as Assistant Police Chief.

Lacey with the Chickasha Animal shelter had Waylon, a 4-year-old mix lab he's good with other dogs, house trained and ready for adoption for \$40.00.

***\*Citizens Communications\****

Torry Wise said that he found his water meter by walking outside not sure how long and the amount of usage, received a letter March 10<sup>th</sup> stating that the citizens would be notified when high usage accrued. And wants the drainage to a vote.

Don Brown stated he has lived in Chickasha for over 30 years and was at the 12:30 pm meeting September 14<sup>th</sup> and that the reference given about the City of Lawton was incorrect.

G.W. Thomas stated he was at the 6:00 pm meeting, would like the City to start over with the drainage.

Greg Stephens, owner of Stephens oil company. Would rather the city do maintenance on the drainage instead of the fee.

Dan Ramsey asked where other fees have gone, needs a process.

Tyler Lowe would like the drainage fee to be voted on, and not change the start date to January 2017.

Mark Keeling stated that in 1993 the general fund paid for drainage, CIP tax is for drainage, streets and water. wants the fee be voted on.

***\*Council Communications\****

Council Member Steelman knows there's a lot that needs to be done, would like signs put out on where the tax dollars are going, have filled sandbags downtown more times than can be counted, helped FEMA 3 times. Will also be paying the fee and wants to encourage council and citizens to work together.

Council Member Toland agrees with Steelman.

Council Member Pittman the council has to do the right thing, have been listening to the citizens, council can't take everything to a vote of the people.

Council Member Ashanti-Alexander knows we still have work to do, needs to take the time and get it correct everyone is aware of the flooding, need to come together.

Council Member Sutterfield stated that everyone knows of the flooding problem, just need to push it back for a while to come up with a plan. Need to be open minded council doesn't have all the answers, but trying and needs the citizens to help get it right.

Council Member Loggins agrees with several council members and still believes we need to go back and get the right plan for the City of Chickasha.

Council Member Elliott wants everyone to stay involved, need feedback.

Mayor Ross appreciates everyone coming forward, were always listening. Feels like a lot of questions asked was brought up at Wednesday meetings and invites any citizens that would like to stay after council to talk about drainage that he would stay.

Council Member Carpenter have received several calls on the amphitheater at Shannon Springs park, wants all work to stop, the council hasn't approved any bids, City Manager stated that it was brought to a work session for city employees to do the work to save money. Carpenter stated he pulled the minutes and hasn't been approved

Council Member Ashanti-Alexander said there were tree limbs in the street at 1326 Shepherd.

**ITEM 3.**

**Consent Docket: ITEM 3a through ITEM 3d.**

**ITEM 3a.**

**Consider approving the minutes of the September 6, 2016, regular meeting**

Approval is requested for the minutes of the September 6, 2016 regular meeting.

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

**ITEM 3b.**

**Consider approving Purchase Order list ratifying special utility and miscellaneous payments made on September 6, 2016 in the amount of \$134.20; Purchase Order list ratifying special utility and miscellaneous payments made on September 8, 2016 in the amount of \$10,000.00; Purchase Order list ratifying special utility and miscellaneous payments made on September 12, 2016 in the amount of \$185,652.58; and Purchase Order list for the last half of September 2016 in the amount of \$154,343.85.**

The Purchase Order list ratifying special utility and miscellaneous payments made on September 6, 2016 in the amount of \$134.20; Purchase Order list ratifying special utility and miscellaneous payments made on September 8, 2016 in the amount of \$10,000.00; Purchase Order list ratifying special utility and miscellaneous payments made on September 12, 2016 in the amount of \$185,652.58; and Purchase Order list for the last half of September 2016 in the amount of \$154,343.85 needs approval.

**Staff Recommendation:** Approve Purchase Order list ratifying special utility and miscellaneous payments made on September 6, 2016 in the amount of \$134.20; Purchase Order list ratifying special utility and miscellaneous payments made on September 8, 2016 in the amount of \$10,000.00; Purchase Order list ratifying special utility and miscellaneous payments made on September 12, 2016 in the amount of \$185,652.58; and Purchase Order list for the last half of September 2016 in the amount of \$154,343.85.

**ITEM 3c. Consider declaring as surplus books that have been withdrawn from the collection, and donations that are not needed, and authorize donating to the Friends of the Library.**

Twice each year the Friends of the Chickasha Public Library hold a used-books sale to raise money for the Library. Books that have been withdrawn and donations that are not needed have been given to the Friends for their book sales.

**Staff Recommendation:** Declare books surplus and donate to the Friends of the Library.

**ITEM 3d. Consider approving the request from Andria Harris to conduct a fundraising 5K Run at 8:30 a.m. on November 5, 2016 and waive all fees.**

A request has been received from Andria Harris to conduct a fundraising 5K Run at 8:30 a.m. on November 5, 2016. The proceeds from this will benefit expenses for Brandon Ryans and his family. Mr. Ryans is a young man who was air lifted from 4<sup>th</sup> Street due to an auto accident he was in. Mr. Ryans is currently still in OU Medical Center.

An Indemnification Agreement will be prepared and a Certificate of Liability Insurance showing the City of Chickasha as additional insured will be provided prior to the event.

**Staff Recommendation:** Approve request from Andria Harris to conduct a fundraising 5K Run on November 5, 2016 benefiting Brandon Ryans.

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

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:**

No action taken on ITEM 4.

**ITEM 5. Consideration and Discussion:**

**ITEM 5a. Consider authorizing staff to purchase Speed Reduction / Radar Trailers from State Contract**

The current speed reduction trailer / radar trailer was purchased in 2004. The trailer has been used in various applications from school zone and neighborhood speed reduction to highway speed reduction. Chickasha's current speed reduction/radar trailer has recently stopped working and all attempts to fix it have not worked.

Staff is requesting to purchase a replacement trailer and the addition of a second trailer from Oklahoma State Contract WSCA#SW140. The trailers are being purchased from the contract but at a lower price. The cost of the two trailers is \$13,686.00.

Funding for this purchase will come from the FY17 Capital Projects Fund.

The two new trailers will have a built in red and blue light that flashes at speeders to slow drivers and has data recovery systems allowing the department to see the speeds recorded by the unit.

The department will also save money by not paying freight and driving to the manufacturer in Texas to pick up both units.

**Staff Recommendation:** Authorize staff to purchase both trailers on Oklahoma State Bid WSCA#SW140.

\*Motion by Council Member Loggins, second by Council Member Carpenter to authorize staff to purchase speed reduction/radar trailer from State Contract. \*

Roll call vote:

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

**ITEM 5b. Consider reviewing and accepting the Preliminary Audit FYE June 30, 2016, and authorize payment.**

Staff has received Invoice #A1625 from Angel, Johnson & Blasingame, P.C. for the Preliminary Audit Analysis and preparation and initial fieldwork in the amount of \$22,895.00 and consultation on concerns for \$6,285.00 creating a total amount for \$29,180.00.

**Recommendation:** Accept Preliminary Audit for FYE – June 30, 2016, and authorize payment split between the budgeted line items.

\*Motion by Council Member Sutterfield, second by Council Member Loggins to accept the preliminary Audit FYE June 30,2016 and authorize payment. \*

TIME: 5:30

Roll call vote:

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

**ITEM 5c. Consider authorizing staff to enter into a one-year contract with the Oklahoma Department of Corrections for the use of inmate labor.**

This contract allows City to use prisoner/inmate labor for City sponsored projects.

The City has utilized the services of inmates since 2005, when the first contract was signed. These services are used mainly in the Parks and Recreation Department. All requirements are met under the 57 O. S. Section 215 et seq., the Prisoners Public Works Act.

The cost and transportation of prisoners to and from the project is performed by the City of Chickasha and budgeted through the Parks and Recreation seasonal labor line item.

The term of the contract will be for a period of one-year beginning July 1, 2016 and ending on the last day of the current fiscal year June 30, 2017. The term of the contract may be extended up to three (3) consecutive one (1) year terms, if agreed to by both parties. This contract will be year three of three.

**Staff Recommendation:** Authorize staff to enter into a one-year contract with the Oklahoma Department of Corrections for the use of inmate labor through June 30, 2017.

\*Motion by Council Member Elliott, second by Council Member Sutterfield to authorize staff to enter into a one-year contract with the Oklahoma Department of Corrections for the use of inmate labor. \*

Roll call vote:

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

**ITEM 5d. Consideration, discussion, and possible action to delay implementation of the drainage utility fee established by Resolution No. 2016-11R from October 1, 2016 to a future date to be determined by Council.**

In June of 2016, the City Council approved the drainage utility and subsequent stormwater fee of \$7.00 per Equivalent Residential Unit, or ERU. Staff prepared a letter for 818 business and non-single family residential properties that estimated the bill based on the information available. These businesses were asked to respond if the information was inaccurate or if they had questions.

The City of Chickasha and the community have been engaged in a conversation regarding the drainage utility fee at several council meetings and work sessions over the past two months. The City Council, staff and the community would like to continue this conversation regarding the fee in order to ensure all the community has had an opportunity to fully understand the program and provide feedback, and so that a fee can be established that meets the needs of the community while being affordable.

Staff recommends that October 1, 2016 implementation date of the current fee set at \$7.00 per ERU be delayed until a new rate is determined based on the on-going community dialogue. It is staff's preference that the Council establish a future date at this time.

**Staff Recommendation:** Approve the delay of the October 1, 2016 implementation date of the stormwater fee and set a new implementation date.

\*Motion by Council Member Elliott, second by Council Member Pittman to delay implementation of the drainage utility fee established by Resolution No. 201611R from October 01, 2016 to January 01, 2017. \*

Roll call vote:

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

**ITEM 5e. Discussion, consideration, and possible action to reimburse Kaiser-Francis Oil Company for overpayment to the City for mineral rights.**

In 2015, Todco appeared with other bidders at a public sale of an oil and gas lease for mineral rights in Section 22-T7N-R7W in Grady County encompassing 31.00 acres. It was discovered during surveying of the land it actually encompasses 1.89914 fewer acres than originally identified. As a result, Todco is requesting a reimbursement for their client, Kaiser-Francis Oil Company of \$6,077.25.

**Staff Recommendation:** Approve the reimbursement as requested.



On September 7, 2016 Staff opened bid 2017-015 for replacement of sidewalks in various areas of the City.

Three bids were received on this project. Those companies submitting bids were:

Rudy Construction  
MTZ Construction  
Nash Construction

Based on our estimates of surface area, curbs, and ADA ramps the low bidder for this project has been identified as MTZ Construction with a bid of \$193,250.

**Staff Recommendation:** Award bid 2017-015 to MTZ Construction in the amount of \$193,250.

*TABLED*

\*Motion by Council Member Elliott, second by Council Member Loggins to table awarding the bid for replacement of sidewalks. \*

Roll call vote:

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

\*Motion by Council Member Elliott, second by Council Member Loggins to recess the City Council meeting and enter into the Chickasha Municipal Meeting and the Chickasha Municipal Airport Authority meeting at 6:35 pm. \*

Roll call vote:

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

\*Motion by Council Member Carpenter, second by Council Member Loggins to reconvene the City Council meeting at 6:50 pm. \*

Roll call vote:

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

“Nays:” None

“Abstain:” None

Motion carried. 9-0

**ITEM 7.**

**Executive Session:**

**ITEM 7a.**

**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, which the City with the advice of the City Attorney, has determined 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 (Update on the status of litigation and mediation of Sha’Vonna Moore v. Chickasha CIV-16-492-F, U.S. District Court for the Western District of Oklahoma.**

Staff wishes to enter into an Executive Session.

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

**ITEM 7b.**

**Discussion, consideration and possible action to enter into an executive session to discuss matters pertaining to Economic Development, including transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate within the City’s jurisdiction and that public disclosure of the matter discussed would interfere with the development of products or services or public disclosure would violate the confidentiality of the business, under the provisions of 25 O.S. 307C(10).**

Staff wishes to enter into an Executive Session pursuant to 25 O.S. §307.C(10).

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

\*Motion by Council Member Carpenter, second by Council Member Elliott to enter into executive session at 6:52 pm. \*

Roll call vote:

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

*City Manager Alan Guard and City Attorney Tom Frailey were both asked into the Executive Session.*

**ITEM 7c. Consider to reconvene the open meeting and take appropriate action on any matter 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 Ashanti-Alexander second by Council Member Elliott to reconvene from Executive Session at 7:38 pm. \*

Roll call vote:

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

*No action taken ITEM 7a.*

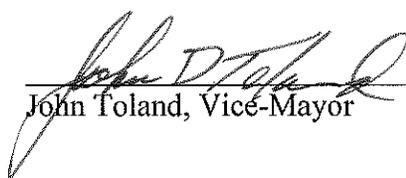
*ITEM 7b. Motion to authorize the staff and City Attorney’s office to begin negotiation with the Chickasha Industrial Authority to negotiate the terms of a loan from the City’s Economic Development Sale Tax Fund to the Chickasha Industrial Authority in the amount of \$2,000,000.00 to be used to design and construct building at the Chickasha Airport Industrial Park to be used as an industrial building to attract a new business and jobs with a company that is currently under negotiation with the Chickasha Industrial Authority and to report back to the City Council the status of the negotiations for further review, comment and possible approval.*

Chickasha City Council Meeting 09-19-2016  
TIME: 5:30

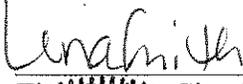
**ITEM 8.**                    **Motion to Adjourn.**

No further business Mayor Ross called the meeting adjourned.

**TIME:**            **7:39 P.M**

  
\_\_\_\_\_  
John Toland, Vice-Mayor

ATTEST:

  
\_\_\_\_\_  
Tina Smith, City Clerk



3<sup>rd</sup> day of October, 2016.