



March 6, 2017

The **REGULAR** meeting of the **CHICKASHA CITY COUNCIL** was held in the council chambers in city hall on the 6th day of March 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
Phylis Steelman
Kimberly Loggins
Mike Sutterfield
Dr. Ashanti-Alexander
Jerry Pittman
Blake Elliott

STAFF

Tom Frailey, Attorney
Tina Smith, City Clerk
G.G. Music, Assistant Police Chief
Brian Zalewski, Fire Chief
Susan Jones, Executive Assistant
Lena Smith, Asst. City Manager
Rob Camp, Capital Project Manager
Kristal Kuhn, Emergency Management Director
Summer Sanders, Recreation Coordinator
Lillie Huckaby, Library Director
Kim Kohler, Special Event Manager
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.)

Council Communications

Council Member Loggins asked if the signs at the Chickasha Sports Complex were working, Summer Sanders stated they were not but we are working on getting them fixed. Council Member Ashanti-Alexander asked if the Chickasha High school was able to use the complex, Summer stated yes when its available.

ITEM 3.

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

ITEM 3a.

Consider approving the minutes of the February 20, 2017 regular meeting.

Approve the minutes of the February 20, 2017 regular meeting.

Staff Recommendation: Approve minutes, and authorize filing thereof.

ITEM 3b.

Consider approving the Purchase Order list for the first half March 2017 in the amount of \$379,233.74; Payroll Claims for February 2017 in the amount of \$833,985.12; and estimated Payroll Claims for April 2017 in the approximate amount of \$865,560.00.

Approve the Purchase Order list for the first half March 2017 in the amount of \$379,233.74; Payroll Claims for February 2017 in the amount of \$833,985.12; and estimated Payroll Claims for April 2017 in the approximate amount of \$865,560.00.

ITEM 3c.

Consider appointments to the Healthy Foods in a Retail Setting Committee that was created by Resolution at the February 20, 2017 Council Meeting of the City of Chickasha.

Appointments need to be made to the Healthy Foods in a Retail Setting Committee. This Committee is being created as the result of the Resolution approved by Council on the February 20, 2017 Council Meeting. The Mayor puts forward the following appointments:

Shirley Spina, Director of ACCESS Clinic
Cheryl Johnson, Nutritionist for the Chickasha Public Schools
Elip Moore, Owner of Embodiment Fitness – Chairman of Committee
Summer Sanders, City of Chickasha Park and Recreation Coordinator
Kori Brewer, Chickasha Police Department

Staff Recommendation: Approve appointments of Shirley Spina, Cheryl Johnson, Elip Moore, Summer Sanders and Kori Brewer to the Healthy Foods in a Retail Setting Committee.

ITEM 3d. Consider accepting Sidewalk Replacement Project as complete and Approve Final Payment to MTZ Construction for \$13,917.49

On September 19, 2016, City Council Approved Bid# 2017-015 Sidewalk Replacement Project, in the total amount of \$193,250.00. MTZ Construction has completed the project. There were some ADA Ramps near the Post Office which needed to be replaced, however, due to the incline of the ramps, extra sidewalk was needed to make them ADA compliant. This put the overage of the contract to \$7,369.95 which includes the retainage fee. 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 |
| ADA Compliance Adjustment | \$ | 7,369.95 |
| Total Contract and Adjustment | \$ | 200,619.95 |
| Previous Payments | \$ | 186,702.46 |
| Current Payment Requested | \$ | 3,886.05 |
| Retainage Fees Owed | \$ | 10,031.44 |
| Amount Left in Contract | \$ | 0.00 |

This project is funded through the Capital Improvement Project Dedicated Sales Tax. Account Number: 54-509-6450-031

Staff Recommendation: Accept #2017-015 Sidewalk Replacement Project as completed and approve final payment to MTZ construction of \$13,917.49

ITEM 3e. Consider renewing the EMS billing contract with RAM Software Systems.

Staff is requesting approval to renew with RAM Software Systems for our EMS billing services. We have had significantly better returns this fiscal year and the six percent we are being charged is still less than most other billing companies. Fire Department staff has developed a good working relationship with our individual billers which keeps reoccurring issues to a minimum. We are very satisfied with their service.

Staff Recommendation: Renew the contract for EMS billing services with Ram Software Systems.

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

TIME: 5:30

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. Ordinances and Resolutions:

ITEM 5a. Consider an Ordinance amending Chapter 54 – Section 54-269: Fencing regulations.

After much discussion with several applicants and city attorneys’ Frailey and Sterkel, changes to the existing fencing regulations were deemed necessary in order to better clarify materials permitted in residentially zoned properties. There was some confusion on what the intent of the existing code is in terms of ‘rear yard’ versus ‘perimeter yard’, ‘side yard’ and ‘front yard’. There are two sections of the zoning code that define these various ‘yards’ and staff had to go back and forth between the two definition sections: 54-4 and 54-276 in order to interpret the code. These are now more clearly identified in the proposed amendment. Also, there are some areas that are vague, for example “front yard fences should be of a decorative type only”. This has been removed as part of this proposed amendment and replaced with ‘approval of fencing material other than that listed previously shall be at the discretion of the city planning commission. In addition, staff is proposing to eliminate sheet metal as a material that can be used in residential areas. Currently it is allowed in the ‘rear yard’ which creates an issue on corner lots. Wood sheets such as plywood and paneling is also proposed to be removed as it is allowed if it is “designed for exterior use; otherwise it can only be used for temporary fencing not to exceed 6 months”.

Several other cities’ regulations were looked at and are quite simple in how they are worded, citing no more than “fences are to be harmonious to the neighborhood” and then they designate a committee to determine what is ‘harmonious’ or ‘compatible’.

During the Planning Commission review at the February 14, 2017 meeting, it was recommended that vinyl and wrought iron be added as materials allowed in residential areas.

Planning Commission reviewed the request to amend Section 54-269 at the February 14, 2017 meeting and recommends approval.

Staff Recommendation: Approve Ordinance and amend Chapter 54 – Section 54-269 – Fencing regulations.

*Motion by Council Member Steelman, second by Council Member Toland to pull and put on a work session. *

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 an Ordinance amending Chapter 54 – Zoning - Section 54-187 to establish a time period for reapplying for rezoning proposals.

Staff researched other cities to see if there were any time restrictions on how often an applicant can apply for a rezone. Several cities do place a time limit on how often an application for rezone can be submitted. I have attached Lawton’s rezoning requirements and restrictions.

At the Planning Commission meeting, the commissioners recommended a one year period minimum before another rezone application can be submitted on property that has been denied by council and no special waiver procedure. As with any zoning regulation, an appeal can be heard by the Board of Adjustment.

Planning Commission reviewed the request to amend Section 54-187 at the February 14, 2017 meeting and recommends approval.

Staff Recommendation: Approve Ordinance #2017-05 amending Chapter 54 – Zoning Section 54-187.

Council Member Loggins asked how will we track the time limit, Kathleen stated a filing system.

Council Member Carpenter asked about 6 months instead of one year.

Council Member Toland asked why one year. Kathleen said planning commission made recommendations for one year.

*Motion by Council Member Elliott, second by Council Member Sutterfield to approve Ordinance 2017-05. *

Roll call vote:

| | |
|-----------------|---|
| “Ayes:” | Toland, Ross, Elliott, Ashanti-Alexander, Pittman, Loggins and Steelman |
| “Nays:” | Sutterfield and Carpenter |
| “Abstain:” | None |
| Motion carried. | 7-2 |

ITEM 5c. Consider approving an ordinance to rezone 1501 Minnesota Avenue from R1 Single Family Residential to R4 Residential Office.

The applicant is requesting the rezone to be able to use the existing building for office and meeting space use. The property is located on the southwest corner of 15th and Minnesota. The R4 zoning districts is intended to be a transitional use between commercial and residential districts. Minnesota is a higher volume through street than a standard residential street with minimal stops going east and west making it more convenient as a through way for traffic. This is a good area for a transitional zoning district as the hospital and high school are nearby to the west, downtown commercial to the north and east, and the new Head Start location to the east at 11th and Minnesota.

Planning Commission reviewed the rezone request at the February 14, 2017 meeting and recommends approval.

Staff Recommendation: Approve Ordinance No. 2017-06 to rezone 1501 Minnesota Avenue from R1 Single Family Residential to R4 Residential Office.

Council Member Toland asked what R4 could be used for. Dance studio, head start, office space, meeting room.

*Motion by Council Member Carpenter, second by Council Member Elliott to approve Ordinance 2017-06. *

Roll call vote:

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

ITEM 5d. Consider an ordinance approving closing a portion of an easement located on property at 1700 S. 4th Street.

The applicant is requesting a portion of a 20-foot sewer line easement be closed, specifically only the portion located on the Chicken Express property.

Legal description: A tract of land described as beginning at a point 184.94 feet N 89°59’02” W of the Northeast corner of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of the Southeast Quarter of Section 33, T7N, R7W, I.M., Grady County, Oklahoma; thence S 08°02’00” W a distance of 140.25 feet to point; thence S 00°07’00” W a distance of 9.13 feet to a point; thence N 89°59’02” W a distance of 20.00 feet to a point; thence N 00°07’00” E a distance of 10.54 feet to a point; thence N 08°02’00” E a distance of 138.81 feet to a point; thence S 89°59’02” E a distance of

*Motion by Council Member Sutterfield second by Council Member Loggins to approve a contract for the Chickasha Area YMCA to operate Shannon springs swimming pool for the 2017 summer season. *

Roll call vote:

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

ITEM 6b. Consider approving Open Streets...Moving Feet Event scheduled for May 6, 2017

Open Streets is a world-wide program where cities for one day or multiple days per year host an event with partners to promote individuals of all ages to get out for at least a defined period of time and enjoy outside activities. This totally-free event typically takes TSET, Grady County Health Department, the Main Street Association, YMCA, Chamber of Commerce and the City of Chickasha will partner together on this event to encourage healthy living and outdoor activity within the community. This event will feature various non-profit groups and businesses, including the Grady County Health Department, TSET, Main Street Association and others who will have activity stations set up for participants to exercise, relax, cool-down, play, etc. The Open Streets event will take place at the Rock Island Depot to 3rd Street along Chickasha Ave. from 10 am to 2 pm. The streets will need to be barricaded at the intersections of Chickasha Avenue and 1st, 2nd and 3rd. These barricades should be in place beginning at 10 am and ending at 2 pm

Staff Recommendation: Approve the Open Streets Event for May 6, 2017, and close Chickasha Avenue from Rock Island Depot from 1st street to 3rd street from 10 am to 2 pm.

*Motion by Council Member Carpenter second by Council Member Loggins approve open streets for moving Feet’s event scheduled for May 6,2017. *

Roll call vote:

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

ITEM 6c. Consider authorizing Staff to make an amendment to a professional services contract with Crafton Tull for additional design services for the Shannon Springs Park Amphitheater renovation.

To date, this project has been bid out three times. The first was the full scope with the shelter. The second was to break the project into two pieces, one with the shelter and one with the flatwork and the flatwork was bid out. Problems with that bid resulted in a third time so that a few changes could be made due to the result of the damage from the demolition efforts.

In order for Crafton Tull to continue assessing the plans, visit alternate materials and possible re-design this project they unfortunately need more funds.

The additional services to be performed by the Engineer are as follows:

- Assess existing conditions of resulted demolition. Quantify repairs needed on the stone work of the benches, including the condition of the stone bench foundation and prepare a drawing for a typical foundation remedy. Modify drawings and cost estimate for all additional work. \$960.00
- Provide an alternative to sod in between benches, cost estimate and specifications. \$480.00
- Provide a thorough explanation of entire scope of amphitheater project to workshop group. \$360.00
- Provide a project overview to City Council, if needed. \$480.00
- Receive project sign-off and bid project. Provide in-depth review of scope of work to be done, in an on-site pre-bid meeting. Engage with contractor who worked on the WPA Bridge as a bid opportunity to get more interest and more bids on the project. Attend bid opening. \$1920.00
- Transportation for four trips. \$198.00
- Construction administration services will not be additional as it is still a part of the existing agreement.

The total estimated compensation for the additional services is \$4,398.00. The additional services agreement is located in the Parks and Recreation Office for your review.

Staff Recommendation: Consider authorizing Staff to make an amendment to a professional services contract with Crafton Tull for additional design services for the Shannon Springs Park Amphitheater renovation estimated at \$4,398.00.

*Council Member Toland asked what we were getting, design on new seating.
Summer Sanders stated it would be everything discussed in the last work session.
Council Member Ashanti-Alexander asked the amount, \$4000.00 for Engineer fee.
Stewart Fairburn, Consultant stated that \$80,000.00 for Amphitheater renovation.*

*Motion by Council Member Toland second by Council Member Elliott to authorize staff to make an amendment to the contract with Crafton Tull for additional design services for the Shannon Springs Park Amphitheater renovation. *

TIME: 5:30

Roll call vote:

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

ITEM 6d. Consider request to move the Farmer’s Market from Rock Island Depot Pavilion to YMCA parking lot.

The Farmer’s Market has set up at the YMCA and more recently the Rock Island Depot Pavilion. It was felt the covered space and adequate parking would provide a great atmosphere and space to hold their 3-day a week market. The Farmer’s Market and its new board and Market Manager have made a formal request to move back to the YMCA parking lot. Their motivation for this move is from a marketing and traffic perspective. Vendors felt that the Depot was too remote for people to travel to and as a result their profits decreased significantly. Vendors previously utilized indoor bathroom facilities at the YMCA. They also felt the dust was greater at the Depot, however, LNC will be installing a “Dust Devil” to recover a significant amount, if not nearly all, of the seed dust from their operation. A concern with utilizing the YMCA parking lot is the loss of parking to YMCA members during Farmer’s Market hours from both the vendor space itself and those parking to shop the Market. This issue would grow as the Farmer’s Market grew in size. The Main Street Association has met and would like for the Farmer’s Market to stay in its current location, encourage better vendor to vendor relations and see if some of the issues they had with loss of market share can be resolved. It has also been suggested that in non-peak season the Market be a 2-day a week market rather than a 3-day a week market. The Farmer’s Market and its Board have met with City and Main Street representatives and have expressed they will not stay at the Depot and will look at finding alternative locations in or out of city limits if the YMCA is not an option. They have had other lots offered to them in the past.

Staff Recommendation: Follow Main Street Association’s recommendation to keep the Farmer’s Market at the Rock Island Depot Pavilion as they currently manage the financial matters of the Farmer’s Market on their behalf.

*Motion by Council Member Loggins second by Council Member Pittman to for Farmer’s Market to move from Rock Island Depot Pavilion to YMCA parking lot. *

Roll call vote:

“Ayes:” Loggins, Sutterfield, Elliott and Ashanti-Alexander
“Nays:” Pittman, Steelman, Toland, Ross and Carpenter
“Abstain:” None
Motion failed. 4-5

ITEM 6e. Discussion, consideration and possible action to schedule a public sale and authorize advertisement of said sale for the purpose of selling Oil and Gas Mining leases for Oil and Gas Development pursuant to 64 O.S. §1081 and §1082.

City Attorney, Tom Frailey, was contacted by Hidden Mountain, LLC with a request to lease mineral interest on our property in Caddo County, Oklahoma. See attached letter from Hidden Mountain, LLC where they offer \$350 an acre on five sections and \$600 an acre on one section.

This item will schedule a public sale for a three-year lease term to be held at the April, 3, 2017 Council Meeting on the following legal description:

An undivided 160.000000 acres in NE/4 Section 15, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 40.000000 acres in E/2 NW/4 Section 15, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 160.000000 acres in SE/4 Section 15, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 120.000 acres in E/2 NW/4, SW/4 NW/4 Section 16, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 20.000 acres in E/2 SE/4 Section 16, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 80.000 acres in W/2 SE/4 Section 16, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 160.000 acres in SW/4 Section 16, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 150.000 acres in NE/4 less the NE/4 NE/4 NE/4 Section 17, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 150.000 acres in SE/4 less the SW/4 SW/4 SE/4 Section 17, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 110.000 acres in the E/2 NW/4, N/2 NW/4 NW/4, SE/4 NW/4 NW/4 Section 17, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 40.000 acres in E/2 NW/4 Section 22, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 160.000 acres in NE/4 Section 22, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 160.000 acres in SW/4 Section 22, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 160.000 acres in SE/4 Section 22, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 20.000 acres in NE/4 NE/4 Section 27, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 600.000 acres in NW/4; SW/4; SE/4, SE/4 NE/4 & W/2 NE/4 Section 27, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 80.000 acres in S/2 NE/4 Section 28, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 80.000 acres in N/2 NW/4 Section 28, Township 8 North, Range 9 West, Caddo County, Oklahoma;

An undivided 80.000 acres in N/2 NE/4 Section 28, Township 8 North, Range 9 West, Caddo County, Oklahoma; and

An undivided 60.000 acres in NE/4 SE/4; NE/4 SE/4 SE/4; E/2 E/2 NW/4 SE/4 Section 28, Township 8 North, Range 9 West, Caddo County, Oklahoma.

Staff Recommendation: Schedule a public sale for the April 3, 2017 Council Meeting and authorize advertisement of said sale for the purpose of selling Oil and Gas Mining leases for Oil and Gas Development pursuant to 64 O.S. §1081 and §1082 covering the following described property:

*Motion by Council Member Elliott second by Council Member Sutterfield to schedule a public sale and authorize advertisement of said sale for the purpose of selling oil and gas mining leases for oil and gas development pursuant. *

Roll call vote:

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

“Nays:” Carpenter

“Abstain:” None

Motion carried. 8-1

ITEM 7. **Bid Openings and Awards:**

ITEM 7a. **Consider awarding a bid to various vendors for Sports Complex Field Materials.**

Staff solicited bids for the purchase of Sports Complex Field Maintenance Materials. Staff’s recommendation is to award to both vendors. Although both vendors did not bid on every item in the bid specifications, Sports Complex staff will purchase needed items that are not within the contract from the lowest priced local vendors. All recommendations are the lowest bid received.

The bid tabulation sheet is attached for review.

Staff Recommendation: Award the bid to various vendors, as indicated in the background, authorize staff to purchase items not covered under the contract from lowest priced local vendors, for Sports Complex Field Materials and authorize the Mayor and Staff to execute the agreements.

*Motion by Council Member Elliott, second by Council Member Sutterfield to award a bid to various vendors for Sports Complex field materials. *

Roll call vote:

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

“Nays:” None

“Abstain:” None

Motion carried. 9-0

ITEM 7b. **Consider awarding bids for concession beverages for the Sports Complex to Dr. Pepper.**

Staff was authorized to solicit bids for the purchase of concession beverages for use at the Sports Complex and Parks. As the result of the bid solicitation, only one bid was received. That bid coming from Dr. Pepper. Staff is requesting permission to award to the sole bidder, Dr. Pepper.

Staff Recommendation: Authorize staff to award concession beverages bid to Dr. Pepper items to be used at the Sports Complex and Park Facilities.

*Motion by Council Member Elliott, second by Council Member Loggins to award a bid for concession beverages for the sports complex to Dr. Pepper. *

Roll call vote:

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

ITEM 7c. Consider extending current contract with US Foods for Concession food and materials

Staff was authorized to solicit bids for the purchase of Concession Food and Materials for use at the Sports Complex and Parks, however, no bids were received. Staff has contacted US Foods, our current contractor, and they have agreed on a contract extension. US Foods has also been the only bidder the last two years.

As we have done in the past years, we compare the price to what we can purchase the item from the local stores and if the contract vendor is not competitive we purchase those items from the local vendor.

Staff Recommendation: Approve contract extension with US Foods for Concession Food and materials for the purchase of items to be used at the Sports Complex and Park Facilities.

*Motion by Council Member Elliott, second by Council Member Loggins to extend the current contract with US Foods for concession food and materials. *

Roll call vote:

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

*Motion by Council Member Elliott, second by Council Member Sutterfield to recess the City Council meeting and enter into Chickasha Municipal Authority and Chickasha Municipal Airport Authority at 6:05 pm. *

Roll call vote:

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

Motion carried. 9-0

*Motion by Council Member Elliott, second by Council Member Loggins to reconvene the City Council meeting at 6:34 pm. *

Roll call vote:

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

“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 confidential communications between the City and 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 in compliance with its duty of confidentiality under the provisions of 25 O.S. §307B(4) (Discuss status of litigation filed in District Court of Grady County; Alan Guard v. City of Chickasha case no. CJ-2016-239 and removed to Federal District Court for the Western District of Oklahoma in case no. CIV-16-1284-M including discussion of a General Release and Settlement Agreement).

Staff wishes to enter into an Executive Session to discuss confidential communications between the City and 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 in compliance with its duty of confidentiality under the provisions of 25 O.S. §307B(4) (Discuss status of litigation filed in District Court of Grady County; Alan Guard v. City of Chickasha case no. CJ-2016-239 and removed to Federal District Court for the Western District of Oklahoma in case no. CIV-16-1284-M including discussion of a General Release and Settlement Agreement).

Staff Recommendation: Enter into Executive Session.

ITEM 8c.

Discussion, consideration and possible action to enter into executive session to discuss the employment, hiring, appointment, promotion, demotion, discipline or resignation of any individual salaried public officer or

**employee under the provisions of 25 O.S. §307B (1)
(Discussion of the status and process of hiring a new
City Manager).**

Staff wishes to enter into an Executive Session to discuss the employment, hiring, appointment, promotion, demotion, discipline or resignation of any individual salaried public officer or employee under the provisions of 25 O.S. §307B (1) (Discussion of the status and process of hiring a new City Manager).

Staff Recommendation: Enter into Executive Session.

Motion by Council Member Toland, second by Council Member Sutterfield to enter into Executive Session at 6:36 p.m.

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 Sutterfield second by Council Member Elliott to Reconvene from Executive Session at 6:59 p.m.

Roll call vote:

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

ITEM 8b. Discussion, consideration and possible action to reconvene open session and to take appropriate action on any matter discussed in executive session concerning Alan Guard v. City of Chickasha including the possible approval of a General Release and Settlement Agreement under the provisions of 25 O.S. §307B (4).

Staff wishes to reconvene open session and consider possibly take action on items discussed in executive session.

Staff Recommendation: Reconvene open session and consider possible action on items discussed in executive session.

*Motion by Council Member Toland, second by Council Member Steelman motion to approve the settlement agreement between the City of Chickasha and Alan Guard, and

Alan Guard v City of Chickasha in the Federal District Court for the Western District of Oklahoma. *

Roll call vote:

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

“Nays:” None

“Abstain:” None

Motion carried. 9-0

ITEM 8d. Discussion, consideration and possible action to reconvene open session and to take appropriate action on any matter discussed in executive session under the provisions of 25 O.S. §307B (1).

Staff wishes to reconvene open session and consider possibly take action on items discussed in executive session.

Staff Recommendation: Reconvene open session and consider possible action on items discussed in executive session.

No Action

ITEM 9. Motion to Adjourn.

No further business Mayor Ross called the meeting adjourned.

TIME: 7:01 P.M

[Handwritten signature]

Hank Ross, Mayor

ATTEST:

[Handwritten signature]

City Clerk



Approved this 3rd day of April, 2017.