

COMMISSIONERS' PROCEEDINGS, MONDAY, MAY 6, 2013 AT 7:00 P.M. IN THE COMMISSION CHAMBERS AT CITY HALL, 320 W 3RD, ELK CITY, OKLAHOMA.

A G E N D A

Public Hearing for Rezoning as Advertised:

#1

Petitioner: John Tremblay

Address: 1007 S Randall

Legal Description: Located in a tract of land (subject tract) in the NE/4 of Section 28, T11N, R21W.I.M. Beckham County, Oklahoma according to the US Government survey thereof; Said subject tract also being a part of that certain tract (parent tract) depicted and described on certificate of survey recorded in Book 581, Page 157 of the Deed Records of said Beckham County; said subject tract encompasses the Easterly 24.00 feet of Lots 9, 10, 11, & 12 in Block 38 of Maywood Addition to Elk City in said Beckham County (Slide A31 of said Deed records) less the Northerly 6.50 feet of said Lot 9; Lots 13, 14, 15 & 16 in said Block 38 less the Northerly 6.50 feet of said Lot 16; that portion of a 20.00 feet wide alley contiguous to said Lots 9-16 or said portions thereof; and the Northerly 25.00 feet of the easterly 184.00 feet of Fourteenth Street (50' R/W) in said Maywood Addition; said subject tract described as follows: Commencing at the Northeast corner of the aforementioned NE/4; thence S00°00'00"W, with the Easterly line thereof, a distance of 2458.00 feet; thence S90°00'00"W a distance of 33.00 feet to the Southeast corner of the aforementioned parent tract and the Southeast corner of the aforementioned portion of Fourteenth Street, same being the point of beginning of said subject tract; thence S90°00'00"W, with the Southerly line of said parent tract and the Southerly line of said portion of Fourteenth Street, a distance of 184.00 feet; thence N00°00'00"E a distance of 118.50 feet to the Southerly line of that certain 1 acre parcel described in Quit Claim Deed recorded in Book 807, Page 160 of the aforementioned deed records; thence N90°00'00"E, with said Southerly line, a distance of 184.00 feet to the Southeast corner of said 1 acre parcel; thence S00°00'00"W, with the Easterly line of the aforementioned parent tract, a distance of 118.50 feet to the point of beginning containing 21,804 square feet or .50 acres within the metes recited hereon.

Rezoning request: R-1, Single Family Residential District to C-2, Highway Commercial and Commercial Recreation District

Public participation

Planning and Zoning recommendation.

Public hearing closed.

#2

Petitioner: Richard and Treasa Schutt

Address: 2000 S Washington

Legal Description: A Tract of land located in the NW 1/4 of Section 34, Township 11 North, Range 21 West of the Indian Base and Meridian, Beckham County, Oklahoma, having been surveyed by Brian Oakley, a registered Professional Land Surveyor, Oklahoma License Number 1616, being described on the 21st day of March 2013, having a bearing datum of true geodetic, and more particularly described as follows: Beginning at a point on the East line of said NW 1/4 which is S00°08'31" W938.94 feet from the NE Corner of said NW 1/4; thence S00°08'31" W along the said East line 538.17 feet; thence N89°51'15" W 1321.50 feet to the West line of the E 1/2 of said NW 1/4; thence N 00°10'44" E along the said West Line 531.83 feet; thence N89°52'15" E 1321.17 feet to the point of beginning, containing 16.23 acres more or less.

Rezoning request: R-2, Two Family Residential District to M-1, Mobile Home/RV Park District

Public participation
Planning and Zoning recommendation
Public hearing closed.

INVOCATION:

FLAG SALUTE: Commissioner Larry Muck

Commission to consider and approve or disapprove the minutes of the April 17th meeting.

1. Commission to consider and approve or disapprove Ordinance No. 1160: An Ordinance of the City of Elk City, Oklahoma repealing existing Chapter 16, Oil and Gas Drilling, of the Code of Ordinances of the City of Elk City, Oklahoma and adopting a new Chapter 16, Oil and Gas Drilling; declaring an emergency.

Commission to consider and approve or disapprove Ordinance No. 1160 an emergency ordinance.

2. Commission to consider and approve or disapprove Ordinance No. 1162: An Ordinance changing the zoning classification of a tract of land situated in the NE Quarter of Section 28, T11N, R21 WIM, Beckham County, Elk City, Oklahoma from R-1, Single Family Residential District to C-2, Highway Commercial and Commercial Recreation District.
3. Commission to consider and approve or disapprove Ordinance No. 1163: An Ordinance changing the zoning classification of a tract of land situated in the NW Quarter of Section 34, T11N, R21 WIM, Beckham County, Elk City, Oklahoma from R-2, Two Family Residential District to M-1, Mobile Home/RV Park.
4. Commission to consider and approve or disapprove an Application for Permit to Drill and operate well for Chesapeake Energy Inc. located in the NW/4 of the NW/4 of Section 28, T11N, R21WIM, approximately 400' from the North line-685' from the West line.
5. Commission to consider and approve or disapprove a Memorandum of Understanding between Great Plains Regional Medical Center and City of Elk City in the event of an internal or external disaster where Great Plains Regional Medical Center is incapable of providing supplies for operation the need exists to provide such resources. (320 W 3rd Street – City of Elk City)
6. Commission to consider and approve or disapprove a Memorandum of Understanding between Great Plains Regional Medical Center and City of Elk City in the event of an internal or external disaster where Great Plains Regional Medical Center is incapable of providing supplies for operations the need exists to provide such resources. (1601 Airport Industrial Road – Civic Center)
7. Commission to consider and approve or disapprove bid received for Subtitle D Landfill Scales from J A King & Co, LLC in the amount of \$170,000.00.
8. Commission to consider and approve or disapprove Pay Estimate #1 form Cornell Construction for Section A 2012/2013 Street Paving Improvements in the amount of \$743,178.20.
9. Commission to consider and approve or disapprove Change Order #6 for Elk City 2011 Paving Improvements for Caswell Construction Company in the amount of \$15,700.00.
10. Commission to consider and approve or disapprove Change Order #2 for 2012/2013 Street Paving Improvements Section B to Caswell Construction in the amount of \$7,245.34.
11. Commission to consider and approve or disapprove to purchase Water/Sewer lines, manholes, fire hydrants

and misc fittings to be reimbursed by contractor in the amount of \$70,448.16.

12. Commission to consider and approve or disapprove application for OERSSIRF Grant for ambulance equipment for the Elk City Fire Dept/EMS.
13. Commission to consider and approve or disapprove a proposal from Sidewinder Utility Locators for the 20th Street drain pipe reconstruction.
14. Commission to accept Permit No SL000005130063 for the construction of 6,083 linear feet of eight (8) inch PVC pipe for sanitary collection lines and appurtenances to serve the Harless Addition.
15. Commission to accept Permit No WL000005130064 for the construction of 3,922 linear feet of six (6) DIP pipe for waterline distribution and all appurtenances to serve the Harless Addition.
16. Commission to approve or disapprove declaring surplus of eight (8) mobile radios that would not narrowband to new radio regulations and donate the radios to the local Red Cross/Ham radio operators that do not fall under the narrowband regulations.
17. Commission to consider and approve or disapprove the repaint and upgrade lighting on radio tower at the fire station in the amount of \$14,860.00.
18. Commission to consider and approve or disapprove the purchase of two complete sirens and controllers in the amount of \$28,399.22.
19. Commission to consider and approve or disapprove controllers for storm sirens in the amount of \$6,478.44.
20. Commission to consider and approve or disapprove the purchase of a thermal imaging camera in the amount of \$11,762.00.
21. Commission to consider and approve or disapprove Mayor Gambill's appointment of Donald Kerr to the Planning and Zoning Board and Board of Adjustments, term May 2013-2016.
22. Commission to consider and approve or disapprove Purchase Orders FY 12-13 & recurring invoices for May 6, 2013.
23. City Manager's Report:
 - (1) Discussion of ongoing projects.
 - (2) Preliminary Budget 1st Draft.
 - (3) Ordinance #1159 tabled on April 17, 2013 meeting. Rezoning request was withdrawn by land owner. No further action required.
24. City Treasurer's Report:
25. New Business (New business consists of matters that could not have been known about or reasonably foreseen prior to posting of the agenda)
26. Commission to consider and approve or disapprove an executive session to discuss employment, hiring, appointment, promotion, demotion, disciplining, or resignation of City Manager Anita Archer (performance evaluation) pursuant to Title 25 O.S. Section 307 (B)(1).

27. Reconvene meeting.
28. Commission to consider and approve or disapprove action regarding an executive session to discuss employment, hiring, appointment, promotion, demotion, disciplining, or resignation of City Manager Anita Archer.
29. **Public Comment (3-minute time limit per individual)
30. Motion to adjourn the meeting.

**The City Commission cannot legally enter into discussion or take action on any item addressed under public comment. State law dictates that only those matters specifically appearing on the Commission agenda may be discussed or voted upon by the City Commission. Public comment exist to allow members of the public an opportunity to bring their concerns to the attention of the City Commission. However, to prevent any potential violations of the Oklahoma Open Meeting Act, no interaction or discussion will occur with regard to any item addressed under public comment. Should action be deemed to be necessary, an item will appear on the next meeting agenda for discussion and/or possible City Commission action.