

**COMMISSIONERS' PROCEEDINGS, MONDAY, JULY 1, 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: Richard & Treasa Schutt

Address: 2005 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 21<sup>st</sup> 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 R-3, Multi-Family Residential District

Public participation

Planning and Zoning recommendation

Public hearing closed.

#2

Petitioner: James Chopping

Address: Part of 214 E 8th

Legal Description: Three tracts of land lying in Blocks 54, 55 and 56, described as follows:

**Tract 1:** A tract of land being a part of Lots 24, 25 and 26 in Block 55, and a part of Lots 1 through 9, both inclusive, and lots 16 through 26, both inclusive, in Block 56 of the Original Town of Elk City, Oklahoma, together with all interest in adjacent streets and alleys, described as follows: Beginning at the NE corner of said Block 56; thence S0°0'W along the East boundary of said Block 56 a distance of 241.84 feet to the center line of Elk Creek; thence along said center line of Elk Creek, across said Block 56 and part of Block 55 as follows: S84°0'W a distance of 94.10 feet; thence N61°0'W a distance of 47 feet; thence N44°0'W a distance of 128 feet; thence N73°0'W a distance of 59 feet; thence N0°0'E a distance of 57.21 feet to a point on the North line of said Block 55; said point being 18.475 feet West of the NE corner of said Block 55; thence East along the South boundary of Seventh St, a distance of 398.475 feet to the Point of Beginning, containing 1.498 acres, more or less. **Tract 2:** A tract of land being all of Lots 1 through 13, both inclusive and all that part of Lots 14 through 26, both inclusive lying west of the center line of Elk Creek, in Block 55 of the Original Town of Elk City, Oklahoma, together with all interest in adjacent streets and alleys, described as follows: Beginning at a point 40 feet South of the SW corner of said Block 55; thence N0°0'E a distance of 360 feet; thence S90°0'E a distance of 281.525 feet; thence S0°0'W a distance of 57.21 feet to the center line of Elk Creek; thence along said center line of Elk Creek across said Block 55 as follows: S68°0'W a distance of 48 feet; thence S22°0'W a distance of 54 feet; thence S2°0'W a distance of 59 feet; thence S2°0'E a distance of 53 feet; thence N90°0'W along the center line of Eighth Street (now vacated) a distance of 185.93 feet to the Point of Beginning, containing 2.913 acres, more or less. **Tract3:** A tract of land Lots 7 thru 12 in Block 54 less that portion of lots 7, 8 and 9 that was conveyed to MK&T railroad. Containing .4 acres more or less

Rezoning request: R-4, Residential Estate District to C-2, Highway Commercial and Commercial Recreation

District

Public participation  
Planning and Zoning recommendation  
Public hearing closed.

#3  
Petitioner: Gardner Development  
Address: 103 E 3<sup>rd</sup>  
Legal Description: Original Townsite, Block 18, Lots 9-11 & N 5' of Lot 12  
Rezoning request: C-3, General Commercial District to R-3, Multi-Family Residential District

Public participation  
Planning and Zoning recommendation  
Public hearing closed.

INVOCATION: Danny Ringer, First Baptist Church  
FLAG SALUTE: Commissioner Bill Helton

Commission to consider and approve or disapprove the minutes of the June 19th meeting.

1. Intro to Ordinance No. 1167: An Ordinance changing the zoning classification of a tract or land situated in the NW ¼ of Section 34, T11N, R21WIM, Beckham County, Elk City, Oklahoma from R-2, Two Family Residential District to R-3, Multi-Family Residential District.
2. Intro to Ordinance No. 1168: An Ordinance changing the zoning classification of a tract or land situated in the Original Townsite, Beckham County, Elk City, Oklahoma from R-4, Residential Estate District to C-2, Highway Commercial and Commercial Recreation District.
3. Intro to Ordinance No. 1169: An Ordinance changing the zoning classification of a tract or land situated in the Original Townsite, Beckham County, Elk City, Oklahoma from C-3, General Commercial District to R-3, Multi-Family Residential District.
4. Intro to Ordinance No. 1170: An Ordinance of the City of Elk City, Oklahoma amending the Elk City, Oklahoma Comprehensive Plan; Volume Three, Zoning Ordinance/Sub Division regularions (November 2012 Edition); Article III: Establishment of Districts and Article VI: Specific District Regulations; To recognize Three Categories of Industrial Zoning Districts.
5. Commission to consider and approve or disapprove Resolution 2013-7: A Resolution of the City of Elk City supporting the economic development and affordable housing project by Gardner Development, LLC and MRE Capital, LLC.
6. Commission to consider and approve or disapprove bid received from Willis Granite Products for the City of Elk City Welcome Sign in the amount of \$18,425.00. (budgeted item Hotel/Motel Tax)
7. Commission to consider and approve or disapprove Pay Request #2 for Cornell Construction Company for 2012/2013 Section A Paving Improvements in the amount of \$126,104.63.
8. Commission to consider and approve or disapprove Pay Request #3 for Caswell Construction for 2012/2013 Section B Paving Improvements in the amount of \$1,869.74.

9. Commission to consider and approve or disapprove Pay Request #4 for Caswell Construction for 2012/2013 Section B Paving Improvements in the amount of \$24,390.13.
10. Commission to consider and approve or disapprove establishing prior approval for City Manager to purchase water rights without additional consideration of City Commission not to exceed \$500,000 total.
11. Commission to consider and approve or disapprove repair quote from Kirby-Smith Machinery, Inc for the rock yard Komatsu loader in the amount of \$15,512.21.
12. Commission to consider and approve or disapprove Purchase Orders FY 12-13 & recurring invoices for July 1, 2013.
13. Commission to consider and approve or disapprove Purchase Orders FY 13-14 & recurring invoices for July 1, 2013.
14. City Manager's Report:
  - (1) Discussion of ongoing projects.
15. City Treasurer's Report:
16. New Business (New business consists of matters that could not have been known about or reasonably foreseen prior to posting of the agenda)
17. \*\*Public Comment (3-minute time limit per individual)
18. 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.