

COMMISSIONERS' PROCEEDINGS, MONDAY, NOVEMBER 5, 2012 AT 7:00 P.M. IN THE COMMISSION CHAMBERS AT CITY HALL, 320 W 3RD, ELK CITY, OKLAHOMA.

PUBLIC HEARING FOR REZONING:

Petitioner: Tim McRee

Address: vacant property in the 900 Block of S Randall

Legal Description: A tract of land in the NW/4 of Section Twenty Seven (27), Township Eleven (11) North, Range Twenty One (21) West, Beckham County, Oklahoma described as follows: Beginning at the SW corner of the NW/4 of said Section 27; thence N00°14'42" E 1158.0 feet, thence N89°51'47" E 657.94 feet, thence S00°05'52" W 1161.49 feet, thence S89°52'49" W 659.02 feet to the point of beginning. Containing 17.51 acres, more or less

Rezoning Request: A-1, Agricultural District to I-1, Light Industrial District

Public participation

Planning and Zoning recommendation

Public hearing closed.

INVOCATION:

FLAG SALUTE: Commissioner Tom M Johnson

Mayor Mullican to make presentation to Mike McFall for "Facilitator of the Year".

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

1. Commission to consider and approve or disapprove an executive session to discuss negotiations concerning the Elk City Police Department Fraternal Order of Police Chapter pursuant to Title 25, Oklahoma Statutes, Section 307(B)(2).

2. Reconvene meeting.

3. Commission to consider and approve or disapprove action on issues discussed in executive session.

4. Commission to consider and approve or disapprove executive session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of John Burgess relative to his employment with the Elk City Police Department and for confidential communications between the City Commission and City Attorney concerning a pending investigation, claim or action regarding the employment of John Burgess, upon the advice of the

City Attorney that disclosure of communications will seriously impair the ability of the City Commission to process the claim or conduct the impending investigation, litigation or proceeding in the public interest. 25 O.S. 307(B)(1) and 25 O.S. 307(B)(4).

5.Reconvene meeting.

6.Commission to consider and approve or disapprove setting a Pension Board of Review Hearing regarding the termination of John Burgess and the appointment of Tony Puckett as legal council for the Pension Board of Review and appointment of members of the Pension Board of Review.

7.Commission to consider and approve or disapprove Ordinance No. 1146: An Ordinance of the City of Elk City, Oklahoma providing for limited RV Parking at Elk Lake.

8.Commission to consider and approve or disapprove Ordinance No. 1147: An Ordinance of the City of Elk City, Oklahoma providing for Model Home Sales Offices in R-1 Single-Family Residential District Zoning.

9.Commission to consider and approve or disapprove Ordinance No. 1148: An Ordinance of the City of Elk City, Oklahoma amending charges pertaining to fees for the hearing of appeals and amendments to zoning.

10.Commission to consider and approve or disapprove Ordinance No. 1149: An Ordinance changing the zoning classification of a tract of land situated in the NW/4 Section 27-11-21 from A-1, Agricultural District to I-1, Light Industrial District.

11.Commission to consider and approve or disapprove a Lease Agreement between the City of Elk City and Elk City Speedway LLC for the stock car race track.

12.Commission to consider and approve or disapprove Pay Request #1 to Caswell Construction, \$93,396.61, for 2011 Paving Improvements.

13.Commission to consider and approve or disapprove bid received from Chief Fire & Safety Co for six (6) self contained breathing apparatus (SCBA) for a total of \$29,364.00.

14.Commission to consider and approve or disapprove bid received from Metal Roof Contractors, Inc for the Retrofit Roof for the Municipal Maintenance Building in the total amount of \$81,400.00.

15.Commission to consider and approve or disapprove payment of Oklahoma Contractors Supply invoice in the amount of \$31,529.00 for infrastructure material pursuant to economic incentive agreement with JAMAC Ventures, LLC, to be reimbursed by JAMAC Ventures, LLC.

16. Commission to consider and approve or disapprove the surplus of 32 communication radios and a Delco generator from the Water Plant.

17. Commission to consider and approve or disapprove directing City Clerk to give statutory notice of proposed annexation of .6508 acres located in part of Blocks Six (6) and Seven (7) of the Reyburn Addition to the City of Elk City pursuant to petition by property owners for consent annexation thereof.

18. Commission to consider and approve or disapprove directing City Clerk to give statutory notice of proposed annexation of 9.78 acres located in part of Blocks Six (6), Seven (7) and Eleven (11), all of Blocks Eight (8), Nine (9) and Ten (10) of the Reyburn Addition to the City of Elk City pursuant to petition by property owners for consent annexation thereof.

19. Commission to consider and approve or disapprove Mayor Mullican's appointment and reappointments to the following Boards:

Elk City Museum Board
Elk City Airport Board

Rosa Bea Johnson, term November 2012-2017
Steve Wilson, term November 2012-2015

Elk City Housing Authority Board

Melba Zepeda, term October 1, 2012-September 30, 2015

Dr Lisa Nowlin, term October 1, 2012-September 30, 2015

20. Commission to consider and approve or disapprove postponing the regular scheduled City Commission meetings of Wednesday, November 21st until Monday, November 26th at 6:00 p.m. due to the Thanksgiving holiday.

21. Commission to consider and approve or disapprove Purchase Orders FY 12-13 & recurring invoices for November 5, 2012.

22. City Manager's Report:

(1) Discussion of ongoing projects.

23. City Treasurer's Report:

24. **Public Comment (3-minute time limit per individual)

25. 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.