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## MEETING CITY COUNCIL MINUTES

DATE: May 9, 2023  
TIME: 6:00 PM  
PLACE: Elgin City Hall  
8183 State Hwy 17

All items on this agenda, including but not limited to any agenda item concerning the adoption of any ordinance, resolution, contract, agreement, or any other item of business, are subject to amendment, including additions and/or deletions. This rule will apply to every individual agenda item without exception, and without providing this same amendment language with respect to each individual agenda item. Such amendments should be rationally related to the topic of the agenda item, or the governing body will be advised to continue the item.

The governing body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the governing body may refer the matter to its staff, attorney or to the recommending board, commission or committee.

1. Mayor Francois called meeting to order at 6:00pm.
2. Invocation given by Mayor Francois and flag salute led by Mr. Guevara.
3. Members present were JJ Francois, Kevin Mitchell, Nettie Evans, Fred Guevara, Travis Bennett, and Machel Reynolds, Clerk/Treasurer. All the members were present. A quorum was declared.
4. Consideration of Consent Agenda.
  - A. Acceptance of the minutes of Council meetings held April 11, & May 1, 2023.
  - B. Acceptance of the payment of purchase orders.
  - C. Acceptance of estimated payroll for June 2023.
  - D. Acceptance of Treasurer's Report.
  - E. Acceptance of Police Report.
  - F. Acceptance of Fire Report.
  - G. Acceptance of Library Report.
  - H. Authorization to approve estimate from Daley's Asphalt to repair patches includes to saw cut remove debris repair base up to 6 inches with ODOT approved hot mix asphalt and compact with asphalt rollers replace with 4 inches of S4 hot mix asphalt over approximately 908 square feet at \$11.00 a square foot with total amount of \$9,988. (03-20-700)
  - I. Authorization to approve purchase from Skid Steer Solutions for a mini excavator brush cutter in the amount of \$9,849. (03-20-700)
  - J. Authorization to purchase Body Armor for the Police Department from Ares State Armory LLC in the amount of \$4,868. (01-03-602)

K. Authorization to purchase Stop Sticks for Police Department from Stop Stick in the amount of \$2,000. (01-03-602)

L. Authorization to send out bids for base work for 6" aggregate base, 3 inches of asphalt, saw cut and debris removal to City dump site for Maple & Alma, Brandi & Maple, Maple & AppleCreek, Keeney & Apple Creek (West), Brandi & Keeney, Hershel & Keeney, H & 2<sup>nd</sup>, Sunset & Homestead (West on Sunset), Homestead (just North of Park), and Brown & Watts.

M. Authorization to send out bids for grass mowing, weed eating, debris removal, removal of mattress, furniture, or appliances.

N. Authorization to approve a onetime pay stipend to Jason Barrier in the amount of \$1000.00 to cover some his out-of-pocket expense from Street Cop Training Conference he attended.

Motion by Guevara 2d by Bennett to approve all consent agenda items. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried.

5. Discussion and possible action on items removed from Consent Agenda. N/A
6. Mayor's report and presentation.
7. Remarks from Council.
8. Mayor to Open Public Hearing regarding consideration of an amendment to the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts, City of Elgin, Comanche County, Oklahoma from (R-2) Single Family Residential District to (C-1) General Commercial District. Address: 502 7<sup>th</sup> Street, Elgin OK (Legal: ELGIN BLK 15 LOT 1) Mayor Francais opened Public Hearing at 6:24 pm and Closed it at 6:30 pm
9. Discussion, consideration, and possible action to approve Ordinance 23-18 amending the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts, City of Elgin, Comanche County, Oklahoma from (R-2) Single Family Residential District to (C-1) General Commercial District. Address: 502 7<sup>th</sup> Street, Elgin OK (Legal: ELGIN BLK 15 LOT 1). Motion by Bennett 2d by Guevara to approve Ordinance 23-18. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried.
10. Discussion, consideration, and possible action to approve the Emergency Clause of Ordinance 23-18 amending the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts, City of Elgin, Comanche County, Oklahoma from (R-2) Single Family Residential District to (C-1) General Commercial District. Address: 502 7<sup>th</sup> Street, Elgin OK (Legal: ELGIN BLK 15 LOT 1). Motion by Guevara 2d by Bennett to approve emergency clause for Ordinance 23-18. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
11. Mayor to open Public Hearing regarding Consideration of an amendment to the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts City of Elgin, Comanche County, Oklahoma from (R-3) Mixed Residential District to (R-5) Multi-Family Residential District (Legal: ELGIN BLK 53 S/2 Lots 13-17) Mayor Francais opened Public Hearing at 6:33 pm and Closed it at 6:35 pm
12. Discussion, consideration, and possible action to approve Ordinance 23-19 amending the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts City of Elgin, Comanche County, Oklahoma from (R-3) Mixed Residential District to (R-5) Multi-Family Residential District (Legal: ELGIN BLK 53 S/2 Lots 13-17). Motion by Guevara 2d by Evans to approve Ordinance 23-19. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
13. Discussion, consideration, and possible action to approve the Emergency Clause of Ordinance 23-19 amending the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts, City of Elgin, Comanche County, Oklahoma

from (R-3) Mixed Residential District to (R-5) Multi-Family Residential District (Legal: ELGIN BLK 53 S/2 Lots 13-17). Motion by Mitchell 2d by Bennett to approve emergency clause for Ordinance 23-19. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried

14. Mayor to open Public Hearing regarding Consideration of an amendment to the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts, City of Elgin, Comanche County, Oklahoma from (R-3) Mixed Residential District to (R-5) Multi-Family Residential District (ELGIN BLK 13 S/2 OF W/2 OF LOT 8 & S/2 OF LOTS 9-12). Mayor Francais opened Public Hearing at 6:38 pm and Closed at 6:40 pm
15. Discussion, consideration, and possible action to approve Ordinance 23-20 amending the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts City of Elgin, Comanche County, Oklahoma from (R-3) Mixed Residential District to (R-5) Multi-Family Residential District (ELGIN BLK 13 S/2 OF W/2 OF LOT 8 & S/2 OF LOTS 9-12). Motion by Guevara 2d by Mitchell to deny approval of Ordinance 23-20, not enough land to build Multi Family. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
16. Discussion, consideration, and possible action to approve the Emergency Clause of Ordinance 23-20 amending the Zoning Districts Map of said Zoning Ordinance, by re-zoning the following described tracts, City of Elgin, Comanche County, Oklahoma from (R-3) Mixed Residential District to (R-5) Multi-Family Residential District (ELGIN BLK 13 S/2 OF W/2 OF LOT 8 & S/2 OF LOTS 9-12). Item Stricken
17. Discussion, consideration, and possible action to approve contract for School Resource Officers. Item Stricken
18. Discussion, consideration, and possible action to approve contract for Firefighter (Lee Burney). Motion by Guevara 2d by Bennett to approve contract for Firefighter Lee Burney. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
19. Discussion, consideration, and possible action to accept estimate #2023001 from Kenny Curry with Comanche County District 1 for Commerce Dr the estimate was measured for 1383 ft of road, City will be authorizing 700 ft of road so the total will be \$91,809.50 for crusher run, screenings, materials, and labor. Motion by Guevara 2d by Mitchell to approve the purchase of Rocks and screenings with the County doing the work, approved to spend up to \$12,000 on the Rock & Screenings for 1383 ft of Road. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
20. Discussion, consideration, and possible action concerning authorization to accept approval to pay Section 37 an amount of \$7500 for work related to creating legal descriptions for purpose of possible future annexation. (01-02-600) Motion by Evans 2d by Guevara to approve using Section 37 with an amount of \$7500 for creating legal descriptions for the purpose of possible future annexation. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
21. Discussion, consideration, and possible action concerning approval of estimate 336 from F5 Landworks in the amount of \$26,120 for hydroseeding. (Only one estimate, he is the only one in the area that does this) (22-31-700) Motion by Bennett 2d by Guevara to approve estimate 336 from F5 Landworks in the amount of \$26,120. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
22. Discussion, consideration, and possible action to authorization to accept estimate for the Marilyn Glover Drainage Project. (22-31-700) Motion by Guevara 2d by Mitchell to table item until approval from Mr. & Mrs. Glover and Trustees for temporary work on property. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
23. Discussion only concerning the drainage at Rockbridge.

24. Discussion, consideration, and possible action to approve authorization to pay County to rebuild 7 City blocks at a cost not to exceed \$48,000. (03-20-700). Motion by Guevara 2d by Evans to approve County to rebuild roads in Elgin with amount not to exceed \$48,000. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
25. Discussion, consideration, and possible action to approve Ordinance 23-16 amending the Code of Ordinances of the City of Elgin Title 2, Finance and Taxation, Chapter 6 designated purchasing may sign and approve individual purchases up to five thousand dollars (\$5,000) with a monthly amount not to exceed twenty thousand dollars (\$20,000); providing that individual purchases in excess of \$5,000 require the signature and approval of the mayor and the designated department liaison; and providing that the individual purchases in excess of \$5,000 requiring two signatures shall constitute amounts that fall within the \$20,000 monthly limit. Motion by Evans 2d by Bennett to approve Ordinance 23-16. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
26. Discussion, consideration, and possible action to approve emergency clause for Ordinance 23-16 amending the Code of Ordinances of the City of Elgin Title 2, Finance and Taxation, Chapter 6 designated purchasing may sign and approve individual purchases up to five thousand dollars (\$5,000) with a monthly amount not to exceed twenty thousand dollars (\$20,000); providing that individual purchases in excess of \$5,000 require the signature and approval of the mayor and the designated department liaison; and providing that the individual purchases in excess of \$5,000 requiring two signatures shall constitute amounts that fall within the \$20,000 monthly limit. Motion by Bennett 2d by Guevara to approve emergency clause for Ordinance 23-16. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
27. Discussion, consideration, and possible action to approve Ordinance 23-17 amending Title 1, Chapter 9, Section 1-9-7 of the Code of Ordinances of the City of Elgin by amending the traffic violations bureau, bond schedule, and fines for traffic and non-traffic violations to place the amounts on the Master Fee Schedule. Motion by Evans 2d by Guevara to approve Ordinance 23-17. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
28. Discussion, consideration, and possible action to approve emergency clause for Ordinance 23-17 amending Title 1, Chapter 9, Section 1-9-7 of the Code of Ordinances of the City of Elgin by amending the traffic violations bureau, bond schedule, and fines for traffic and non-traffic violations to place the amounts on the Master Fee Schedule. Motion by Guevara 2d by Bennett to approve emergency clause for Ordinance 23-17. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
29. Discussion, consideration, and possible action to approve Resolution 23-17 amending the Master Fee Schedule to include the bond schedule and fines/costs for traffic and non-traffic violations. Motion by Evans 2d by Bennett to approve Resolution 23-17. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
30. Discussion, consideration, and possible action to approve Resolution 23-16 establishing the placement of a stop sign at the intersection of Commerce Drive and Highway 277. Motion by Bennett 2d by Guevara to approve Resolution 23-16. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried
31. Discussion, consideration and possible action to enter into an executive session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee pursuant to the provisions of 25 O.S. §307B(1) (Chief of Police Paul Tracey). Motion by Guevara 2d by Mitchell to approve to enter into executive session. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried

32. Discussion, consideration, and possible action to reconvene open session and to take any appropriate action on any matter discussed in executive session. Motion by Mitchell 2d by Guevara to return to open session. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried. Motion by Bennett 2d by Evans to authorize to contract with a third-party firm to conduct assessment of Police Chief Paul Tracy and the Elgin Police Department with amount not exceeding \$7,500. Ayes; Mitchell, Evans, Guevara, and Bennett. Nays; None. Motion Carried.
33. Meeting Adjourned at 9:05 pm

PASSED, APPROVED AND ADOPTED THE 13<sup>th</sup> DAY OF JUNE 2023:

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Machelle Reynolds, City Clerk