

MINUTES

CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
JUNE 18, 2024
6:00 P.M.

1. The meeting was called to Order at 6:00 p.m. Declaration of a quorum present was given. The Flag salute was led by Chief Coy and the Invocation was given by the Mayor.

ROLL CALL

Present

Mayor Roger Godwin
Vice-Mayor Vickie Douglas
Councilman Jon Evans
Councilman Jim Von Thaer
Councilwoman Judy Myers
Councilwoman Deborah Morris
Councilwoman Lynda Steele
Councilman Randy Prince

Absent

Councilman Scott Tribbey

STAFF PRESENT

Matt Love, City Attorney
Mike Anderson, Police Chief
Jason Allen, Deputy Police Chief
Stephen Coy, Fire Chief
Pamela McDowell-Ramirez, City Clerk/Treasurer
Mike Turman, Public Works Director
Marc Long, City Planner
Dakota Desai, Asst. City Planner
Keith Weber, Grant Writer

2. Recognition of Makenzie Amend being promoted to Dispatch Supervisor and presentation of a Certificate of Appreciation to Ramon Renteria-Lara. Presentation by Oklahoma Department of Veteran Affairs.

Chief Anderson presented Makenzie Amend with a certificate and told everyone how long she has been with the city and what a great job she does. Mayor presented Señor Reñteria-Lara with a certificate of appreciation. The Verterans Affairs could not be at this meeting.
3. Discussion and possible action on an amended SRB WA-2021 Sanitary Sewer Improvement agreement to add additional services for ROW and Construction Inspection

due to the delay in finding a bidder for the project and the construction cost of the project being more than twice the original estimate. *Long* *****

Marc Long explained that this project was bid two years ago and was an ARPA project but was way over the estimate of \$880,000, so it was put on hold. Now the city has the loan and can now proceed at \$2.3 million, however, there are additional services related to this since it is so much more expensive and based on the percentage of the cost of the project. Additional engineering had to be done as well as more right of way, since there are many things in the easement, and also construction inspections that are required.

Motion by Von Thaer, second by Prince to approve the amended agreement. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

4. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #5.)
 - A. Approval of the minutes from the Regular meeting of May 21, 2024. *****
 - B. Approval of Expenditures

General Fund	\$218,014.41
CIP Fund	\$ 4,079.98
Sew Line Maint Fund	\$ 26,684.00
 - C. Approval of Actual Expenditures for May 2024 and Proposed Expenditures for June 2024. *****
 - D. Sales Tax History Report. *****
 - E. Approval of a supplemental appropriation of a donation from Michael Myers to the Fire Department for the purchase of smoke detectors in the amount of \$1,000.

Motion by Evans, second by Douglas to approve items A through E of the consent docket. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

5. Discussion and possible action on items removed from the consent docket.

Moot.

6. Receive reports from Staff: Police Chief, Fire Chief, City Clerk, City Attorney, Public Works Director, City Engineer, City Planner, Grant Writer. *****

Turman-recognize the employees that make the public works work, Pam's staff, Mike Woodard, Code Enforcement and all the people in the different departments. Also, all the contractors and sub-contractors that support things. Councilman Prince asked about the sidewalks getting fixed that are un-level and cracked. PWD Turman stated they are working on the worst ones but they have a long list that needs to be fixed.

Coy-thanks so much to Myers for the donation to go towards smoke alarms, in anticipation of the donation he went to Lowe's and set up a Pro account that will make the money go further because they give a discount. Thank you it will really help those that need them.

Love-in the next month or so the Mayor has asked Marc and Dakota, myself to put together a little Town Center presentation on how the overlay works. He looks forward to those conversations.

Long-the city has been awarded the \$1.5 million dollar loan forgiveness grant that was applied for through OWRB a couple of months ago, basically you will sign the loan paperwork and then they will forgive that 100%. They did secure letters of support from Senator Langford and Congresswoman Bice that were submitted with this application. What that means is that 100% of engineering that will be needed for the \$10 million dollar projects so instead of engineering coming out of the \$10 million and so between the ARPA money and this \$1.5 million forgiveness loan you will not have paid for any non-construction cost from the \$10 million dollar loan. The Mayor stated they also got a letter of recommendation from Senator Mullins office.

Desai-last month I had mentioned applying for Transportation Infrastructure Investment Program a grant through the US Department of Transportation, however, we would have to have \$15 million dollars of shovel ready projects and a 20% match so that is not going to happen. There is another round of ACOG funding that is coming up this fall so we will have more opportunities to apply for more grants for sidewalks.

Anderson-last month council approved the irrigation at the Police department and that will start in July. Captain Peters was assigned to the Under 21 Drinking project that we did and that went smoothly we did not get the results we wanted which is 100% compliance. Councilwoman Myers stated that in Captain Peters report he stated that the city is not up to date on alcohol and tobacco ordinances to enforce the 21-year of age. They can still go by State Statute but would make it easier for staff to enforce it if ordinances were up to date.

Weber-he recommended the city that they should set up a Non-profit 501 c3 because there are lots of grants available for Non-profits. I know this is for a longer conversation and not for tonight but he would encourage the city to think about what a Community Foundation would look like. He has found many grants that require a 501 c3.

7. Final Public Hearing, discussion and possible action on a Use Subject to Review on a medical marijuana dispensary located at 4220 N. MacArthur Blvd. Warr Acres OK

73122. Name: Md Ali, Business Name: Kush Bros LLC. **** (Planning Commission recommended approval by a unanimous vote, with two members absent)

Motion by Morris, second by Myers to open the public hearing. Poll vote: Von Thayer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

The applicant was present to answer questions. Ms. Desai stated they meet all requirements. There was a question raised at the Planning Commission about it being within a short distance of a daycare. The law is for Pre-schools not daycares. The applicant stated that they had emailed OMMA and checked and they are ok. They will be retail only.

Motion by Myers, second by Steele to close the public hearing. Poll vote: Von Thayer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

Motion by Steele, second by Morris to approve the Use Subject to Review for a medical marijuana dispensary. Poll vote: Von Thayer, nay; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed.

8. Discussion and possible action on a supplemental appropriation of un-appropriated funds in the Public Safety Tax Fund Budget for the new Fire Record Management System in the amount of \$5,893.90. *Coy* ****

Clerk/Treasurer Ramirez stated that when she was trying to find funding for this she did check with Crawford's and it could come from CIP, however, she was hoping to figure out other funding so to not use General Fund or CIP. She said she looked at the Public Safety and not only realized that this could be funded using it but also the police cars. This fund is a designated tax for Public Safety and can only be used for Police and Fire, no other departments. Chief Coy stated that the current provider was bought out and the new company is forcing everyone to their software by the end of the year and it is not very good. He checked around with other cities and other companies and First Due is the best and is the least expensive. There is a \$2,200 integration and then we will pay for 5 months of service. We should be able to get a refund on the months we will no longer be with the current company. The current program has been in use ever since he came to work for the city.

Motion by Von Thayer, second by Morris to approve the supplemental appropriation for the new Fire Record Management System. Poll vote: Von Thayer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

9. Discussion and possible action on authorizing the Chief to lease/purchase a police fleet, as presented by Deputy Chief Allen and approval of a supplemental appropriation of un-appropriated funds in the Public Safety Tax Fund Budget in the amount of \$50,964.
Allen ****

Clerk/Treasurer Ramirez stated that she had done calculation based on current revenue and past years and at that rate we know we have the funding through 2027. Of course, we also hope that more businesses will move it and the revenue will go up. She also stated that she did not take into account the selling of the current vehicles that will be put back in the fund to help with future payments. Deputy Chief Allen stated that he did make a change to the last proposal to include the computers in each car so the cost of each did go up \$3,000. They may be able to get 5-6 cars in September and then they will have to be upfitted so that will take a few months to get them ready.

Motion by Godwin, second by Steele to authorizing the Chief to lease/purchase a police fleet and approve the supplemental appropriation. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

10. Discussion and possible action on the Wayfinding and Monument signs plan. *Godwin* ****

Connie showed the council pictures of possible signs and want their feedback. She told there where all the signs were needed around the city. She explained that sizing of letter and the contrast in colors of the signs is very important to catch the passerby's eye and for them to be able to read it. Signage needs to be cohesive and she showed them samples of what she was talking about. The council like the designs but did asked for some changes to be brought back.

11. Discussion and possible action on appointing Debbie Morris to the Metro Library Commission as the Warr Acres representative. *Godwin*

Councilwoman Steele stated that she will be moving out of the city and is excited that Debbie will be taking her place on the library commission.

Motion by Douglas, second by Steele to appoint Debbie Morrise to the Metro Library Commission. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

12. Question and comments from Council.

Von Thae-he said as always wants to thank the chiefs and Mike you all make Warr Acres a great place to live. Pam you and your staff are the best. Good luck Lynda. He asked PWD Turman if there was an ordinance that requires trash to be bagged, since we had discussed big blues and they trash would have to be bagged. Turman responded that it is in Title 8 that garbage is supposed to be bagged. It would be nice and helpful and loose trash is a nuisance.

Prince-appreciates all the hard work the city workers do, appreciates Councilwoman Steele and the good job she did on the Route 66 festival,

Myers-thank you to Lynda for her hard work on the festival, to Vickie, Debbie, Randy, Jim and the Chief Coy and the firefighters, Chief Anderson and the police officers, Ciara and her puppies for coming out to the festival showing up for Warr Acres, appreciate all of you for being there. I am sure Lynda does also she put a lot of hard work into it. From her point of view Ciara does a phenomenal job, just this week she adopted out 5-6 animals so thank you for that. Thank you, Mike, for the dead end sign the phone calls have stopped. If you have not yet checked out Natural Grocers, she suggests everyone do so.

Douglas-Lynda did a fantastic job on the festival and so did Mike Schmidt. She and the Mayor went to the Mayor's conference in Weatherford and that was quite the experience. She is excited about trying to get the grant. Thank you everyone for all your hard work.

Evans-wanted to find out if any progress has been made in getting the raises for the non-contract employees? Mayor said we are doing everything we can and watching the numbers. Is it going to be something we end up doing at the end of the year, we still don't have a budget numbers in yet. Clerk/Treasurer Ramirez stated they are to have the audit to us before the next meeting, she also said that the revenue is about the same as last year and is frustrating when trying to figure out about the raises and we are actually a little behind in taxes from where we were last year. He said he likes being able to take care of the police with new vehicles, not sure they need a whole new fleet, but that is a story for another day, he is glad we got to use dedicated money that is collect for them. Glad we were able to save the CIP because there is a lot of improvements they need to be making. The streets are still falling apart, even though we did a few in the bond issue, they need to start with the major arterial streets and make their way down to the residential. Mike has a report for them hopefully next month. He said he is going to start avoiding 63rd because it is so bad and getting worse and it is not something you can patch, it needs to be rebuilt. Thank you Mike for the time and effort you are putting in to the report.

Morris-thankful for Pam and her number crunching skills, thank you fire and police. She was excited to be a part of the donation of the fire truck to OSU/OKC and getting to meet the staff there. She is going to miss Lynda.

Steele-going to genuinely going to miss this council, police, fire, public works, the other agencies and organizations that we work with. She said she is nosy and like to sit in meetings and listen and this opportunity to be a Councilwoman was huge and something she thought she would have to run a campaign for first, never thought she would be

appointed to this council. I was going through a difficult situation and this great opportunity fell in my lap and she is a firm believer that you don't question it you go with it and not fear the things you can or cannot control. What she was not transparent about was I was in the middle of becoming a single mom and was possibly moving and she was not sure how long she would be here but she wanted to give it a shot. In 9 months, she feels like she was able to do some things that were special and hopes will help the city in the future. Recognizing the veterans through the Purple Heart Society, recognizing there are 20,000 resources in Oklahoma that are non-profit that if we knew more about our constituents, we might be about to get more support instead of waiting on State and Federal funding resources. Being about to make connections, building links and bringing in new avenues of support is something she was passionate about even before she got to have a vote and a voice. She took this opportunity very serious and she appreciates the friendships and the connections she has made and as well as things she has learned. She liked being able to ask questions, to be involved and encouraging other people around her that do the same thing she is blessed for the time she has had. So she will be moving on with her children, she is proud of the accomplishments and feels like she is leaving on a high note. Thank you for the opportunity to serve.

Godwin-thank you to everyone here, thank you Lynda for your hard work you came in blazing working with OML, the veterans and the non-profits, thank you so much for what you have done in you time here. Thank you, Vickie, for going to the Mayor's conference with him, you were exposed to a bit of the chaos that is mayor's in Oklahoma. We had a good time. It's about meeting other people and having conversations about how other cities and communities work with non-profits to help get us additional funding and finding resources by talking to other people about what they are doing and nobody knows if you're not a councilmember or a mayor for years it doesn't matter you have to have those resources. Being as involved as I am I get to have a lot of those conversations and he is so thankful that he gets to do that. Thank you Coy for setting up the donation of the truck, that's a huge thing that is going to serve our State not just the metro. One of the instructors is the husband of one of his wife's friends so that is kind of fun. Representative from Frank Lucas's, Tom Cole's, Stephanie Bice's and Senator Mullins offices and Marilyn Stark who is up for re-election today were all out there. Councilwoman Morris was there as well, and for the one's that could not make it you were missed. Coy did a great job getting it on the news for us. The Route 66 festival went out with a bang, good job, great car show. Thanks Mike there is always a lot for his guys to do also the police and fire and Mike Schmidt thanks for the extra help. He will make sure and share the information on the legislative committee that came through SB102 that will force us and every municipality to pay more money into the pension for the police, ours is not that bad, chief got me those numbers, but again a good reason to belong to OML which gives us a voice and they wanted to implement it right now but we were able to help get it pushed back to the next Fiscal year. There were about 20 other things that we fought for at the legislative committee at the State Capital you know calling and talking. It is always good when the Speaker of the House or the President Pro tem says please stop calling. OML is great at doing that and I enjoy getting to be on that leadership with that organization.

13. Adjournment.

Motion by Von Thaer, second by Prince to adjourn. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

The meeting was adjourned at 7:44 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
JUNE 18, 2024
6:00 p.m.**

(Immediately following completion of the regularly scheduled City Council meeting)

1. The meeting was called to order at 7:44 p.m. Declaration of a quorum present was given.

ROLL CALL

Present

Chairman Roger Godwin
Vice-Chair Vickie Douglas
Trustee Jon Evans
Trustee Lynda Steele
Trustee Deborah Morris
Trustee Jim Von Thær
Trustee Judy Myers
Trustee Randy Prince

Absent

Trustee Scott Tribbey

2. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #3.)
 - A. Approve the minutes of the Warr Acres Public Works Authority Meeting of May 21, 2024. *****
 - B. Approval of payment of claims for the Sewer department including the payment to the Bethany-Warr Acres Public Works Authority for May 2024 in the amount of \$77,707.84. *****

Motion by Evans, second by Myers to approve items A and B of the consent docket. Poll vote: Von Thær, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

3. Discussion and possible action on items removed from the consent docket.

Moot.

4. SRB reports on Wastewater Masterplan and program. *****

Amanda updated the Trustees saying they are currently ranking the manhole inspections, on track to finish the CCTV/cleaning in July, and will finish the last of the smoke testing this month. They will continue to prioritize the manholes that need replaced or rehabbed, review the smoke testing when they get the results from the contractor in August, review the CCTV results when they get them in September, and incorporate the results and recommendation into the WW Master plan between October and December. The WW masterplan they will work on cost estimates, phasing, and draft report. The 5 main projects total \$46,671,000 and they are 4" line at NW 50th and Meridian: \$1,120,000; Library service line: \$1,350,000; Interceptor north of 63rd: \$26,691,000; Interceptor south of 58th: \$3,247,000; and Reducing infiltration and inflow in southern part of system: \$10,121,000. The cost estimates include construction, 20% contingency and design but does not include easements. They still need to finish the estimates on the project, develop a phasing plan and include possible funding options. They will review draft report with city staff in July and present final draft to council in August/September.

5. Discussion and possible action on a project Pine East Lake Dam & Spillway Analysis and Design. *Long* *****

The Pines East Lake Dam and spillway was constructed in 1925. It is owned by the Pines HOA, the dam is approximately 300 feet long and 17 feet tall located on the northside of East lake. About three years ago Councilman Von Thaer and former Mayor Mickley met with the HOA and they were having some issues with the spillway. The way the dam is constructed there is a spillway on the western side of it as the two lakes fill up the water flows from those lakes through the spillway to another lake to the north and is in Oklahoma City near NW Expressway pedestrian bridge. Between 2008 and 2012 there was an effort between the HOA and Warr Acres to repair the spillway that had failed. Unfortunately, that repair has failed and in the last 6-8 months has gotten significantly worse. It is a concern for Warr Acres because there is a sanitary sewer line that in the dam. It was put there after the dam was built and before OWRB knew it had been placed there so when the platting and building of the homes was being done the city allowed the dam to be altered in order to place the sanitary sewer line there, the original 21-inch interceptor. With the spillway failing it puts the sanitary sewer line at risk, it is 12-15 feet deep and if the spillway or dam fails, we will lose the sanitary sewer pipe. In 2008-2012 there was an agreement with the HOA for a re-design of the spillway and at that time the sanitary sewer line was upgraded to a 27-inch line. So going in is a 24-inch line and coming out is a 27-inch line. It is actually fortunate that the line was upsized was a good thing, because the model that Amanda is working on shows the larger line is needed. The spillway was not designed correctly and was undersized for the capacity of the flow from the two Pines lakes. It was designed with a low impact concept with riprap and gabion baskets, a large wire mesh basket, that allowed for the sides and the bottom of the spillway to look more natural but the volume of flow was a misapplication of that type of design. Relatively quickly the HOA noticed it was starting to fail. The HOA hires a company to do an inspection of the dam each year. They have been reporting over the last 5-7 years this has been an issue. OWRB has written two letters of violation to the HOA because they are the owners of the dam. If the spillway fails there are two lines WC 1145 to the west that crosses under Shoreline Drive and WC 1114 these are two 21-

inch lines that are undersized per our model so anything that happens downstream is going to affect the manholes in that part of the addition. As Amanda mentioned having the manhole inspections, we can confirm the 24- and 27-inch size so that is a positive we have been able to identify them. So, the Mayor and Marc contracted OWRB and determined that because it is owned by the HOA we would have to enter into some kind of an agreement. The HOA has a committee that has been doing some assessments and had recognized that they have problems with the dam. They are willing to meet with the city. We have had the fortune of having some of the ARPA money left over and it is enough to pay for the engineering for this project and then we can look at how we can partner and do a joint funding agreement with the HOA for the construction of the spillway and replacing and upsizing the two lines back to the west. OWRB views this as a risk and if we choose to do this in the future, we could use some of the FAP OWRB loan money to do some of the construction in the spillway since it is integrally important to protecting the sewer line so it would be eligible for those funds. That is why OWRB recognized the design of the spillway was also eligible for the ARPA funds as well. Three years ago, the city's position was the HOA needed to take that effort on to repair the spillway. It has declined to such a point we are a risk of losing the spillway and we would be potentially facing regulatory violations from the DEQ. He visited with the regulatory branch and they are sympathetic to the cause but the reality is they would not site the Pines for the sanitary sewer violation they would site the city. It doesn't seem fair to the city but then again it is our sewer system and their dam. So, the contract before you are to do a preliminary engineering design, Task 1 is to do a hydraulic and hydrology study that OWRB requires because they have deemed that the spillway is not adequate. That was never properly addressed when the spillway was constructed. Then they will do a final construction plans, bidding services, construction administration as built and then construction management and inspection. Councilwoman Steele asked in regards to the engineering that is needed for this situation, why was it not a part of the engineering we have been doing. How is just now being added but been talked about for years and have had no plan to address it when we have been doing this for a couple of years. Planner Long stated the Pines HOA really should be responsible for doing the hydraulic and hydrology spillway study, that has to be done in order to satisfy OWRB. Councilwoman Steele asked how much that was, and Marc stated that it is included in the \$42,400 and is most of it. She stated that technically the HOA would be responsible for paying. Marc stated the HOA is the owner of that, however, part 2 of that is DEQ says we are responsible for protecting the sewer line that runs under the spillway and under the dam. We have to provide counter measures to be able to that, we have no way of just putting out a contract to build something that has already failed. So, we have to do the hydraulic and hydrology study to satisfy OWRB. Councilwoman Steele said so you are saying that by repairing the sewer pipe we are fixing to issues with one study instead of two. So, we are trying to enter into a partnership agreement with the HOA to help cover some of the cost? Planner Long said back in 2008-2009 there was a MOU agreement and there was shared cost with what happened back then. Councilwoman Steele asked if we would be doing the same thing this time and Marc stated that is the intent. On Task 2 there is only \$4,780.00 tied to the engineering of the spillway that is because we are handling that as part of the \$42,400, that is the OWRB required engineering level. The sanitary sewer line final engineering doing the upsizing of the two lines that will be a part

of that and then there will be a combined bidding the spillway with the sewer line themselves. Councilwoman Steele asked why this line was not included with the rest of the interceptor that we have been working on? Is it because now it is a issue because the HOA is now bringing it up but where the city is still responsible. Planner Long said they have been modeling this it is part of the CCTV and Wastewater model determined that the 21-inch line is under sized. Councilwoman Steele asked what more engineering do we need to pay for if you already run those tests on the dam. Marc said you have not actually done a engineering design bid set of plans that will go out to a contractor to build both segments of the sewer line and the spillway. We have done the engineering modeling and we have built a model and simulated that but we still have to do bid documents for that for the contractors. Councilwoman Steele asked if they could separate the two bids one for the sewer lines and the other for the spillway. Planner Long stated that is why they are doing it this way so we know that only \$4,780.00 and then when we bid the project, we will have the sanitary sewer line and spillway/dam cost. The contractor will line item and separate that out. That way we will know how much is attributed to the spillway itself. Councilwoman Steele and we are going to help share some of those engineering cost. Marc stated that it is their recommendation as your engineer and the Mayor was in the meeting and the HOA needs to participate not just in the engineering but in the construction cost. The Mayor stated that we will have to pay the upfront cost and enter into an agreement with the HOA over a long period of time. There are other dams in this area that are privately owned by the HOA and we have no obligation as a city to deal with those because there are not sewer lines in those. The DEQ is saying our sewer system is in this dam and we allowed that to happen so we have to protect it, so yes, we will have to pay the upfront cost but there will be some sort of a cost share with the HOA. Councilwoman Morris asked if this would be some kind of contract that the Attorney will write. Attorney Love stated that from time to time he sees Marc's number pop up he knows it is going to be fun and this one is. Marc stated that what they can do is, since we have ARPA funds available and we need to encumber those before June 30th this works out that we are able to do the \$121,000 now, we need to finish the preliminary engineering, figure out probable cost, and then bring the HOA back in to do an actual cost share agreement. Councilwoman Steele said so you want us to vote and agree to this before we know what that partnership is going to be and if there will be equal share of the cost. Planner Long said it is very difficult to tell you what the probable cost will be until we do the engineering. Councilwoman Morris said she would like to hear from the HOA. Vice-Mayor Douglas said she would also but if the funds run out in two weeks. Marc said this allows them to do this, they would end up doing an engineering project on this 21-inch line problem for those two segments, we are just accelerating looking at the spillway. Instead of using your loan money for engineering you can use the ARPR money. Councilman Von Thaeer stated that that when they did it last time if he is not mistaken there was \$85,000-\$90,000 that the HOA paid in of a \$460,000 project. It is a situation that when they did that the pipe was bare and there were probably 100 trees on the dam, they had to take all the trees out, the kids were running all across the top of the concrete pipe and you could see cracks that were starting to come in so the added probably added 50-70 feet of concrete pipe the kids were running on. They brought everything in and the engineers said this is what is going to be done, the spillway was done and we figured we would be good. Now you go down there and it

is gone it is probable 4 feet from the gabion to the dirt it has just eroded away. The board are working on numbers they got the financial officer and the engineer and the president to work on numbers to do the best they can as an association, there are only 116 homes they have already doubled the dues just to put some money together to help and as Roger mentioned putting together a 10–15-year deal to pay it back. Councilwoman Steele stated that she wanted to make it clear that she did not think the HOA is the problem or that they should be responsible for the majority of the cost either. She continued saying she thinks is an issue that has been known about for a long time and we have been spending a lot of money on engineering related cost just for evaluations, it is frustrating to see another one. It is a gamble as to what that partnership will look like. She said when you are working together all cards are on the table, not the city pays and we might figure something out maybe we get back \$20,000. The Mayor stated that those preliminary conversations have already taken place. Councilwoman Steele asked the other councilmembers if they knew about those conversations. The Mayor stated that is an administration thing. Councilwoman Steele said so everyone can see why we have questions. The HOA president told the council that they have been calling their State Representatives, Councilmembers who ever they could talk to see what kind of funding is available, we have been working on this for three years, two years ago they doubled their dues for a two-year temporary, then last year they got it approved to keep the doubled dues permanently. They have been putting all that extra money into a reserve fund that at this point has around \$40,000-\$50,000 in it. They have been trying to find some kind of funding to start this project. They called the OKC Councilman and he led us to the knowledge of the ARPA funds, he called the mayor. Councilwoman Steele said so you found out about our ARPA funds from an Oklahoma City Councilman? The HOA is partly in Oklahoma City and that councilman was at their meeting they showed him the dam and how it flows into Oklahoma City and how it will cause a problem for OKC so they have been reaching out to everybody. The reason they are trying to go forward at this point is this is grant money to try and get the project started and no one was going to have to come out of pocket at this point. When we get the engineering stuff done, we will know what we are looking at and we have told them what we are willing to do and work with them however we need to but until we have some numbers, they do not know how they can negotiate anything. Councilwoman Steele said this is something we have been hearing for months with different engineering with projects hat we have to do it's a little frustrating that we could have included that because it has been known about and we wouldn't be spending extra funds on more engineering cost when we have been doing these already, it is not you not the HOA it is planning these things and working together we as a council have heard this speech on 5 other projects it is not like these projects are new. Planner Long said the city entered into an agreement with SRB to do a Wastewater model which is something that if you had not done you would have a bigger problem trying to secure federal funding and/or OWRB funds. We entered into an agreement with you do to engineering on \$10 million dollars of construction money that you might have had available that wasn't going to cover as Amanda said is \$46 million dollars of work. There was not a need for the city to step up and do a dam spillway construction design project or the engineering. Councilwoman Steele questioned there wasn't a need? Planner Long said no it is owned by the Pines HOA, and so the frustration of the engineer cost is not something that is this city's responsibility. Councilwoman Steele said you just

contradicted yourself because you just said it is our responsibility because we own the sewer line. The Mayor said the DEQ says we have even a bigger issue, the HOA is lucking out that we have sewer line going through there. He continued that when there is half a foot going across NW Expressway guess who is to blame it does not matter that we do not own it. Marc stated that if the dam breaches and overflows onto NW Expressway that would actually fall on the Pines HOA's shoulders. They are the owner of the dam, we are the owner of the sewer line and we are the recipient of any violation for the sewer line failure that occurs because somewhere down the line the city allowed the line to be placed there.

Motion by Von Thaer, second by Douglas to approve the project Pine East Lake Dam & Spillway Analysis and Design. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

6. Adjournment.

Motion by Douglas, second by Morris to adjourn. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:41 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

**SPECIAL
MINUTES**

CITY OF WARR ACRES
SPECIAL
ECONOMIC DEVELOPMENT AUTHORITY MEETING
TUESDAY
JUNE 18, 2024
6:00 p.m.

(Immediately following completion of the regularly scheduled City Council and Public Works Authority meetings)

1. The meeting was called to order at 8:41 p.m. Declaration of a quorum present was given.

ROLL CALL

Present

Chairman Roger Godwin
Vice-Chair Vickie Douglas
Trustee Jon Evans
Trustee Lynda Steele
Trustee Deborah Morris
Trustee Jim Von Thaer
Trustee Judy Myers
Trustee Randy Prince

Absent

Trustee Scott Tribbey

2. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #3.)
 - A. Approve the minutes of the Economic Development Authority meeting of May 21, 2024 *****
 - B. Approval of payment of claims for \$2,900.00. *****
 - C. Approval of payments that went to Express Tags for the Route 66 Banners in the amount of \$450.00 and to M&M Productions for DJ services in the amount of \$1,000.00.

Motion by Steele, second by Von Thaer to approve items A through C of the consent docket. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

3. Discussion and possible action on items removed from the consent docket.

Moot.

4. Adjournment.

Motion by Myers, second by Steele to adjourn. Poll vote: Von Thaer, yea; Myers, yea; Evans, yea; Steele, yea; Morris, yea; Prince yea; Douglas, yea and Godwin; yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer