

## **MINUTES**

**CITY OF WARR ACRES  
REGULAR CITY COUNCIL MEETING  
TUESDAY  
OCTOBER 18, 2011  
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 Fire Chief Koger and the Invocation was given by Mayor Woolley.

### **ROLL CALL**

#### **PRESENT**

Mayor Patrick Woolley  
Councilwoman Cathy Maxey  
Councilwoman Jan Blake  
Councilman David Dirkschneider  
Councilman Roger Godwin  
Councilman William McClure

#### **ABSENT**

Councilwoman Doug Davis  
Vice Mayor Stewart Shapiro  
Councilman Blayne Allsup

#### **STAFF PRESENT**

Matthew Love, City Attorney  
Roger Patty, Police Chief  
Kenny Koger, Fire Chief  
Mike Turman, Public Works Director  
Pamela McDowell-Ramirez, City Clerk  
Scott Barrett, City Engineer  
Wiley Rice, Jr., City Planner

2. Presentation of 30 year service pins to Sanitation Supervisor Earl Hayes and Lt. Steve Elliott. Certificate of Appreciation of ladies that re-did the Christmas decorations, and Award Volunteer of the year award.

The Mayor presented Earl Hayes with a 30 year pin and thanked him for all he does for the city. He then presented a certificate to one of the ladies with Cherokee Hills Church of Latter Day Saints for the work they did on the city's Christmas decorations. The Mayor also presented certificates to the ladies receiving the first every Volunteer of the year award. Those ladies were Barbara Harris, Jane Kinney, Betty Stephens, Von Crahan and Jan Blake.

3. Call to the Public.

Lois Miers addressed the council about her concerns with the Salvation Army and the Community Center.

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 September 20, 2011. \*\*\*\*
  - B. Approval of Expenditures \*\*\*\*

General Fund	\$	104,560.84
PST Fund	\$	8,071.08
CIP Fund	\$	27,627.82
Sewer Line	\$	5,000.00
  - C. Approval of Actual Expenditures for September 2011 and Proposed Expenditures for October 2011. \*\*\*\*
  - D. Sales Tax History Report. \*\*\*\*
  - E. Accept receipt of Permit #SL000055110655, Cherokee Crossing Section 2, Sewer Line Extention Project, Facility No: S-20925 from DEQ.

Motion by Maxey, second by Blake to approve the consent docket. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

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

**Moot.**

**Items 8 and 9 were heard before item 6.**

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

Chief Patty-thank you to Councilman Dirkschneider for again playing a bad guy in the departments training exercise.

Chief Koger-ISO has issued a new rating for the city had it is a 4 down from a 5 which should result in lower insurance rates for the residents. The initial paperwork on the wild fires has been turned in. He also stated that EMSA will continue to provide ambulance service for the next five years.

PWD Turman-thanked the volunteers that worked on the Christmas decorations. The two flower gardens are done on 39<sup>th</sup> and the welcome signs will be the next project. Councilwoman Blake stated that the Street department and Mike worked really hard on these gardens.

Engineer Barrett-Energy Efficiency work has started at the Community Center.

Planner Rice-the committee is continuing to work on zoning and they must make sure they are consistent.

7. Discussion and possible action to approve a Certificate and Municipal Order to the County Clerk and County Treasurer. \*\*\*\*

Motion by Blake, second by Dirkschneider to approve the certificate. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

8. Discussion and possible action on authorizing the Mayor to execute a revised contract with Smith Roberts Baldischwiler, LLC for the engineering services related to the 50<sup>th</sup> and MacArthur project. \*\*\*\*

Attorney Love stated that SRB was not on the list for turnkey so they have removed the right of way acquisition from their contract and so the council needs to approve the amended contract.

Motion by Dirkschneider, second by Godwin to approve the contract. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

9. Discussion and possible action on authorizing the Mayor to execute a contract with Pinnacle Consulting Management Group for the Right of Way Acquisition pertaining to the 50<sup>th</sup> and MacArthur project. (after the city receives the written letter to proceed signed off on by the Federal Government.) \*\*\*\*

A representative from Pinnacle was present to explain to the council what work his company would perform. He gave some background information on Pinnacle stating they had been in business for 15 years and worked for ODOT and cities across the state and in other states. They should be able to complete their work in 90 if there are not eminent domain issues. He stated the way the process works is after they do the appraisals another company will come in and do a review.

Motion by Dirkschneider, second by Maxey to authorize the Mayor to do a letter to proceed once the city received the approval from the feds and the attorney

approves it. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

**Item 6 was heard after items 8 and 9.**

10. Discussion and possible action on authorizing the Public Works Director to advertise for bids for a Self-propelled Concrete Saw. (approved in the Reserve for Cap. Repl. Budget for \$12,000) \*Turman\* \*\*\*\*

PWD Turman currently the Street department has a 13hp for driveways and sidewalks but need one that works on streets because they are thicker. This will increase efficiency.

Motion by Godwin, second by Blake to authorize the PWD to advertise for bids. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

11. Discussion and possible action on purchasing a Bobcat Skid-steer Loader with five attachments per State contract. (approved in the Reserve for Cap. Repl. Budget for \$55,000) \*Turman\* \*\*\*\*

This is under state contract. The Mayor and PWD Turman went and looked at this equipment. The Mayor stated he loved the concrete breaker and the bucket attachment will reach into the tandem truck.

Motion by Blake, second by Godwin to approve the purchase. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

12. Discussion and possible action on an extension of the City's contract with the City Attorney for three months through the close of the current fiscal year.

Motion by Godwin, second by McClure to approve the extension. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

13. Discussion and possible action on an appointment to fill the vacated Planning Commission seat from At-Large, re-appoint Reece Wilmoth to the At-Large seat, re-appoint John Knipp to the Ward III seat, terms to expire October 2014.

Motion by Dirkschneider, second by Blake to re-appoint Wilmoth and Knipp.  
Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

14. Discussion and possible action to re-appoint to the Board of Adjustment Gene Hay, Ward I seat; Marsha Dahlenburg, Ward III seat; and Dan Clarke, At-Large seat, terms to expire October 2014.

Motion by Blake, second by Godwin to re-appoint Hay, Dalenburg and Clarke.  
Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

15. Discussion and possible action on allowing the code enforcement officer to remove signs located on the right of way in Warr Acres. Businesses would be notified by mail and given 30 days to remove the signs. \*Blake\* \*\*\*\*

Councilwoman Blake stated that the biggest complaint she hears at recycling is about all the little signs all over the city. She wants the code enforcement officer to take care of getting these signs picked up. Attorney Love stated that the council can not direct the employees and they need to be very careful. Councilwoman Blake stated the city needs a better sign ordinance. The Mayor stated that he would instruct the code enforcement officer to pull any signs that posed a danger. He said that he would not go jerk up signs and they will look at Edmond's and OKC's sign ordinances.

**No action was taken on this item.**

16. Final Public Hearing, discussion and action to amend the current C-3 zoning permitted uses (19.36.020) concerning automobile repair. Currently the activity is a permitted use and the language is as follows:

*Automotive related facilities including, but not limited to, the following:*

*Automobile service station, or fuel pumps located with a retail business.*

*Minor repair, including brakes and tune up, muffler or shock absorber installation, excluding a body repair or paint shop, truck or heavy equipment service, vehicle or trailer sales or rental, or vehicle storage.*

*New parts store, sales only.*

*Repair or service facility when operated as an accessory to retail or discount stores or service station, excluding a body repair or paint shop.*

- A. Discussion and possible action on an Ordinance amending 19.36.020 to remove Automobile related facilities from Permitted Uses in C-3. \*\*\*\*

Attorney Love stated that the code was inconsistent in C3 and C4.

Motion by Dirkschneider, second by Godwin to open the public hearing. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

Planner Rice stated that they wanted to be able to review and a good example is 50<sup>th</sup> and MacArthur. Both Rice and Love recommend approval.

Motion by Godwin, second by Dirkschneider to approve the Ordinance. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

- B. Approval of the emergency clause.

Motion by Blake, second by Dirkschneider to approve the emergency clause. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

- C. Discussion and possible action on an Ordinance amending 19.36.030 to include Automotive related facilities as a Use Subject to Review in C-3. \*\*\*\*

Motion by Blake, second by Dirkschneider to approve the Ordinance. Poll vote: McClure, yea; Godwin, abstain; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed.**

- D. Approval of the emergency clause.

Motion by Blake, second by Dirkschneider to approve the emergency clause. Poll vote: McClure, yea; Godwin, abstain; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed.**

17. Adoption of Ordinances relating to the 35% fee being charged on delinquent accounts.
- A. Discussion and possible action on an Ordinance amending Title 9 Chapter 94 by adding Section 020: Cases referred to collection agency: fee, for delinquent court fines. \*\*\*\*

Motion by Maxey, second by Dirkschneider to approve the Ordinance. Poll vote: McClure, yea; Godwin, nay; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed.**

- B. Approval of the emergency clause.

Motion by Maxey, second by Dirkschneider to approve the emergency clause. Poll vote: McClure, yea; Godwin, nay; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed.**

- C. Discussion and possible action on an Ordinance amending Title 10 Chapter 92, Section 030: fee to all fines for failure to appear. \*\*\*\*\*

Motion by Dirkschneider, second by Blake to approve the Ordinance. Poll vote: McClure, yea; Godwin, nay; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed.**

- D. Approval of the emergency clause.

Motion by Dirkschneider, second by Blake to approve the emergency clause. Poll vote: McClure, yea; Godwin, nay; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed.**

18. Questions and comments from Council.

Councilman McClure-asked about the issue with drainage on the PC project and if it had been resolved. Councilwoman Blake stated the businesses are not happy. The Mayor stated he was not sure what was going on but he would check into it.

Councilman Godwin-thanked the Police department for taking care of a recent situation.

Councilman Dirkschneider-thanked the Police department for allowing him to play the bad guy in the recent training session.

Councilwoman Blake-recycle 1<sup>st</sup> weekend in November. The guys did a good job on the flower beds. Asst. Chief Coy fixed a problem there was with the IRIS system.

Mayor Woolley-said he had lots of good response to the gardens on 39<sup>th</sup>. He said he wants the city to put the same style signs on 39<sup>th</sup> as they put in the 50<sup>th</sup>-49<sup>th</sup> street project. He thanked Councilwoman Blake for getting the business meeting together.

19. Any Old or New Business (“New Business”) is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”).

**Moot.**

20. Adjournment.

Motion by Dirkschneider, second by Godwin to adjourn. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 7:29 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk



## MINUTES

CITY OF WARR ACRES  
PUBLIC WORKS AUTHORITY MEETING  
TUESDAY  
OCTOBER 18, 2011  
6:00 p.m.

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

1. The meeting was called to order at 7:30 p.m. Declaration of a quorum present was given.

### ROLL CALL

#### PRESENT

Chairman Patrick Woolley  
Trustee Cathy Maxey  
Trustee David Dirkschneider  
Trustee Jan Blake  
Trustee Bill McClure  
Trustee Roger Godwin

#### ABSENT

Trustee Doug Davis  
Vice-Chair Stewart Shapiro  
Trustee Blayne Allsup

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of September 20, 2011. \*\*\*\*\*

Motion by Blake, second by Godwin to approve the minutes. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

#### **Motion Passed Unanimously.**

3. Approve payment of claim in the amount of \$45,197.95 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of September, 2011.

Motion by Dirkschneider, second by Godwin to approve the payment. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

#### **Motion Passed Unanimously.**

4. Approval of payment of claims for the Sewer department. \*\*\*\*\*

Motion by Blake, second by Dirkschneider to approve the claims. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

5. Adjournment.

Motion by Dirkschneider, second by Godwin to adjourn. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk

## MINUTES

CITY OF WARR ACRES  
SPECIAL  
ECONOMIC DEVELOPMENT AUTHORITY MEETING  
TUESDAY  
OCTOBER 18, 2011  
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 7:33 p.m. Declaration of a quorum present was given.

### ROLL CALL

#### PRESENT

Chairman Patrick Woolley  
Trustee Cathy Maxey  
Trustee David Dirkschneider  
Trustee Jan Blake  
Trustee Bill McClure  
Trustee Roger Godwin

#### ABSENT

Trustee Doug Davis  
Vice-Chair Stewart Shapiro  
Trustee Blayne Allsup

2. Approve the minutes of the Economic Development Authority meeting of July 19, 2011 and July 25, 2011. \*\*\*\*

Motion by Blake, second by Godwin to approve the minutes. Poll vote: McClure, abstain; Godwin, yea; Dirkschneider, abstain; Blake, yea; Maxey, yea; Woolley, yea.

#### **Motion Passed.**

3. Approval of payment of claims. \*\*\*\*

Motion by Blake, second by Godwin to approve the claims. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

#### **Motion Passed Unanimously.**

4. Adjournment.

Motion by Dirkschneider, second by Godwin to adjourn. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Woolley, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk