

## **MINUTES**

**CITY OF WARR ACRES  
REGULAR CITY COUNCIL MEETING  
TUESDAY  
NOVEMBER 15, 2011  
6:00 P.M.**

1. The meeting was called to order at 6:01 p.m. Declaration of a quorum present was given. The Flag salute was led by Chief Patty and the Invocation was given by Mayor Woolley.

### **ROLL CALL**

#### **PRESENT**

Mayor Patrick Woolley  
Vice Mayor Stewart Shapiro  
Councilwoman Doug Davis  
Councilwoman Cathy Maxey  
Councilman Roger Godwin (arrived at 6:07 p.m.)  
Councilman William McClure  
Councilwoman Jan Blake  
Councilman David Dirkschneider (arrived at 6:09 p.m.)

#### **ABSENT**

Councilman Blayne Allsup

#### **STAFF PRESENT**

Matthew Love, City Attorney  
Roger Patty, Police 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 pin to Lt. Steve Elliott.

The Mayor presented Lt. Elliott with a 30 year pin and thanked him for his service to the city.

3. Call to the Public.

No one wished to speak.

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 October 18, 2011. \*\*\*\*\*
  - B. Approval of Expenditures \*\*\*\*\*
 

General Fund	\$ 106,422.09
Res for Cap Fund	\$ 10,793.00
CIP Fund	\$ 6,224.65
Sewer Line	\$ 19,694.95
  - C. Approval of Actual Expenditures for October 2011 and Proposed Expenditures for November 2011. \*\*\*\*\*
  - D. Sales Tax History Report. \*\*\*\*\*
  - E. Approval to surplus items per lists from Public Works Director and Police Chief.
  - F. Approve supplemental appropriation of Police fines in the amount of \$86,113 to the Police department.

Councilman Shapiro asked for A to be pulled.

Motion by Shapiro, second by McClure to approve B, C, D, E and F of the consent docket. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

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

**Item A.**

Motion by Maxey, second by Godwin to approve A. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, abstain; Shapiro, abstain; and Woolley, yea.

**Motion Passed.**

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

Attorney Love-Health insurance info will be here next week and then they will know what will go on with negotiations. He said he spoke at the NW Chamber today about Warr Acres form of government. He said he looked at the Ordinance

on signs and the Mayor will be having Code Enforcement send out letters and begin picking up signs. Item 13 on the agenda will be pulled there is not need for council action. He also stated that he along with Planning Commission Chairman and Mayor will be working on the role of the Planning Commission in regards to assistance of the staff.

PWD Turman-two months ago County Commissioner Maughan came and talked about using community service workers for work around the city. He is looking at using some of these guys. Daisy Exchange has moved into Warr Acres at the old Charcoal Oven location. Meetings on the money for the 50<sup>th</sup> Intersection project continue and the Energy Efficiency projects are underway. Christmas decorations will be going up after Thanksgiving and he again thanked the ladies that re-decorated the decorations. The Street department has been busy sealing the cracks in the streets.

Engineer Barrett-Traffic Engineering is working on the school signal project. The Mayor asked him to update everyone on the drainage issue at PC High. The drainage from the school property drains to the east on the south side of the football field and the parking and everything on the north side drains to the north. The drainage problem they have on Meridian was caused by a lot that someone purchased in the past brought in dirt to build up the property and then did not build. The construction at the school does not cause more of an issue that what is historically been the case. He explained that at Retention pond is designed to hold water until it evaporates or soaks in. A Detention pond holds the water and slowly releases it to the place where it usually disperses.

Planner Rice-Planning Commission received a draft zoning district and he had copies for Councilmen Shapiro and Dirkschneider. He said they are now ready to get to work on specifics. The process from here on will consist of public hearings, changes to the comprehensive plan and setting up future guidelines.

Planning Chairman Wehba-apologized to Councilmen Shapiro and Dirkschneider and said that there will be no more committee meetings.

7. Stormwater MS4 report.

PWD Turman stated that the EPA required cities to do a Stormwater plan and the city has come up the best management practices and plan. Twice a year there has to be public reports done. Public information is found in the monthly newsletter.

8. Discussion and possible action on items pertaining to the close out of the FY 2010 CDBG Sewer Project and for a FY 2012 Sewer Rehab Project. \*Vance\* \*\*\*\*

A. Public Hearing on FY 2010 CDBG Sewer Project; Final Performance Report.

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

**Motion Passed Unanimously.**

Millie Vance managed the project and told the council that there were 3178 persons represented in Wards III and IV for which this project was done. All funds have been expended and they are ready to close the project out. Engineer Barrett stated that manholes were rebuilt and 2 lift stations were re-done. Ms. Vance stated hats off to Jordan Contractors they did a great job that is nasty work.

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

**Motion Passed Unanimously.**

There was no action to be taken on A. Report only.

B. Discussion and possible action on final acceptance of the FY 2010 CDBG Sewer Project.

Motion by Shapiro, second by Dirkschneider to accept the final of the FY 2010 CDBG Sewer Project. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

C. Public Hearing on FY 2012 CDBG Sewer Rehab Project.

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

**Motion Passed Unanimously.**

Mayor Woolley stated that for 2012 he would like the city to apply for funding to do slip lining of the sewer lines. He has put in the budget \$100,001 to do a match funding for a CDBG grant. This would allow the city to do a \$200,000 project and still retain funds in Sewer Line Maintenance in case anything comes up. Ms. Vance stated that the application is due in January submit in April. The city needs to obtain a permit from DOC now.

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

**Motion Passed Unanimously.**

Motion by Shapiro, second by Dirkschneider to move forward with the FY 2012 CDBG Sewer Rehab Project. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

D. Discussion and possible action on Adopting Citizen's Participation Plan for FY 2012 CDBG Project.

Millie Vance stated that there will be hearing to keep the public informed and if translators are needed they will be provided.

Motion by Shapiro, second by Dirkschneider to adopt the plan. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

E. Discussion and possible action on Adopting a Resolution to apply for FY 2012 CDBG Grant

Motion by Shapiro, second by Dirkschneider to approve the Resolution. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, out during vote; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

F. Discussion and possible action on a Resolution on Leverage (Matching) funds for FY 2012 CDBG Sewer Rehab project.

Motion by Dirkschneider, second by Godwin to approve the Resolution. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

G. Discussion and possible action on adopting Residential Anti-Displacement Plan for FY 2012 CDBG Sewer Rehab project.

Millie Vance stated that the city must have a plan just in case there became an issue.

Motion by Shapiro, second by Dirkschneider to adopt the plan. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

H. Discussion and possible action on an Agreement with Millie Vance Incorporated to prepare FY 2012 CDBG grant application and administer project if funded.

Motion by Godwin, second by Shapiro to approve the agreement. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

Councilman Shapiro complemented Ms. Vance on the tremendous work she did and stated she was a great asset to the city.

I. Discussion and possible action on an Engineering Agreement with Crafton Tull for work on FY2012 CDBG Sewer Rehab project.

Mayor Woolley stated that Crafton Tull has done several slip lining projects for the BWAPWA and he would like to have them work on this project. Paul DeAndre has worked with the Trust for many years. He explained what slip lining is and that it will give a life of 20 or more years to the lines.

Motion by Maxey, second by Godwin to authorize the Mayor to execute the agreement. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

9. Rescind approval of Final Plat of CHEROKEE CROSSING SECTION II, INCLUDING: **BLOCK 2** A REPLAT OF LOTS 1-6 AND COMMON AREA "B", **BLOCK 2**, CHEROKEE CROSSING SECTION I; **BLOCK 4** A REPLAT OF PART OF LOTS 4 & 5, **BLOCK 26**, CHEROKEE HILLS SECTION 6; **BLOCKS 5 & 6** ALL TRACTS ARE A PART OF THE WEST HALF (W/2) OF SECTION 3, T 12 N, R 4 W, I.M., WARR ACRES, OKLAHOMA COUNTY, OKLAHOMA. (Planning Commission recommended approval to rescind) \*\*\*\*

Items 9 and 10 were combined for one vote.

10. Discussion and possible action on a New Final Plat of CHEROKEE CROSSING SECTION II, INCLUDING: **BLOCK 4** A REPLAT OF A PART OF LOTS 4 & 5, **BLOCK 26**, CHEROKEE HILLS SECTION 6 **BLOCKS 5 & 6** **BLOCK 7** A REPLAT OF LOTS 1-6 AND COMMON AREA "B", **BLOCK 2**, CHEROKEE CROSSING SECTION I ALL TRACTS ARE A PART OF THE WEST HALF (W/2) OF SECTION 3, T 12 N, R 4 W, I.M., WARR ACRES, OKLAHOMA COUNTY, OKLAHOMA. (Planning Commission recommended approval) \*\*\*\*

Motion by Godwin, second by Shapiro to accept the Planning Commissions recommendation to rescind the final plat and approve the new final plat with the stipulation. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

11. Final Public Hearing, discussion and possible action concerning A Rezoning from Residential R-1 (Single Family Dwelling), to Commercial C-1 (Suburban Office). A part of lot 5. Block 26 of Cherokee Hills Section 6. (Planning Commission recommended approval of the rezoning)\*\*\*\*

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

**Motion Passed Unanimously.**

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

**Motion Passed Unanimously.**

Motion by Dirkschneider, second by Maxey to approve the rezoning. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

12. Final Public Hearing, discussion and possible action concerning a Minor Lot Split for the Cherokee Hills Section 6 Addition, Block 26, all of Lot 1 and a part of lots 4 & 5. (Planning Commission recommended approval) \*\*\*\*

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

**Motion Passed Unanimously.**

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

**Motion Passed Unanimously.**

The Planning Commission recommended approval by a unanimous vote. Representatives from the Elks were present and thanked the council for the approval. They stated they support veterans and help the service men and women when they are deployed and when come back. They said they hope to be done with construction by May. Councilman Dirkschneider stated that he had been involved with the Elks and they do great work.

Motion by Maxey, second by Godwin to approve the minor lot splits. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

13. Discussion and possible action on proposed commercial building addition (Site Plan). Property Owner William Choi has applied for a commercial building remodel to include a drive through window. Location: Abels Mexican Restaurant , 5822 NW 50<sup>th</sup> St.

Attorney Love stated that there was no action to be taken on this item.

14. Discussion and possible action on acceptance of an easement from Cherokee Crossing L.L.C. \*\*\*\*\*

Motion by Maxey, second by Shapiro to accept the easement. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

15. Discussion and possible action to appropriate \$57,784 collected in Use Tax from the third quarter and approval to use the \$57,784 to pay towards the OMRF retirement unfunded actuarial liability.

Motion by Shapiro, second by Maxey to approve the appropriation and pay OMRF. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, out during vote; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**



16. Discussion and possible action to authorize the Public Works Director to purchase a Concrete saw with blades. \*Turman\* \*\*\*\*

PWD Turman stated that the current saw is really for sidewalks not streets so this saw will increase productivity greatly.

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

**Motion Passed Unanimously.**

17. Discussion and possible action on a Resolution calling for an election for Councilmembers. \*\*\*\*

Motion by Maxey, second by Dirkschneider to approve the Resolution. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed Unanimously.**

18. A. Discussion and possible action on an Ordinance amending 2.12.510 pertaining to Fire Lanes, Street Obstructions and exceptions and emergency rapid access devices. \*Love & Koger\* \*\*\*\*

Attorney Love stated that this is something that Chief Koger asked to be amended. Councilwoman Blake asked it if it would create a fire lane, it does not.

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

**Motion Passed Unanimously.**

- B. Approval of the emergency clause.

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

**Motion Passed Unanimously.**

19. A. Discussion and possible action on an Ordinance amending 2.12.515 pertaining to Fire Inspections, entry powers, investigations and access for Fire apparatus.

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

**Motion Passed Unanimously.**

B. Approval of the emergency clause.

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

**Motion Passed Unanimously.**

20. Discussion and possible action on the FY 2012 Budget. \*\*\*\*

If anyone has any questions or changes they would like to make to the budget there will be a Special meeting on Monday night at 6:00 p.m. Councilman Dirkschneider asked about the ACOG plan to provide a 5 year plan for the city. Mayor said that could be discussed on Monday. Mayor stated that this next year they need to take a serious look at revenue sources.

21. Questions and comments from Council.

Blake-there is a Route 66 meeting on December 16<sup>th</sup>.

Dirkschneider-there was an Open Meeting/Open Records that he and several members of the Police department attended and it was very eye opening.

Godwin-said the city needs to change the Ordinance on garage sale and the way the sales tax is collected. He was told that the Tax Commission collects the sales tax not the city.

Maory-thanked everyone for taking time out of their schedules to serve the city. He also thanked the Planning Commissoners.

22. 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.**

23. Adjournment.

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

**Motion Passed Unanimously.**

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk

**MINUTES**

CITY OF WARR ACRES  
PUBLIC WORKS AUTHORITY MEETING  
TUESDAY  
NOVEMBER 15, 2011  
6:00 p.m.

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

1. The meeting was called to order at 7:45 p.m. Declaration of a quorum present was given.

**ROLL CALL**

**PRESENT**

**ABSENT**

Chairman Patrick Woolley  
Vice-Chair Stewart Shapiro  
Trustee Doug Davis  
Trustee Cathy Maxey  
Trustee Bill McClure  
Trustee Roger Godwin  
Trustee David Dirkschneider  
Trustee Jan Blake

Trustee Blayne Allsup

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of October 18, 2011. \*\*\*\*

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

**Motion Passed.**

3. Approve payment of claim in the amount of \$61,995.82 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of October, 2011.

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

**Motion Passed Unanimously.**

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

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

**Motion Passed Unanimously.**

5. Adjournment.

Motion by Godwin, second by Maxey to adjourn. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, no; Maxey, yea; Davis, yea; Shapiro, yea; and Woolley, yea.

**Motion Passed.**

The meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk

**The date on the agenda was not correct therefore the meeting was not held.**

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. Call to order. Declaration of a quorum.
2. Approve the minutes of the Economic Development Authority meeting of October 18, 2011. \*\*\*\*
3. Approval of payment of claims. \*\*\*\*
4. Adjournment.