

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
NOVEMBER 20, 2012
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 Koger and the Invocation was given by Mayor Woolley.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice-Mayor Stewart Shapiro
Councilman Stephen Fuhrman
Councilman James Mickley
Councilwoman Cathy Maxey
Councilman William McClure
Councilman Roger Godwin
Councilman David Dirkschneider
Councilwoman Jan Blake

ABSENT

STAFF PRESENT

Matthew Love, City Attorney
Roger Patty, Police Chief
Kenny Koger, Fire Chief
Kevin Strong, Inspector
Pamela McDowell-Ramirez, City Clerk
Craig Wallace, City Engineer
Wiley Rice, Jr., City Planner

2. Presentation of a five year service pin to Purchasing Clerk Lilia Escobar and presentation to the Putnam City High School Leadership class as Volunteers of the year.

The Leadership class was not present to receive their certificate from Mayor Woolley.

3. Formal presentation to Daniel Cota of his badge and Fire Oath for promotion from rookie to firefighter.

Chief Koger administered the Fire Oath and Asst. Chief Coy presented Daniel Cota with his badge and Daniel's wife Sara pinned his collar brass.

4. Call to the Public.

No one wished to speak.

5. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #6.)
 - A. Approval of the minutes from the Regular meeting of October 16, 2012 and Special meeting of November 2, 2012. ****
 - B. Approval of Expenditures ****

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|-------------------|---------------|
| General Fund | \$ 125,318.43 |
| PS Tax Fund | \$ 1,622.00 |
| Res. Cap Repl. | \$ 2,000.00 |
| CIP Fund | \$ 24,743.38 |
| Sewer Line Maint. | \$ 329.27 |
 - C. Approval of Actual Expenditures for October 2012 and Proposed Expenditures for November 2012. ****
 - D. Sales Tax History Report. ****
 - E. Approval of Appropriation of the SEECBG funds received in connection with the two ARRA Grant Energy Efficiency Projects in the amount of \$299,937.50 to the CIP Fund.
 - F. Approval of Appropriation of insurance money received in connection with the Garbage truck that was wreck in the amount of \$161,750.00 to the CIP Fund.
 - G. Approval of Supplemental Appropriations in the CIP Fund budget for the 4-2011 Ford Crown Vic payment in the amount of \$23,930.26. The clerk original budgeted the incorrect amount of \$8,200 when it should have been \$32,130.26.
 - H. Approval to surplus of old Sewer Jetter FR2000-747 serial number 1507.

Councilman Dirkschneider asked for item A to be pulled so the minutes could be voted on separately.

Motion by Dirkschneider, second by Mickley to approve items B, C, D, E, F, G, and H.
Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

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

Motion by Dirkschneider, second by Godwin to approve the minutes from October 16th.
Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

Motion by Godwin, second by Shapiro to approve the minutes from November 2nd. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, abstain; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, abstain; and Woolley, yea.

Motion Passed.

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

Patty-reported that Officer Rockenfield had recovered a stolen vehicle and arrested the suspect, the car had been stolen on Friday from OKC and Officer Rockenfield made the arrest the same day.

Koger-showed the council the light weight wildland gear they received and thanked the council for allowing them to purchase them.

Ramirez-Happy Thanksgiving.

Strong-reported for PWD Turman who was unable to attend. He told everyone they should go check out the work that was done at the Community Center, Family Dollar is moving right along and so is Snap Fitness.

Love-has items on agenda. Salary scale should be ready for the December meeting.

Wallace-the first draft of the new zoning map was given to the Planning Commission. They are working on funding for the 50th street overlay to go along with the school zone project. They are moving forward on the staking out of the right of ways for the 50th and MacArthur project.

Rice-zoning map base will be used to draft the comprehensive plan. He stated that the Planning Commission likes for the council to attend their meetings because it helps them to understand the issues.

8. Discussion and possible action on awarding the contract for the 2012 Sanitary Sewer Rehabilitation Project to Krapff-Reynolds in the amount of \$210,185, paid in part by CDBG grant funds in the amount of \$99,999 and Sewer Line Maintenance funds of \$110,186. ****

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

Motion Passed Unanimously.

9. Approval of letter to go to Mass Transit. ****

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

Motion Passed Unanimously.

10. Final Public Hearing, discussion and possible action regarding a minor lot split. The lot located at 6100 N. Mueller is to be split and the remaining tract is to be added to 6060 N Mueller. Applicant: Patrick Martindale. (Planning Commission recommended approval with no stipulations) ****

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

Motion Passed Unanimously.

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

Motion Passed Unanimously.

Pat Martindale said they are going to sell the house but keep a portion of the property.

Motion by Dirkschneider, second by Godwin to approve the lot split. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, out during the vote; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

11. Final Public Hearing, discussion and possible action regarding a minor lot split. The lot located at 5929 NW 52nd St. is to be split and the remaining tract is to be added to 5921 NW 52nd St. Applicant: George Hopkins. (Planning Commission recommended approval with the following stipulation: The accessory structure (detached garage) on partial lot 13 (thirteen) will be in violation of the R-1 6 (six) foot setback requirement once the lot is split. Owner/Applicant has agreed to remove or alter the structure to meet the 6 (six) foot side setback requirement. ****

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

Motion Passed Unanimously.

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

Motion Passed Unanimously.

Mr. Hopkins said that he is presently remodeling and this will sell. Councilman Dirkschneider asked what would happen if he did not tear down the old building. He was told that if he did not then he would void the lot split and that he has a certain time frame to get it done.

Motion by Blake, second by Dirkschneider to approve the lot split with the stipulations. Poll vote: McClure, yea; Godwin, nay; Dirkschneider, yea; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed.

12. Final Public Hearing, discussion and possible action regarding an automobile service station, or fuel pumps located with a retail business, which is a use subject to review. Location: 5900 NW Expressway. Applicant: 7-Eleven LLC. (Planning Commission recommended approval with no stipulations) ****

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

Motion Passed Unanimously.

City Planner Rice said that service stations are under use subject to review in the code. Attorney Love stated that the landscaping shown on the drawing is only 2% and must be 5%, however only the use of the property is what is on the agenda tonight.

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

Motion Passed Unanimously.

Councilman Fuhrman would like the landscaping to be more than 5%. Attorney Love stated that by code it is 5% so the council would need to amend the code to require more. ODOT has a big chunk of the land as right of way and the applicant wants to use some of that area to reach the 5% requirement, however they must get approval from the city to have the business there before they can request the use of the land from ODOT. The applicant stated that there will be nearly 10% if they are allowed to use the right of way.

Motion by Godwin, second by Dirkschneider to approve the application. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, nay; and Woolley, yea.

Motion Passed.

13. Discussion and possible action on hiring a part time person to handle the city's public relations and a part time person to do the city's web site. *Blake*

Councilwoman Blake would like the city to hire two people, one to do the website and another to promote the city. She stated that she would like to see positive things about the city in the paper more often. The Mayor stated that he had spoken with someone that would volunteer to do some work on stuff for the paper. Councilwoman Blake said that they wanted a letter out to the businesses for awhile and it still has not been done and the city needs PR. Attorney Love stated that if is going to be a contract person they would come through council but if is an employee then would not. Councilman Fuhrman stated that a web company could build the city a new web and Councilman Dirkschneider stated that if they look at other sites it tells on them who did the website.

No action was taken.

14. Discussion and possible action on a Tort Claim filed by Don Smith regarding damage to his sewer line. The city's insurance company has recommended denial. ****

Motion by Shapiro, second by Mickley to deny the claim. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

15. Discussion and possible action on a one-time \$750 employee recognition compensation to all full time employees.

The Mayor stated that they have been discussing competitive salaries all year and still do not have a new plan and the city has lost good people because of the pay. He said many have hung in there waiting and it would be nice to show them they are appreciated. Councilwoman Maxey asked if it could be \$1,000 and Councilwoman Blake agreed.

Motion by Blake, second by Dirkschneider to approve the recognition for \$1,000 each full time employee. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Mickley, abstain; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed.

Councilwoman Maxey left the meeting.

16. Discussion and possible action on staying with United HealthCare for health insurance for 2013. ****

Motion by Godwin, second by Blake to approve. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

17. A. Discussion and possible action on an Ordinance amending 6.08.121 regarding the number of dogs or cats per household. ****

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

Motion Passed.

- B. Approval of the emergency clause.

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

Motion Passed Unanimously.

18. A. Discussion and possible action on an Ordinance amending 6.08 by adopting a new section 095 regarding the confinement of dog. ****

- B. Approval of the emergency clause.

Attorney Love stated this was brought to his attention by the Animal Control Officer. There was discussion on the issue but more is needed before they can make a decision.

19. Presentation and possible discussion on the FY 2013 Budget.

The Mayor gave a brief overview of the FY 2013 budget and set a meeting for December 4th at 6:00 p.m. to go over the budget. He asked the council to review the document and be ready for discussion on that day.

20. Discussion and possible action concerning contract negotiations for FY 2012 and FY 2013 with IAFF Local #2374, and the City of Warr Acres, including discussion and action on entering into Executive Session as allowed under 25 O.S. Supp. 307 (B) (2), discussion negotiations concerning employees and representatives of employee groups.
Love

Motion by Dirkschneider, second by Godwin to enter into executive session. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

The council entered into executive session at 7:40 p.m.

The council returned to open session at 7:56 p.m.

Motion by Blake, second by Godwin to authorize the Mayor to execute the contract for 2 years being 2012 and 2013. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

21. Questions and Comments from Council.

Woolley-thanked Councilwoman Blake for opening his eyes about the need for PR work. He announced the Christmas Tree lighting would be December 7th at 6:30. He thanked Councilman Dirkschneider for the work and time he spends at ACOG on behalf of the city. He told the council how much he appreciated them attending the Planning Commission meeting. Happy Thanksgiving to everyone and thanks for supporting the employees and citizens.

Blake-several new business and not all can afford to pay for a membership with the chamber. Would like for the city to do ribbon cuttings for smaller businesses to so appreciation.

Dirkschneider-Mayor good job on speech at chamber luncheon. Wants info on the sewer rates, wants status of strip bond and wants a committee to decide what to do with the strip money. Councilman Shapiro said it needs to be kept for security in the future.

Godwin-would like for the council to have lapel pins to show they are part of the city.

McClure-Happy Thanksgiving.

Mickley-there are trees growing up and blocking the sign for businesses in a strip mall on the east side of MacArthur. Happy Thanksgiving.

Fuhrman-Happy Thanksgiving and everyone have a safe Thanksgiving.

Shapiro-would like to have name plates like the Planning Commissioners do so everyone knows who they are. He said the council has done wonderful things and people are impressed with the action of the city council.

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 Dirkschneider, second by Mickley to adjourn. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, nay; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed.

The meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY**

NOVEMBER 20, 2012

6:00 p.m.

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

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

ROLL CALL

PRESENT

Chairman Patrick Woolley
Vice-Chair Stewart Shapiro
Trustee Stephen Fuhrman
Trustee James Mickley
Trustee Bill McClure
Trustee Roger Godwin
Trustee David Dirkschneider
Trustee Jan Blake

ABSENT

Trustee Cathy Maxey

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of October 16, 2012. ****

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

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$58,559.10 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, 2012.

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

Motion Passed Unanimously.

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

Motion by Blake, second by Mickley to approve the payment of claims. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

5. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk