

MINUTES

CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
FEBRUARY 18, 2014
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 Koger and the Invocation was given by Mayor Woolley.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice Mayor Stewart Shapiro
Councilman Stephen Fuhrman
Councilman William McClure
Councilman Donnie Ryan
Councilman James Mickley

ABSENT

Councilman Roger Godwin
Councilwoman Cathy Maxey

STAFF PRESENT

Matt Love, City Attorney
Craig Wallace, City Engineer
Roger Patty, Police Chief
Kenny Koger, Fire Chief
Mike Turman, Public Works Director
Pamela McDowell-Ramirez, City Clerk/Treasurer
Wiley Rice Jr., City Planner

2. Presentation of 10 year service pin to Public Works Director Mike Turman.

The Mayor presented a 10 year pin to Mike Turman and thanked him for all the great work he does.

3. Call to the Public.

Moot.

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 January 21, 2014. *****

- | | | | |
|----|--------------------------|-----------------|---------------|
| B. | Approval of Expenditures | General Fund | \$ 116,387.78 |
| | | PS Tax Fund | \$ 9,000.00 |
| | | CIP Fund | \$ 7,671.08 |
| | | Sewer Line Fund | \$ 5,690.00 |
- C. Approval of Actual Expenditures for January 2014 and Proposed Expenditures for February 2014. ****
- D. Sales Tax History Report. ****
- E. Approval to surplus one (1) 2008 Ford Crown Victoria Police Interceptor VIN#2FAHP71V98X128970.

Motion by Shapiro, second by Mickley to approve the consent docket. Poll vote: McClure, yea; Ryan, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

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

Moot.

Items 9 through 15 were all done together 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-told the council that they had sold three of the old unites on public surplus and received much more money for each than they used to when the city held public auctions. He also told them that they had been having trouble finding ammo for training but they have now found a place. He said that officer vehicle accident fatality rates are at 60% so they will be doing driver safety training at OSU/OKC.

Chief Koger-handed out a paper that had statistics on cardiac arrest survivability, and stated Warr Acres is high on survival rate and receives praises from Oklahoma Medical Control Board and EMSA.

Attorney Love-he stated that they had a productive meeting with land owners that were confused on the right of way issue. Councilman Fuhrman asked about where the contract with the Salvation Army stood. Attorney Love stated that he had provided them with several contract options, however he has not heard from them.

PWD Turman-he has sold several items on the public surplus. He stated that there have been many water line breaks around the city and OKC has been out working on them but that he would be in contact with them to make sure all roadways are repaired as they

should be. Councilman Fuhrman asked what the status was on the gate at the yard. PWD Turman stated there had been some delays and they did not want to activate the gate until all safety measures were ready to go. He stated it should be operational soon.

Engineer Wallace-his firm has been working on getting everything done for DEQ to be able to close out the last Sewer grant. He said bids for the 50th Overlay/school zone project would be awarded on Thursday, and hopefully the project will start the day after school lets out. He said there may be some preliminary work done prior to school getting out. He told the council that he currently has the plans for the Cherokee III for review.

Planner Rice-stated that it was an interesting Planning Commission meeting but that the Ordinance for the Town Center with some tweaking will be ready for the Planning Commission and the Council next month. The concern is to make sure they protect the residents that are currently there, but still allow for other possibilities.

7. Final Public Hearing, discussion and possible action on a Use Subject to Review: Proposed Church in C-4 zoning located at 5561 NW Expressway. Applicant: Kevin Penry/LifeChurch.tv. ****

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

Motion Passed Unanimously.

Attorney Love informed the council that this items comes to them with a 4-2 vote for approval from the Planning Commission, and one of those dissenting votes was because of it not being a tax revenue generator. They want to move because they were leasing the old location and now own this new building. Mr. Penry stated that they are sensitive to the loss of revenue, but they bring lots of people into the city which in turn will bring in revenue to the stores and restaurants. Councilman Shapiro asked about the street they own and who would keep it maintained. Mr. Penry stated that they own it and will keep it maintained. Mr. Penry stated that they may reduce the size of the building to allow for more parking. They have a membership of 1700 households and have about 3000 show up each week. They do expect to have growth. There were concerns about the building and if it was to code. Fire Chief Koger stated that they do annual inspections and the last time it was inspected was not long ago and it did meet code. He said that once the Church is approved then the process will begin with the renovations and making sure all changes are approved by the Inspector and Fire Chief before they can receive their Certificate of Occupancy.

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

Motion Passed Unanimously.

Councilman Shapiro stated that he felt the council needed to uphold what the Planning Commission recommended and if they felt there needed to be something in writing from the Fire Chief before the Use Subject to Review was approved then they needed that. The Mayor asked if they could possibly have the paperwork from the last inspection that way it shows that when the building was still occupied it was compliant. Attorney Love stated that the council had three choices, they could approve it as recommended by the Planning Commission with the stipulation, they could approve it without the stipulation, or they could deny it. He also stated that no matter what they will have to bring in their plans for the building and everything will have to meet code and approved by the Inspector before the Certificate of Occupancy will be issued.

Motion by Shapiro, second by Mickley to approve the Use Subject to Review. Poll vote: McClure, yea; Ryan, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

8. Final Public Hearing, discussion and possible action on a Use Subject to Review: for a proposed Automobile Repair Shop in C-4 zoning located at 5925 NW 37th St. Applicant: Alvaro Muniz/George Brown Wally Wash LLC. ****

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

Motion Passed Unanimously.

Attorney Love told the council that the Planning Commission recommended approval with a unanimous vote.

The applicant was present to answer questions. Councilman McClure stated he felt there needed to be a sight proof fence put up because he did not want people to drive by and see disassembled vehicles sitting all over. He asked about the vehicles that were currently on the property and was told that they do not belong to the applicant and will be moved. City Planner Wiley Rice stated that they are not approving the use for a salvage yard it is for a repair shop and the vehicles will in and out quickly. PWD Turman stated that they will have to meet EPA regulations and the City ordinances. The council was told that the building is in great shape.

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

Motion Passed Unanimously.

Motion by Ryan, second by Mickley to approve the Use Subject to Review with the stipulation from the Planning Commission. Poll vote: McClure, yea; Ryan, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

9. Public Hearing and discussion on the FY 2014 CDBG Grant Program; Proposed Sewer Project.

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

Motion Passed Unanimously.

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

Motion Passed Unanimously.

Millie Vance said the grant would be for \$149,999 and the city match would be for &150,001 for a total project cost of \$300,000. The project would be to continue work in Wards III and IV on rehab of manholes and sewer lines.

10. Discussion and possible action on adopting a Citizens Participation Plan for the FY 2014 CDBG Sewer Project. ****
11. Discussion and possible action on adopting a Resolution to apply for FY 2014 CDBG Grant. ****
12. Discussion and possible action on adopting a Resolution on Leverage (Match) Funds for FY 2014 CDBG Sewer Project. ****
13. Discussion and possible action on adopting a Residential Anti-Displacement Plan for FY 2014 CDBG Sewer Project. ****
14. Discussion and possible action on approving an agreement with Millie Vance Incorporated to prepare FY-2014 CDBG grant application and administer project if funded. ****
15. Discussion and possible action on adoption of the 2014 Fair Housing Proclamation and authorize the Mayor to read said proclamation. ****

Motion by Shapiro, second by Mickley to adopt the Citizens Participation Plan, adopt the Resolution to apply for the grant. adopt the Resolution on Leverage (Match) Funds, adopt the Residential Anti-Displacement Plan, approve the agreement with Millie Vance, and adopt the Proclamation and authorize the Mayor to read it. Poll vote: McClure, yea; Ryan, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

16. Discussion and possible action on approval of an engagement letter with Arledge & Associates, P.C. for the FY 2013 audit. *****

Motion by Shapiro, second by Mickley to approve the engagement agreement with Arledge & Associates, P.C. striking item 4 from page 21 of the proposal. Poll vote: McClure, yea; Ryan, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

17. Discussion and possible action to send three Street Department persons to Waco, Texas to TYMCO Street Sweeper training school with an estimated cost for lodging and food for all three not to exceed \$1000.00 (Grady Goodpasture, Mark OConnor and Jason Grisby). *Turman* *****

PWD Turman stated that he has one person trained and would like to have three more. He did have another employee trained by he moved away.

Motion by Shapiro, second by Ryan to authorize the Public Works Director to send three employees to Waco, Texas for training. Poll vote: McClure, yea; Ryan, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

18. Discussion and possible action to authorize the Public Works Director to solicit bids for a New Way 20 yard Cobra Series Packer at an estimated cost of \$60,000 for the packer unit (The chassis is on State contract for a Freightliner M2 106 single axle estimated at \$80,000). *Turman* *****

PWD Turman stated that they currently have 4 residential trucks, they are (2) 2003, (1) 2007 and (1) 2012. He stated that one of the 2003 trucks will be replaced with the new one. He said they have spent lots of money on repairs.

Motion by Shapiro, second by Mickley to authorize the Public Works Director to solicit bids. Poll vote: McClure, yea; Ryan, yea; Mickley, yea; Fuhrman, nay; Shapiro, yea; and Woolley, yea.

Motion Passed.

19. Informational report on the Cities Storm Water Program (MS4). *Turman* ****

PWD Turman told the council that he is required to do an annual report on the Storm Water Program. He said the city fell under the Storm Water regulations in 2005 and they set up a Best Management plan and it outlines what the city must do. He said the city was audited on the Storm Water Program last year and there were issues they wanted to see addressed so the city is working on correcting those. He said the city supplies many forms of information to the public as well as the annual reports.

20. Questions and Comments from Council.

Mickley- complemented the Public Works employees on the great job they did clearing the streets.

Fuhrman-said ditto on the work by the Public Works employees. He also said the city needs to look into building new fire and police departments. He said the city could do a bond issue because rates right now are very low. The Mayor stated that he has a 5 year plan that also extends out to 10 years and those are included but will have to wait until after the MacArthur south section has been done.

Shapiro-he said that he pushed for new facilities in 2004, 2005, 2006, 2007, 2008, and 2009. He said that the revitalized Plaza District area is great and the city should put the same style benches at 50th and MacArthur when the project is done. He stated his concern over the placement of the mail boxes at 63rd and MacArthur saying that morning he had seen three cars run together because they didn't know which way to go.

McClure-Victory church has a truck parked with a sign on it. He asked if the church ever pays for all their temporary signs.

21. Discussion and possible action concerning contract negotiations for FY 2014 with IAFF Local #2374 and FOP Lodge #145, 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/Koger/Patty*

Attorney Love said the Chiefs needed to stay and asked that Mr. Glen Lipinski, who will be sworn in on March the 11th also stay.

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

Motion Passed Unanimously.

The council entered into executive session at 8:43 p.m. after a 10 minutes recess. The council returned to open session at 10:17 p.m. With no action taken.

The mayor asked if anyone would like to make a motion.

Motion by Ryan, second by Shapiro to approve the Police proposal for uniform allowance. Poll vote: McClure, yea; Ryan, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

22. Discussion and possible action to approve the FY 2014 Fire CBA.

Moot.

23. 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.

24. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 10:19 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
FEBRUARY 18, 2014
6:00 p.m.**

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

1. The meeting was called to order at 10:20 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman Patrick Woolley
Vice Chairman Stewart Shapiro
Trustee Stephen Fuhrman
Trustee Donnie Ryan
Trustee William McClure
Trustee James Mickley

ABSENT

Trustee Cathy Maxey
Trustee Roger Godwin

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of January 21, 2014. ****

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

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$51,170.53 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of January, 2014.

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

Motion Passed Unanimously.

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

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

Motion Passed Unanimously.

5. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 10:21 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer