

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
MARCH 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 Roger Godwin
Councilman Donnie Ryan
Councilman Glen Lipinski
Councilman James Mickley
Councilwoman Cathy Maxey

ABSENT

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 Animal Control Officer Dustin Gordon and a 5 year pin to Inspector Kevin Strong.

Kevin Strong was unable to attend. The Mayor presented Dustin Gordon his service pin and said kind words about the job he does.

3. Discussion and possible action on appointing a Vice-Mayor and swearing in.

The Mayor stated that he would like for Councilman Shapiro to continue as the Vice-Mayor.

Motion by Maxey, second by Godwin to appoint Councilman Shapiro as Vice-Mayor. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, abstain; and Woolley, yea.

Motion Passed.

- 4. Call to the Public.

Moot.

Items 8-12 were heard before item 5.

- 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 February 18, 2014 and Special meeting of March 11, 2014. ****

- B. Approval of Expenditures

General Fund	\$ 154,070.59
CIP Fund	\$ 530.00
Sewer Line Fund	\$ 12,555.00

- C. Approval of Actual Expenditures for February 2014 and Proposed Expenditures for March 2014. ****

- D. Sales Tax History Report. ****

- E. Approval to surplus one 1996 Ford Crown Victoria Vin#2FAFP71W96X114368.

Councilwoman Maxey asked for item A to be pulled so the minutes could be voted on separately.

Motion by Ryan, second by Shapiro to approve items B, C, D and E, with the change of the year on E to 2006, of the consent docket. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

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

Motion by Ryan, second by Fuhrman to approve the minutes from the February 18, 2014 meeting. Poll vote: McClure, yea; Godwin, abstain; Ryan, yea; Lipinski, abstain; Maxey, abstain; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed.

Motion by Ryan, second by Fuhrman to approve the minutes from the March 11, 2014 meeting. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

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

Patty-they have sold all the surplus vehicles and the auction website is working great, they are able to get more money for vehicles than they ever have.

Koger-they received a proclamation from the Governor in reference to the sudden cardiac arrest survival rate number 2 ranking in the country. He stated that he and Asst. Chief Coy would be going to the Capital on Wednesday and having pictures made with the Governor.

Ramirez-Councilman Fuhrman thanked Clerk Ramirez for the report. She stated that she had been trying to get information and finally did receive something.

Love-told the council that he understands he should have a response from the Salvation Army by the end of the week.

Turman-said he has sold numerous items on the surplus website, the new gate is finally in service and there is caution signs posted. Several of the councilmembers requested that a new fence be put up at Grandma Lilly park on the east side. He reported that he and Inspector Strong had attended a Stormwater Seminar. Councilman McClure publicly apologized to PWD Truman for something that had taken place at last months meeting.

Wallace-stated everything was in his report and that the 50th Overlay project was awarded on March 3rd.

Rice-the Town Center ordinance should be ready for the council next month and Cherokee Crossing needs to bring in improvements and dedications and a list must be brought in before it will go before the Planning Commission.

8. Discussion regarding possible dedication of NW 72nd Place (East of MacArthur) to the City of Warr Acres. * Love/Wallace/Turman *

Attorney Love stated that 72nd Place has been a long ongoing situation as to who needs to repair it. He stated that the question tonight is would the city be interested in taking the street over and what would need to be done to the street for the city to take over the street. There was a lengthy discussion and the Attorney representing the owner was told that more information was needed and he needed to find out if the owner was willing to pay an estimated \$150,000 to fix it. They will discuss the issue again once more information is available.

9. Discussion and possible action on a paying an additional \$1,691.40 to cover the 6% Inspection cost on the 50th Overlay project. *****

Engineer Wallace stated that the overlay project and the school zone projects were bid together and that the city has already paid their 20% of the project but that there was an additional 6% inspection fee that was not covered.

Motion by Fuhrman, second by Godwin to approve the additional cost. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

10. Discussion and possible action on hiring TEC Consulting to do the engineering work for the 39th and Grove School Zone Project in the amount of \$8,000. *****

The Mayor reminded everyone that this area was originally in the full school zone project but it was discovered to be a state highway and must be done separately. Since TEC had done the original engineering work on the project he is asking for approval for them to do the work on the changes that took place since the original work was completed regarding ADA regulations. Councilman Fuhrman was concerned about the wording on the agreement that sounds like they can charge the city for additional work on the project at an hourly rate, over the \$8,000 contract. He was told that those fees would only be charged if additional work was required that was outside the scope of the project. He was still not comfortable with the wording and concerned about the additional charges.

Motion by Shapiro, second by Maxey to approve hiring TEC Consulting. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, nay; Shapiro, yea; and Woolley, yea.

Motion Passed.

11. Discussion and possible action on a fee proposal from SRB for the next Sewer rehab/grant project. *****

Motion by Maxey, second by Ryan to approve the fee proposal for the Sewer project. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

12. Discussion and possible action on a fee proposal from SRB for a drainage study at NW 39th and Hammond. ****

Motion by Maxey, second by Ryan to approve the fee proposal for the drainage study. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

13. Discussion and possible action to authorize the Police Chief to purchase ICOP in-car camera systems from ICOP/Safety Visions total cost not to exceed \$8,500. (Budgeted in CIP)

Motion by Shapiro, second by Ryan to authorize the Chief to purchase the in-car camera system. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

Items 14 and 15 were voted on together.

14. Discussion and possible action to authorize the Public Works Director to purchase a 20 yard rear packer, parts, labor and delivery to mount to a City supplied chassis for \$53,950. *Turman* ****

15. Discussion and possible action to authorize the Public Works Director to purchase one Freightliner Chassis M2-106 from State Contract #1000009333 and delivery to packer vendor for completion not to exceed \$78,000. *Turman* ****

Motion by Godwin, second by Shapiro to authorize the PWD to purchase the packer the chassis. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

16. Discussion and possible action to authorize the Public Works Director to advertise for bids for one complete snow plow and labor to install to an existing tandem dump truck. *Turman* ****

Motion by Godwin, second by Maxey to authorize the PWD to advertise for bids. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

17. Discussion and possible action on a Tort Claim filed by Jack and Judy Sheets in regards to a sewer back up. The city's insurance company has recommended denial. ****

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

Motion Passed Unanimously.

18. A. Discussion and possible action on an Ordinance Amending Title 19, Chapter 19.68, Sections 19.68.050 and 19.68.070 of the Warr Acres Municipal Code pertaining to the Board of Adjustment. **** *Love*

Attorney Love stated that there was a requirement for approval of an appeal that was in state statute that the city did not have in its code so this ordinance will add that requirement. Also, Councilman Fuhrman had asked for notice to be given to the council when there is a BOA case so that too has been added in this ordinance. Councilman Fuhrman stated that by them knowing about a BOA case then they can attend the meeting and gain the needed information they need when the case comes to the council.

Motion by Godwin, second by Mickley to approve the Ordinance. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, out during vote; and Woolley, yea.

Motion Passed Unanimously.

- B. Approval of the emergency clause.

Motion by Ryan, second by Mickley to approve the emergency clause. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, out during vote; and Woolley, yea.

Motion Passed Unanimously.

19. Discussion and possible action to adopt a Resolution declaring a necessity for acquiring and owning property/right of ways for the Northwest 50th and MacArthur Project. *Love*

Attorney Love stated that this may or may not be needed but in case it was he wanted it approved now so it would not delay the project any further.

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

Motion Passed Unanimously.

20. Questions and Comments from Council.

Fuhrman-complemented the staff on the good reports this month. Brought up signs around the city where businesses have moved out but the sign has not been replaced with a blank cover. Said that the new sign ordinance addresses it. The Mayor stated according to staff the new ordinance is not clear.

Shapiro-thanked everyone for the support in being elected as Vice-Mayor again. Said that he knew the Mayor had lots of issues he had to deal with but being Vice-Mayor he has seen just how much work the Mayor does and how much pressure there is. He said he prays every night for the Mayor's health because he does not want the Mayorship full time.

Lipinski-said it was his first meeting and it was an interesting experience and when he had been around for a while then he would have items for discussion. He stated he felt it was an honor to serve the city.

Ryan-thanked PWD Turman for getting the pot holes fixed around town so quickly after all the winter weather. He asked about plans for new fire and police stations. The Mayor stated that when he presents them the 5-10 year plan the stations will be in it. He asked if there was anything that could be done about the traffic around the middle school and high school at pick up time.

Godwin-thanked Vice-Mayor Shapiro for taking on the job again. During the meeting there were several glitches with the sound system and he stated that he could have a guy out tomorrow to look at the system and tell the city what they need. He would like for the Ordinance to be changed that requires bidding for purchases over \$7,500. Clerk Ramirez stated that they had tried years ago but it didn't pass but that she had an Ordinance already in her computer if the council would let her know what they wanted the new amount to be.

McClure-said the council understands how much pressure is on the Mayor and asked when he would get him an assistant. The Mayor stated that right now he is good. He said that at a recent meeting at Bethany they discussed the 39th right of ways and suggested that the Mayors of Bethany, Warr Acres and OKC get together and get it cleaned up. He said the police go out there and talk to the dealership owners but on the weekends they do what they want.

Woolley-thanked Vice-Mayor Shapiro for all his help and thanked the council for taking time to handle the city business.

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

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

Motion Passed Unanimously.

The council entered into executive session at 8:27 p.m. The council returned to open session at 9:16 p.m. With no action taken.

22. Discussion and possible action to authorize the Mayor to issue payment of the physical fitness incentive to eligible bargaining unit members on the terms tentatively agreed to for 2014 between the City and the IAFF Local 2374 *
Koger/Coy *

Motion by Shapiro, second by Godwin to authorize the Mayor to pay the physical fitness incentive. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

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 Godwin to adjourn. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 9:18 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

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

MARCH 18, 2014

6:00 p.m.

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

1. The meeting was called to order at 9:19 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

ABSENT

Chairman Patrick Woolley
Vice Chairman Stewart Shapiro
Trustee Stephen Fuhrman
Trustee Donnie Ryan
Trustee Glen Lipinski
Trustee William McClure
Trustee Roger Godwin
Trustee James Mickley
Trustee Cathy Maxey

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of February 18, 2014. *****

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

Motion Passed.

3. Approve payment of claim in the amount of \$57,906.56 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of February, 2014.

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

Motion Passed Unanimously.

5. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer