

## **MINUTES**

**CITY OF WARR ACRES  
REGULAR CITY COUNCIL MEETING  
TUESDAY  
MARCH 20, 2012  
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  
Councilwoman Cathy Maxey  
Councilman James Mickley  
Councilman William McClure  
Councilwoman Jan Blake  
Councilman David Dirkschneider

#### **ABSENT**

Councilman Roger Godwin

#### **STAFF PRESENT**

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

2. Presentation of 25 year service pin to Fire Lt. Glynn Greenhill, 20 year service pin to Sanitation Driver Kevin Smith. Formal presentation to Adam Ergenbright for promotion from rookie to firefighter.

Neither Greenhill nor Smith was present. Chief Koger presented Adam Ergenbright with his firefighter brass and Asst. Chief Coy talked about what a great asset Adam is to the Fire department.

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 Dirkschneider, second by McClure to appoint Councilman Shapiro as Vice-Mayor. Poll vote: Mickley, yea; Maxey, yea; Fuhrman, yea; Shapiro, yea; McClure, yea; Dirkschneider, yea; Blake, yea; and Woolley, yea.

**Motion Passed Unanimously.**

The Mayor swore in Councilman Shapiro as Vice-Mayor.

4. Call to the Public.

**There was no one that 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 February 21, 2012 and Special meeting of March 13, 2012. \*\*\*\*\*
- B. Approval of Expenditures \*\*\*\*\*

General Fund	\$ 149,267.16
CIP Fund	\$ 6,256.37
- C. Approval of Actual Expenditures for February 2012 and Proposed Expenditures for March 2012. \*\*\*\*\*
- D. Sales Tax History Report. \*\*\*\*\*
- E. Approval to appropriate \$2,460.00 to the police department from the Highway Safety grant funds for reimbursement of two handheld radars.
- F. Approval to surplus items from the police department per list from Chief Patty. \*\*\*\*\*

Item A was pulled and voted on separately.

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

**Motion Passed Unanimously.**

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

Item A. February 21, 2012 minutes.

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

**Motion Passed.**

Item A. March 13, 2012 minutes.

Motion by Dirkschneider, second by Blake to approve the minutes. Poll vote: Mickley, yea; Maxey, yea; Fuhrman, yea; Shapiro, yea; McClure, yea; Dirkschneider, yea; Blake, 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-the department started using the DigiTicket system last week.

Koger-the department broke the 3 minute response time again and they have started handing out comment cards to see how the citizens believe they are doing on calls.

Love-welcome to the new councilmen and if they have any questions do not hesitate to call. He said the Comprehensive Plan for new zoning is ready for the council to hear and over the next several months they will be having hearings.

Turman-the City Hall Energy project is almost complete. The 50<sup>th</sup> and MacArthur project is ready for right of way acquisitions and the Federal money the city has will be able to be used to bury the cables at 50<sup>th</sup> and Mac to make it more eye appealing. He has spoken to a couple of architects on the ACO building and will have information for the council next month. He thanked all the Public Works employees for their hard work. OG&E is putting in new poles along 63<sup>rd</sup>.

Rice-Comprehensive plan is ready for the council to look at and hold hearings. They will be setting policies and guidelines for the future development of the city.

8. Discussion and possible action on appointment or re-appointments for the Traffic Commission for Ward II currently held by Dan Gilbert, Ward IV currently held by Anita Weaver and At-Large currently held by Darrell McDaniels.

Motion by Shapiro, second by Dirkschneider to approve the re-appointments of Dan Gilbert, Anita Weaver and Darrell McDaniels. Poll vote: Mickley, yea; Maxey, yea; Fuhrman, yea; Shapiro, yea; McClure, yea; Dirkschneider, yea; Blake, yea; and Woolley, yea.

**Motion Passed Unanimously.**

9. A. Discussion and possible action on an Ordinance amending 2.05.010 pertaining to item submittal for the City Council agenda. \*\*\*\*

The Mayor read a memo that he had passed out before the meeting stating that originally they had put that three members were needed to place an item on the agenda and after speaking with some councilmembers and hearing their concerns decided to change it to two members. There was concern raised that if a member wanted an item on the agenda and had to find others to agree that it was something worthy of being on the agenda for all to consider then they would be breaking open meeting laws by, some felt polling the other members to get approval to go on the agenda. Attorney Love stated that they would be asking if someone thought the idea was agenda worthy not if they would vote for approval of the item. After a lengthy discussion there was still concern about getting others approval to place an item on the agenda.

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

**Motion Failed.**

Motion by Blake, second by Dirkschneider to approve the Ordinance (#1122) amended to be one person instead of two but keeping the two weeks before the meeting deadline. Poll vote: Mickley, nay; Maxey, nay; Fuhrman, yea; Shapiro, yea; McClure, yea; Dirkschneider, yea; Blake, yea; and Woolley, yea.

**Motion Passed.**

- B. Approval of the emergency clause.

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

**Motion Passed.**

10. A. Discussion and possible action on an Ordinance amending 8.08.040 pertaining to the requirements for requesting garbage service. \*\*\*\*

Attorney Love stated that there was a question raised as to whose responsibility it is for requesting garbage service when the sewer is the responsibility of the owner. This Ordinance puts the responsibility on the homeowner. Councilwoman Blake stated that they also need to take care of the other charges listed on the billing.

Motion by Dirkschneider, second by Blake to approve the Ordinance (#1123).  
Poll vote: Mickley, yea; Maxey, yea; Fuhrman, yea; Shapiro, yea; McClure, yea;  
Dirkschneider, yea; Blake, yea; and Woolley, yea.

**Motion Passed Unanimously.**

B. Approval of the emergency clause.

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

**Motion Passed Unanimously.**

11. A. Discussion and possible action on an Ordinance amending 8.08.150  
pertaining to the obligation requirements for fees and charges for garbage.  
\*\*\*\*

This Ordinance goes along with the other one; this one makes it the responsibility  
of the homeowner for payment.

Motion by Blake, second by Shapiro to approve the Ordinance (#1124). Poll  
vote: Mickley, yea; Maxey, yea; Fuhrman, yea; Shapiro, yea; McClure, yea;  
Dirkschneider, yea; Blake, yea; and Woolley, yea.

**Motion Passed Unanimously.**

B. Approval of the emergency clause.

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

**Motion Passed Unanimously.**

12. Questions and comments from Council.

Fuhrman-thanks for the welcome.

McClure-condolences to the Mayor on the loss of his Uncle.

Dirkschneider-would like to see an activity report from the Animal Control  
Officer to better decide if it is worthwhile to justify a new facility. He stated that  
after the council heard the presentation from ACOG he thought they wanted more  
information but he was told by ACOG that the city staff was not interested. They

need to look at getting numbers together. He wants an item on the next agenda to discuss the CIP plan from ACOG.

Blake-thanked PWD Turman for the sign and the chain across the entrance to the recycle area.

13. 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.**

14. Adjournment.

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

**Motion Passed Unanimously.**

The meeting was adjourned at 7:56 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk

## MINUTES

CITY OF WARR ACRES  
PUBLIC WORKS AUTHORITY MEETING  
TUESDAY  
MARCH 20, 2012  
6:00 p.m.

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

1. The meeting was called to order at 7:56 p.m. Declaration of a quorum present was given.

### ROLL CALL

#### PRESENT

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

#### ABSENT

Trustee Roger Godwin

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of February 21, 2012. \*\*\*\*

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

#### **Motion Passed.**

3. Approve payment of claim in the amount of \$51,287.20 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of March, 2012.

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

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

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

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

**Motion Passed Unanimously.**

5. Adjournment.

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

**Motion Passed Unanimously.**

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk