

## **MINUTES**

**CITY OF WARR ACRES  
REGULAR CITY COUNCIL MEETING  
TUESDAY,  
APRIL 16, 2013  
6:00 P.M.**

1. The meeting was called to order at 6:02 p.m. Declaration of a quorum present was given. The Flag salute was led by Asst. Chief Coy 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  
Councilman Roger Godwin  
Councilwoman Jan Blake  
Councilman David Dirkschneider

#### **ABSENT**

#### **STAFF PRESENT**

Matthew Love, City Attorney  
Roger Patty, Police Chief  
Stephen Coy, Asst. Fire Chief  
Pamela McDowell-Ramirez, City Clerk  
Mike Turman, Public Works Director  
Craig Wallace, City Engineer  
Wiley Rice, Jr., City Planner

2. Presentation by the Mayor of a 15 year service pin to Lt. Tom Green and a 10 year service pin to Antonio Velasco.

Neither gentleman was able to attend the meeting.

3. Call to the Public.

Lois Mieres-would like for an inspection to be done of her street, she live on NW 34<sup>th</sup> Street. Frustrated about no one being opposed in the recent election, feels it is due to no

publicity of the election in the newsletter. She is upset about the money that was spent by the city on the Community Center in connection with the Federal relief money, said she heard it was free money, but the city spent some of its own on the project and that is taxpayer money. She also complained that the Salvation Army had a shield hanging on the wall in the Warr Acres Community Center. She was told that the information was published in the Tribune about the filing and election but that no one other than the incumbents filed for the offices.

Councilman Shapiro-said praying for those affected by the Boston Marathon bombing and that he had lived for 15 year in the town of Dorchester, which is the place the 8 year old boy that was killed was from. He is greatly saddened by the incident.

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 March 19, 2013. \*\*\*\*\*
  - B. Approval of Expenditures \*\*\*\*\*

General Fund	\$ 108,980.15
PS Tax Fund	\$ 11,277.60
Res for Cap Fund	\$ 4,000.00
CIP Fund	\$ 64,777.26
  - C. Approval of Actual Expenditures for March 2013 and Proposed Expenditures for April 2013. \*\*\*\*\*
  - D. Sales Tax History Report. \*\*\*\*\*
  - E. Appropriation of funds from police reserve account to police quartermaster account in the amount of \$62.15.
  - F. Appropriation of funds received from wild fire assistance to County in the amount of \$1,252.91 in the vehicle maint account.
  - G. Appropriation of funds received from insurance on a stolen police radio to the E911 Fund so a new radio can be purchased.
  - H. Approval to surplus 1991 Dodge 1/2 ton pickup VIN 1B7HE16Y8MS287427 (Unit 291)
  - I. Approval to authorize the Police Chief to send four officers to a Federal Incident Response to Terrorist Bombing School in Socorro, NM. All cost are covered by the Feds. \*\*\*\*\*

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

**Motion Passed Unanimously.**

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

**Item A.**

Motion by Dirkschneider, second by Godwin to approve A. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, abstain; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; 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. \*\*\*\*\*

Chief Patty-Lt. Matt Berger was involved in a motorcycle accident and will be having surgery and out for an undetermined amount of time. Councilman McClure asked about the situation on the fuel and the cars. Chief Patty said they now all have locking gas caps and they have reviewed video but could see nothing. The results of the test on the fuel taken from the cars will be in next week.

Asst. Chief Coy-they had a very busy month.

PWD Turman-big trash is ongoing with Ward III tomorrow. With the ice storm from last week there will be city sweeps in May to allow time for everyone to get the limbs cut and to the curb. Family Dollar will be moved out by the end of the month and the rest of the mall will be demolished and they are ready to proceed with the new construction, they have the construction fencing in place. Councilman McClure asked if all needed employees had been hired and was told they are working on some things. The new City Hall signage and the signs for 39<sup>th</sup> will be in place this week. The Animal Control center plans and process are delayed by a month.

Councilman Shapiro stated he would like for the Attorney to discuss the items he had in the staff reports. Attorney Love stated that paperwork had been filed with the PERB board concerning issues with IAFF not dealing in good faith with the city. Attorney Love also informed the council that legislation has been proposed that could have a negative impact on the city by way of fees and licensing on the new Animal Control center, however he has heard that there may be some changes that would exempt municipal shelters. He told the council that he had also included in the packet information from other cities on how they deal with parking of trailers. Councilman McClure voiced his opinion on the parking of trailers and that it needs to be where an officer can go out once and tell the owner to move the trailer and not have to mark and watch for 72 hours. There was a short discussion on what needed to be done for an ordinance.

Engineer Wallace-sorry missed the deadline for his report so he handed a copy to everyone. He is continuing to work on the 50<sup>th</sup> overlay project and is working on the right of way acquisitions with Pinnacle. Utility relocation meeting was held and all relocation plans have been approved. AT&T states they will have no relocations.

Planner Rice-the Town Center area will require sidewalks and he recommends that the city place in the code that when a property is rezoned or redeveloped sidewalks should be included. The Comprehensive Plan needs to be amended adopting the Town Center concept, Ordinances amending the zoning code, all will be public hearings with notices being sent to surrounding property owners.

7. Presentation by Gano Coleman, CPA PLLC. Discussion and possible action to hire Gano Coleman, CPA PLLC to audit sales tax revenue for the City of Warr Acres.

Mr. Gano Coleman addressed the council about the work he does in auditing businesses to see if they are properly paying the correct taxes. He explained that the Tax Commission employees about 20 auditors to cover the state which has 60,000 permitted businesses and numerous businesses that are not. Therefore, through the work of many cities and new contracts with the Tax Commission they are now also three companies that are approved to do audits in an effort to help cities find lost sales or use tax revenue. There was a lengthy discussion about who everyone believes are businesses that the city is losing sales and use tax on. The Mayor stated that everyone email the City Clerk what they would like to see audited and then the Attorney will review the contracts and have the item back on the agenda next month for approval.

8. Discussion and possible action on a proposal for a new City Web Site. \*\*\*\*

The Mayor stated they have discovered some kind of issue dealing with the type of server that the city has to run the website so more information is needed before a presentation can be made. He stated this will be back on next month.

9. Discussion and possible action on authorizing the Police Chief to purchase a Livescan Electronic Fingerprint system from GSA contract at a cost of \$20,371.43. Budgeted for in the Public Safety Tax Fund in the amount of \$21,000. \*\*\*\*

Motion by Blake, second by Dirkschneider to authorize the Police Chief to make the purchase. 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. Discussion and possible action on a change order to the current Sewer Project. \*\*\*\*

Paul D'Andrea, project engineer, stated that during the pipe bursting process they came upon a section of pipe that dropped down and then came back up and was incased in concrete therefore causing the equipment to break and the need to dig down to retrieve

the piece that broke off. There is more information needed to determine how to proceed so after they are able to get the information there will be a special meeting.

11. Discussion and possible action to release the settlement agreement for repairs to the City Hall Roof with Architect Mike Kertok (work performed by Red River Roofing & Construction, Inc.). \*\*\*\*

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

**Motion Passed Unanimously.**

12. Discussion and possible action to authorize the City Engineer (SRB) to prepare plans/drawings and submit to ACOG for the 2014 safety project (sidewalks).

Motion by Blake, second by Godwin to authorize the City Engineer to prepare and submit to ACOG for the project. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

13. Discussion and possible action concerning contract negotiations for FY 2014 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 Blake to enter into executive session. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

The council entered into executive session at 7:54 p.m.

The council returned to open session at 8:31 p.m. With no action taken.

Councilman Dirkschneider left the meeting at 8:31 p.m. as the council was returning from executive session.

14. Questions and Comments from Council.

The Mayor thanked the council for sharing their time to take care of the business of the city.

15. 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.**

16. Adjournment.

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

**Motion Passed Unanimously.**

The meeting was adjourned at 8:33 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
Clerk/Treasurer

**MINUTES**

**CITY OF WARR ACRES  
PUBLIC WORKS AUTHORITY MEETING  
TUESDAY  
APRIL 16, 2013  
6:00 p.m.**

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

1. The meeting was called to order at 8:34 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 Roger Godwin  
Trustee Bill McClure  
Trustee Jan Blake

**ABSENT**

Trustee David Dirkschneider

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of February 19, 2013 and March 19, 2013. \*\*\*\*\*

The minutes from February 19, 2013 were not approved because Councilwoman Blake stated that she was not at the meeting and Councilman Fuhrman stated the minutes reflected that she voted on every item and that she was present therefore they need to be corrected before they can be approved.

Motion by Shapiro, second by Blake to approve the minutes of March 19, 2013. Poll vote: McClure, yea; Godwin, abstain; Blake, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed.**

3. Approve payment of claim in the amount of \$55,035.23 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, 2013.

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

**Motion Passed Unanimously.**

The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
Clerk/Treasurer