

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
MAY 15, 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 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
Councilwoman Jan Blake
Councilman David Dirkschneider (arrived at 6:08 p.m.)

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
Scott Barrett, City Engineer
Wiley Rice, Jr., City Planner

2. Formal presentation to Chris McCoy for promotion from rookie to firefighter.

Chief Koger and Chris McCoy were unable to attend the meeting.
3. Call to the Public.

No one wished to speak.
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 April 17, 2012. ****
- B. Approval of Expenditures ****

General Fund	\$ 150,431.62
CIP Fund	\$ 3,517.40
- C. Approval of Actual Expenditures for April 2012 and Proposed Expenditures for May 2012. ****
- D. Sales Tax History Report. ****
- E. Approval of supplemental appropriation of a reimbursement from Sutphen for tires on L-22 to the Fire department in the amount of \$1,923.36.
- F. Approval to surplus (1) Canine Kennel-Outdoor. ****

Motion by Maxey, second by Shapiro to approve the consent docket. Poll vote: McClure, 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.

Moot.

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

Chief Patty-said they tested for officer and 36 tested, 30 passed and they will be doing interviews this week. They filled the dispatch position and the new Sgt. is Mike Anderson so now they will be testing for detective.

Asst. Chief Coy-commented on the remarkable response times. He stated that new signs were posted in the shelters stating the rules for use and also new security lights were installed.

PWD Turman-stated that last month there was a lot of discussion on what the Public Works departments do so he put together a detailed report of the work being done as well as a list of Code Enforcement and Inspections. He told them that a plan in hand meeting had taken place for the School Zone Safety project, the Elks lodge construction is moving along and they are working with OKC on overlaying 50th all the way to Meridian on both sides.

Engineer Barrett-he is working with OKC traffic department on the School Zone Safety project.

Planner Rice-the planning commission has signed off on work on the Comprehensive Plan and they are ready to put into Ordinance form the new zoning district.

7. Informational report on the MS4 Stormwater Program. *Turman* ****

PWD Turman told the council that the city is required to participate in the Stormwater program and must turn in annual reports to DEQ. This has been done and he has included a summary in the agenda packet of last years report.

8. Discussion and possible action on proposals received for professional services for a new Animal Control Shelter. *Turman* ****

PWD Turman stated that he visited with two different firms and gotten proposals for architectural services for a new ACO facility. He said that he went over a check list with the AC Officer to make sure everything that was needed was included. The spot for the new facility will be at the entrance to Dorothy Cavener Park. He stated that he received the names of these Architectural firms from reliable sources in the business. Resident Shirley Swain stated that she was happy to hear that a facility was finally in the works, the city has needed a new one for a long time. She also offered to volunteer to help at the new facility.

Motion by Maxey, second by Shapiro to authorize the Mayor to execute a contract with JHBR for Architectural services for a new ACO facility. Poll vote: McClure, yea; Blake, yea; Dirkschneider, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

9. Update on 50th and MacArthur project by Karl Baldischwiler.

Karl Baldischwiler told the council that the relocation plans and estimates were ready to bury the utilities. He said that ACOG has more money available if they need it. He said they do not have the estimate from AT&T yet. More right-of-way is required to bury the OG&E lines. They will be submitting an updated to ODOT on Thursday. He said they should have a plan in hand meeting in the next 30 days. Then they will begin working on the final plans. The time frame looks to be early 2013.

10. Discussion and possible action on items pertaining to the close out of the EECBG Projects. ****

- A. Acceptance of Final Performance Report on City Hall Complex.
- B. Approval of the Change Order and payment in the amount of \$13,607.00 on the City Hall Complex.

- C. Approval of Final Payment to Kneal Construction per the contract for City Hall Complex.
- D. Acceptance of Final Performance Report on the Community Center.

Engineer Barrett stated that all work was complete and the final documents had been turned in to the clerk so that whatever needs to be done with the Department of Commerce can be done. He stated that PWD Turman could probably explain any of the items on the change order better than he could since he was here on a daily basis observing the work being done. He recommended approval of the final report and payment. The change order is for extra work that was done at the request of the city. The cost was negotiated and then there was \$2,500 deducted for work that was not done. The change order is less than 5% of the contract so is lower than allowed by state law. Councilman Dirkschneider asked what the final report consisted of. Engineer Barrett stated that it was the short letter included in the agenda packet that stated that the job was completed per the plans and they recommend approval.

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

Motion Passed Unanimously.

- 11. Discussion and possible action on approval of the 2012 DEQ permit for the 2012 Sewer project.

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

Motion Passed Unanimously.

- 12. Discussion and possible action on a contract with CLS & Associates for Landscape Architect for projects on NW 39th Expressway and City Hall. ****

Councilwoman Blake stated her concerns about the signs for the medians and that the landscape will not work with the signs. She said that the temporary signs would have only cost \$300 not \$3,000. She said the signs should be monument style like what the Mayor and Mike had agreed to with the plans. The Mayor stated that he never approved signs, what he approved was the picture for the booklets since something needed to be on the front. He also stated that he approved the gardens not the signs. ODOT had to approve the plans for the gardens before they could be built.

Motion by Maxey, second by Mickley to authorize the Mayor to execute the contract with CLS & Associates. Poll vote: McClure, yea; Blake, nay; Dirkschneider, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed.

13. Discussion and possible action on approval of the Radio System License Agreement with Oklahoma City. ****

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

Motion Passed Unanimously.

14. Discussion and possible action on approving the use of the Escrow money held by OMAG to decrease the Workers Compensation premium. ****

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

Motion Passed Unanimously.

15. Discussion and possible action on a request from Clayton Carpenter for an extension of full paid benefits for additional 6 months as provided by State Statute 11 O.S.§49-111 Temporary Sickness or Disability. ****

Attorney Love stated that State Statute provides for an extension for Police and Fire.

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

Motion Passed Unanimously.

16. Questions and Comments from Council.

Councilwoman Blake apologized for her behavior at the last meeting. She said she believed there was enough money in the beautification account to pay for the landscaping of the Mayor's front yard here at City Hall.

Councilman Dirkschneider said that 46th and Meridian was in really bad shape. PWD Turman stated that there is a lot of work that will be needed to correct the problem by pulling out both sides and overlaying. Councilman Dirkschneider said he felt that the city needed to pass certain standards for storm shelters in light of the news story recently that reported people not being able to get out or use their shelters during storms. He also asked for an item to be on the next agenda to review the utility rates.

Councilman McClure stated that there needed to be a substantial rate increase for the sewer. He said that there are people living in a trailer on MacArthur and RV's should not be stored on yards.

Councilman Shapiro said that OG&E is replacing poles around the city due to concerns about future storms. He asked if the IRIS alert system was working because he did not get a notice. He also asked how the new DigiTicket system was working and Chief Patty stated that they like it.

Mayor Woolley stated that he very much appreciated the council for their time.

17. Discussion and possible action on resolution of pending claim by City of Warr Acres against Golden Oaks Apartment complex including possible action to enter into executive session pursuant to 25 O.S. §307 (B)(4) (for "Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest;").

Attorney Love advised the council that they should enter into executive session.

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

Motion Passed Unanimously.

Councilman Dirkschneider stated that his company had been hired to handle this apartment complex and stated that he would not stay for executive session.

Councilman Dirkschneider left the meeting at 7:52 p.m.

The council entered into executive session at 7:53 p.m.

The council returned to open session at 8:20 p.m. with no action taken.

18. 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.

19. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 8:21 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
MAY 15, 2012
6:00 p.m.**

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

1. The meeting was called to order at 8:21 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

ABSENT

Trustee Roger Godwin
Trustee David Dirkschneider

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of April 17, 2012. *****

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

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$46,047.76 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of May, 2012. (Payment is not being sent this month we are taking our rate holiday)

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

Motion Passed Unanimously.

5. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk