

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
JUNE 21, 2011
6:00 P.M.**

This meeting was given in accordance with applicable State Statutes.

ROLL CALL

PRESENT

ABSENT

Mayor Patrick Woolley
Vice Mayor Stewart Shapiro
Councilman Blayne Allsup
Councilman David Dirkschneider
Councilwoman Jan Blake
Councilman Roger Godwin
Councilwoman Virginia Simmons
Councilman Doug Davis

Councilwoman Cathy Maxey

STAFF PRESENT

Matthew Love, City Attorney
Roger Patty, Police Chief
Kenny Koger, Fire Chief
Mike Turman, Public Works Director
Jenell Robertson, Asst. City Clerk

1. Call to order, Declaration of a quorum, Flag salute and Invocation.

Meeting was called to order at 6:00 p.m. by Mayor Woolley and he declared a quorum. Fire Chief Koger led everyone in the Flag Salute and Mayor Woolley did the invocation.

2. Call to the Public.
None.

Councilman Godwin entered meeting at 6:04 p.m. and Councilman Davis entered meeting at 6:06 p.m.

3. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #4.)

A. Approval of the minutes from the Regular meeting of May 17, 2011.

B. Approval of Expenditures

General Fund	\$ 330,491.29
Res for Cap	\$ 26,917.00
CIP Fund	\$ 100,624.22
Sewer Line	\$ 2,090.00

- C. Approval of Actual Expenditures for May 2011 and Proposed Expenditures for June 2011.
- D. Sales Tax History Report.
- E. Approval to surplus items per the list provide by the Public Works Director.

Councilwoman Blake asked for Item C. to be pulled.

Motion by Councilman Dirkschneider, seconded by Councilman Allsup to approve Items A., B., D., and E. on the Consent Docket. Poll vote: Woolley, yes; Simmons, yes; Godwin, abstain; Dirkschneider, yes; Blake, yes; Shapiro, yes; Allsup; yes. Motion passed.

Motion by Councilwoman Blake, seconded by Councilman Dirkschneider to approve Item C. on the Consent Docket. Poll vote: Woolley, yes; Simmons, yes; Godwin, abstain; Dirkschneider, yes; Blake, yes; Davis, abstain; Shapiro, yes; Allsup; yes. Motion passed.

- 4. Discussion and possible action on items removed from the consent docket.
See above.
- 5. Receive reports from Staff: Police Chief, Fire Chief, City Clerk, City Attorney, Public Works Director, City Engineer, and City Planner.

Police Chief Patty – none.

Fire Chief Koger – replaced 1 firefighter and also stated ISO (Insurance Service Organization) was with the department for the next few days.

Attorney Matt Love – stated fire union turned in their official notice on time for year 2012.

Public Works Dir. Mike Turman – stated Sewer Dept. pickup received, also stated received no bids for snow plows, reminded citizens to keep pools secured, discussed big trash pickup for July, discussed Twin Lakes entrance being worked on by Street Dept., stated ODOT approved Councilwoman Blake's beautification for 39th Expressway.

Engineer Scott Barrett – stated lift station parts came in and O.G.&E. transformers had been changed out. Jordon Contracting will be doing the pump swap out this week and also stated CIP projects were just about complete.

- 6. Discussion and possible action on a change order for Interra Hydro for the 19 day extension on the flow monitor project from May 28-June 16, 2010 in the amount of \$9,200 and approval to pay Interra Hydro.

Mayor Woolley gave an overview of the problem with not enough rain to get the readings, therefore the extension.

Motion by Councilman Shapiro, seconded by Councilman Dirkschneider to approve the change order for Interra Hydro for the 19 day extension on the flow monitor project from May 28-June 16, 2010 in the amount of \$9,200 and approval to pay Interra Hydro. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

7. Discussion and possible action on the annual agreement with Oklahoma Jail.

Police Chief Patty stated the City approves this agreement with Oklahoma County Jail and the only difference between this agreement and last years' agreement was the increase of approx. \$2.50 more per day.

Motion by Councilman Dirkschneider, seconded by Councilman Godwin to approve the annual agreement with Oklahoma County Jail. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

8. Discussion and possible action on the annual Fire Equipment Agreement with Oklahoma County.

Motion by Councilman Dirkschneider, seconded by Councilman Godwin to approve the annual Fire Equipment Agreement with Oklahoma County for the grass pumper and equipment. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

9. Discussion and possible action on using the escrow held by OMAG in the amount of \$103,690.75 to reduce the premium for the Workers' Compensation Plan.

Mayor Woolley gave an overview.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve using the escrow held by OMAG in the amount of \$103,690.75 to reduce the premium for the Workers' Compensation Plan. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

10. Discussion and possible action on an agreement with Trafficpayment.com.

Mayor Woolley stated this company was an internet company and persons who have been given a ticket can pay tickets online. They must have their ticket in order to pay the correct amount. As soon as the ticket is paid, the Court Clerk will receive an email notifying her of the payment. This will make it much easier for citizens who don't have time to make a special trip to City Hall to pay their ticket. Mayor Woolley stated the service charges are paid by the citizen and program does not cost the City anything. He also explained that other surrounding cities use this program and like it.

Discussion among Councilmembers reference this company being an out of state company. Attorney Love stated he did not feel this would be a problem for the City.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve the Mayor to sign a service agreement as is with TrafficPayment.com. Poll vote: Woolley, yes; Simmons, yes; Godwin, no; Dirkschneider, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; no. Motion passed.

11. Discussion and possible action on renewing or not renewing the contract with Legacy Engineering for the next six months. (July 1-December 31, 2011)

Mayor Woolley gave an overview of past history with Legacy Engineering. He stated he did not feel projects were being done in a timely manner and stated Scott Barrett had a small staff for the amount of projects he was presently doing. Mayor Woolley also stated that the City possibly needed to look at other engineering firms for some of the city's larger projects to see what they have to offer and he did not want to renew a contract with Legacy Engineering for another six months. He also stated that some project paperwork, etc. was not being delivered to the City on time, that the City almost lost \$1,000,000 or more recently because of the inattention to details and dates on projects that Legacy Engineering had been working on. Mayor Woolley stated he was responsible for getting the City grant money whenever available.

Scott Barrett stated that Mayor Woolley was correct in that Legacy Engineering had not served Warr Acres like his firm should have and some projects did not get the attention that they should have been given. Mr. Barrett stated that it was an honor and a privilege to work for the City of Warr Acres and that he had no hard feelings. He stated that he had been putting in about 20 hours a week on the Oklahoma City project and had let his staff handle projects for Warr Acres, which has been a problem.

Discussion among City Attorney, Councilman, Mayor Woolley, Scott Barrett reference Legacy Engineering, small and large projects, grants to the City, contract for engineering services and contract length, current projects, and options for engineering services.

Attorney Matt Love stated that according to the City Charter, the City did not position for an engineer, and therefore did not require a full time engineer on staff. Attorney Love stated that the City did need an engineer and according to ordinance there are tasks for an engineer. Attorney Love stated there are probably about 4 options for the City Council to review: (1) retain Legacy Engineering to do everything; (2) retain Legacy Engineering to do consulting work and send projects out to a separate firm; (3) retain Legacy Engineering on a month to month basis with a months notice to cancel the contract; (4) have no city engineer until the City decides what to do. A more detailed engineering contract will be needed in any case.

Councilman Dirkschneider left meeting at 7:15 p.m.

Councilwoman Blake left meeting at 7:16 p.m. and returned at 7:20 p.m.

Motion by Councilman Allsup seconded by Councilman Godwin to authorize Mayor to continue the contract with Legacy Engineering through the next regular City Council meeting; have Attorney Love present options for a new contract with Legacy Engineering at the next council meeting for the City Council to decide. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

12. Discussion and possible action on approval from the council to research the possibilities of getting credit card information for the front desk, the court clerk and the police department, including cost to the city.

Mayor Woolley stated that if Traffic Payments.com works out then the City will probably be able to pay the Warr Acres utility bill online also through that system. Councilwoman Blake asked for this item to be pulled off agenda.

No action taken.

13. Discussion and possible action on accepting the six month audit from July-December 2009.

Motion by Councilman Godwin, seconded by Councilman Allsup to accept the six month audit from July – December 2009. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

14. Discussion and possible action on Resolution 464 setting E911 telephone fee rate for calendar year 2012.

Motion by Councilman Shapiro, seconded by Councilman Allsup to approve 464 setting E911 telephone fee rate for calendar year 2012. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

15. Discussion and possible action on Resolution 465 governing the disposal of surplus property.

Attorney Love stated the Charter states that any surplus property has to be disposed of through competitive bidding except under regulations as the City Council prescribes. This resolution will be more specific.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve Resolution 465 governing the disposal of surplus property. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

16. A. Discussion and possible action on an Ordinance amending Section 2.16.135 of the Warr Acres Municipal Code pertaining to duty equipment which is provided to police officers upon retirement.

Attorney Love stated this will be amending the ordinance so that it includes the Police Chief and Asst. Police Chief. They are not considered contract personnel. The person would have to be retiring and have served 20 years to Warr Acres citizens.

Motion by Councilwoman Blake, seconded by Councilman Godwin to approve an Ordinance amending Section 2.16.135 of the Warr Acres Municipal Code pertaining to duty equipment which is provided to police officers upon retirement. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Dirkschneider, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

B. Approval of the emergency clause.

Motion by Councilman Shapiro, seconded by Councilwoman Blake to approve the emergency clause for an Ordinance amending Section 2.16.135 of the Warr Acres Municipal Code pertaining to duty equipment which is provided to police officers upon retirement. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

17. A. Discussion and possible action on an Ordinance amending Section 2.44.035 of the Warr Acres Municipal Code pertaining to the notice requirements which must be given prior to the disposal of a firearm by the Warr Acres Police Department.

Attorney Love stated this was just updating the current ordinance.

Motion by Councilwoman, seconded by Councilman Godwin to amend Section 2.44.035 of the Warr Acres Municipal Code pertaining to the notice requirements which must be given prior to the disposal of a firearm by the Warr Acres Police Department. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

B. Approval of the emergency clause.

Motion by Councilman Shapiro, seconded by Councilman Godwin to approve emergency clause for amending Section 2.44.035 of the Warr Acres Municipal Code pertaining to the notice requirements which must be given prior to the disposal of a firearm by the Warr Acres Police Department. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

18. A. Discussion and possible action on an Ordinance amending the OMRF Defined Benefit Master Plan and Joinder Agreement by amending the percentage paid by the current employees, adding a new plan BB for all new hired employees, setting the rate paid by new employees at 4% and leaving out the rule of 75 from the new plan as required by the IRS.

Mayor Woolley stated due to under payments by the City in past years, changes in the plan, etc. this had caused the OMRF Defined Benefit retirement for non contract employees to be under funded. He stated Use Tax has been applied to the debt but this was not enough. Employees have paid 2.13% of their salary to the retirement program since 1973. Mayor Woolley had a meeting with OMRF to discuss options to bring this plan up to date. It was decided, in the best interest of the employees, to continue to have the Rule of 75, Plan AA for current employees with the employee contributing 4%. For new employees, the plan would be changed to Plan BB, not having the Rule of 75, the new employee also contributing 4%. The changes will make the plan viable within the next 20-25 years.

Motion by Councilman Shapiro, seconded by Councilman Godwin to approve an Ordinance amending the OMRF Defined Benefit Master Plan and Joinder Agreement by amending the percentage paid by the current employees to 4%, adding a new plan BB for all new hired employees, setting the rate paid by new employees at 4% and leaving out the Rule of 75. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

B. Approval of the emergency clause.

Motion by Councilman Shapiro, seconded by Councilman Allsup to approve the emergency clause for an Ordinance amending the OMRF Defined Benefit Master Plan and Joinder Agreement by amending the percentage paid by the current employees to 4%, adding a new plan BB for all new hired employees, setting the rate paid by new employees at 4% and leaving out the Rule of 75. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

19. Questions and comments from Council.

Councilwoman Blake – Recycle will be open July 4 and stated she still needed volunteers to help with weeding gardens.

Councilman Godwin – he stated he was unable to do the Okla. Beautiful Day.

Councilwoman Simmons – none.

Councilman Shapiro – none.

Councilman Allsup – none.

Councilman Davis – none.

20. 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”).

None.

21. Adjournment.

Motion by Councilman Godwin, seconded by Councilman Allsup to adjourn this meeting of the Warr Acres City Council. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

Meeting adjourned at 8:02 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
JUNE 21, 2011
6:00 p.m.**

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

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice Mayor Stewart Shapiro
Councilman Blayne Allsup
Councilwoman Jan Blake
Councilman Roger Godwin
Councilwoman Virginia Simmons
Councilman Doug Davis

ABSENT

Councilwoman Cathy Maxey
Councilman David Dirkschneider

STAFF PRESENT

Matthew Love, City Attorney
Roger Patty, Police Chief
Kenny Koger, Fire Chief
Mike Turman, Public Works Director
Jenell Robertson, Asst. City Clerk

1. Call to order, Declaration of a quorum.

Mayor Woolley called the meeting to order at 8:02 p.m. and declared a quorum.

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of May 17, 2011.

Motion by Councilman Shapiro, seconded by Councilman Allsup to approve the minutes of the Warr Acres Public Works Authority Meeting of May 17, 2011. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup, yes. Motion passed.

3. Approve payment of claim in the amount of \$57,589.87 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, 2011.

Motion by Councilman Godwin, seconded by Councilman Allsup to approve payment of claim in the amount of \$57,589.87 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, 2011. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup, yes. Motion passed.

4. Approval of payment of claims for the Sewer Department.

Motion by Councilwoman Blake, seconded by Councilman Shapiro to approve payment of claims for the Sewer Dept. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

5. Adjournment.

Motion by Councilwoman Blake, seconded by Councilman Shapiro to adjourn this meeting of the Public Works Authority. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

Meeting adjourned at 8:04 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk

MINUTES

SPECIAL AGENDA

CITY OF WARR ACRES
SPECIAL
ECONOMIC DEVELOPMENT AUTHORITY MEETING
TUESDAY
JUNE 21, 2011
6:00 p.m.

(Immediately following completion of the regularly scheduled City Council and Public Works Authority meetings)

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice Mayor Stewart Shapiro
Councilman Blayne Allsup
Councilwoman Jan Blake
Councilman Roger Godwin
Councilwoman Virginia Simmons
Councilman Doug Davis

ABSENT

Councilwoman Cathy Maxey
Councilman David Dirkschneider

STAFF PRESENT

Matthew Love, City Attorney
Roger Patty, Police Chief
Kenny Koger, Fire Chief
Mike Turman, Public Works Director
Jenell Robertson, Asst. City Clerk

1. Call to order, Declaration of a quorum.

Mayor Woolley called the meeting to order at 8:04 p.m. and declared a quorum.

2. Approve the minutes of the Economic Development Authority meetings of May 17, 2011 and June 7, 2011.

Motion by Councilman Shapiro, seconded by Councilman Allsup to approve the minutes of the Economic Development Authority meetings of May 17, 2011 and June 7, 2011. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

3. Approval of payment of claims.

Councilman Godwin stated he spoke with Brian with Travel Around the World about the directories. The directories would be 5 x 7 with 2 color pages front and back with sketches.

Motion by Councilman Shapiro, seconded by Councilman Godwin to approve payment of one claim in the amount of \$112.00 (WA001) at this time. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

4. Discussion and possible action to have printed an updated version of the Travel Around Warr Acres directories.

Councilwoman Blake stated she would get bids for the directory and get back with the council.

No action taken.

5. Adjournment.

Motion by Councilwoman Blake, seconded by Councilman Godwin to adjourn this meeting of the Economic Development Authority. Poll vote: Woolley, yes; Simmons, yes; Godwin, yes; Blake, yes; Davis, yes; Shapiro, yes; Allsup; yes. Motion passed.

Meeting adjourned at 8:13 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk