

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
JULY 16, 2013
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
Councilwoman Jan Blake
Councilman Roger Godwin (arrived at 6:04 p.m.)
Councilman William McClure
Councilman Stephen Fuhrman

ABSENT

Councilwoman Cathy Maxey
Councilman James Mickley

STAFF PRESENT

Matt Love, City Attorney
Craig Wallace, City Engineer
Wiley Rice, City Planner
Roger Patty, Police Chief
Kenny Koger, Fire Chief
Mike Turman, Public Works Director
Pamela McDowell-Ramirez, City Clerk

2. Presentation by the Mayor of a 5 year service pin to Officer Joshua Belcher.

The Mayor presented at 5 year pin to Officer Joshua Belcher.
3. Discussion and possible action to fill a vacancy in the Ward IV Council position and swearing-in the new (vacated by former Councilman David Dirkschneider, term to expire March, 2014). ****

Nomination by Jan Blake of Donnie Ryan for the Ward IV vacant seat.

Motion by Blake, second by Godwin to approve Donnie Ryan for the Ward IV council seat. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

The Mayor administered the Oath of Office to Mr. Ryan.

4. Call to the Public.

Moot.

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 June 18, 2013. ****

B. Approval of Expenditures ****	General Fund	\$ 127,467.38
	Res for Cap Fund	\$ 5,000.00
	CIP Fund	\$ 131,294.11

C. Approval of Actual Expenditures for June 2013 and Proposed Expenditures for July 2013. ****

D. Sales Tax History Report. ****

E. Surplus property per list from Public Works Director. ****

F. Authorize Mayor to purchase two 2010 Ford Crown Vic Police Units from Missouri Highway Patrol, cost not to exceed \$30,000 and monies to come from police impound fees.

Pull A.

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

Motion Passed Unanimously.

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

Item A.

Motion by Blake, second by Godwin to approve item A of the consent docket. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Ryan, abstain; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed.

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

Chief Patty-the new DPS grant has been approved.

Chief Koger-new program starting getting volunteers to paint the street names on the curbs. Also, the new guy is now working.

Clerk Ramirez-passed along information that she was given by the vendor regarding sales tax for an invoice that Councilman Fuhrman had given her. She said the vendor told her they pay the sales tax when they receive the equipment at their location and do not have the equipment delivered on site and pay the taxes at the delivery point because of concern that the equipment might get stolen if left at the job site.

Attorney Love-pull item 19.

PWD Turman-lots of trash still out from storms but they are working on it. Councilwoman Blake stated she had asked Sanitation Supervisor Hayes if the drivers could write down the addresses of the properties where trash was still out and turn it in to the Code Enforcement officer. PWD Turman said he would think about it, the Code Enforcement officer was working on getting them all taken care of.

Engineer Wallace-they are moving forward on the right of way acquisitions and then it will be utility relocation time.

8. Final Public Hearing, discussion and possible action to approve a Resolution to amend the Warr Acres Comprehensive Plan to provide for a Town Center Revitalization District. *****

Motion by Shapiro, second by Godwin to open the public hearing. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Ryan, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

Motion by Shapiro, second by Godwin to close the public hearing. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Ryan, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

Attorney Love gave a history on how this Resolution came to be. He explained that zoning is the law for which governs how the property can be used. The Comprehensive Plan is the policy statement and then all ordinances follow the policy. This Resolution amends the policy, then the next step will be to adopt ordinances on how the city wants to implement and then the third step is to apply it to a specific property. All zoning stays the same but there are options.

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

Motion Passed Unanimously.

9. Discussion and possible action on the final charge order for the 2012 Sanitary Sewer Rehab Project, approval of the Engineers Certificate of completion and approval to pay the final claim in the amount of \$64,727.59. ****

Motion by Shapiro, second by Godwin to approve the change order, approve the engineer's certificate of completion and approve the final payment. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Ryan, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

10. Discussion and possible action on items pertaining to the close out of the FY 2012 CDBG Grant Sewer Rehab Project. *Vance*

A. Public Hearing; Final Performance Report on FY-12 CDBG Grant; Sewer Rehab Project

Motion by Shapiro, second by Fuhrman to open the public hearing. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Ryan, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

Motion by Godwin, second by Shapiro to close the public hearing. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Ryan, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

Millie Vance told the council it was time to close the 2nd Phase of Warr Acres Wards 3 and 4 Sewer project. Manhole rehab and slip lining were completed. The city has met all the requirements and the Department of Commerce was happy with the record keeping.

B. Discussion and possible action on approving Fair Housing Proclamation 2013 and authorizing Mayor to read Proclamation. ****

C. Discussion and possible action on final acceptance of FY-12 CDBG Grant: Sewer Rehab Project and authorizing Mayor to sign closeout documents.

Motion by Blake, second by Fuhrman to accept the final performance report, approve the Proclamation and authorize the Mayor to read it, and accept the project and authorize the Mayor to sign the documents. Poll vote: McClure, yea; Godwin, abstain; Blake, yea; Ryan, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed.

11. Discussion and possible action to approve a release of a grant of use recorded September 29, 1967, related to property adjacent to the Warr Acres Library, 5901 N.W. 63rd Street. *Love* *****

Attorney Love stated that negotiations finished on February 14th however the granted use was with the old owner so they redrafted the old grant with Wal Mart. Wal Mart will maintain the parking.

12. Discussion and possible action to approve and accept a Deed of Dedication from Wal-Mart Real Estate Business Trust for property adjacent to the Warr Acres Library, 5901 N.W. 63rd Street. *Love* *****
13. Discussion and possible action to approve and accept a Utility Easement Agreement related to a sanitary sewer utility easement with Wal-mart Real estate Business Trust related to property located at 6437 N. MacArthur Blvd. *Love* *****
14. Discussion and possible action to approve and accept a Utility Easement Agreement related to a drainage utility easement with Wal-mart Real estate Business Trust related to property located at 6437 N. MacArthur Blvd. *Love* *****

Motion by Blake, second by Godwin to approve the release of the grant of use, approve and accept the Deed of Dedication, approve and accept the Utility Easement Agreement related to sanitary sewer utility easement and approve and accept a Utility Easement Agreement related to a drainage utility easement. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Ryan, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 18 was heard before item 15.

15. Discussion and possible action on approving the annual Oklahoma County Jail Service Agreement. *****

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

Motion Passed Unanimously.

16. Discussion and possible action on a contract with the Salvation Army regarding the use of the Community Center. *Fuhrman/Woolley*

The Mayor stated he had done a contract had Attorney Love look at it he revised it and he is trying to set up a meeting with the attorney for the Salvation Army. No action on this item.

17. Discussion and possible action concerning the utility rates. *Fuhrman/Woolley*

The Mayor stated that they each had information that was put together by PWD Turman, he would like them to look over it and ask questions so that the next meeting they could take action. Councilman Fuhrman handed out his spreadsheet, explained it and said that he discovered a discrepancy of about \$100,000 and hoped it was just a typo or miss calculation. It was discussed that many functions of running the Sewer department are being paid out of General Fund by taxes, such as the payroll, billing and collections, just to name a few. The question was raised as to whether they wanted to keep subsidizing the Public Works Authority or raise the rates so it is self-sufficient. Most cities have rates that allow them to run their Public Works Authorities and write checks to their city's General Fund to pay for the expenses that hit are paid from the General Fund. Councilman Shapiro stated he was not for raising the rates when there are those that don't pay it is not fair for the ones that pay to have to pay more because of those that don't.

There was no action taken on this item.

18. Discussion and possible action on the Cox Communications Franchise Agreement.
Love ****

Ms. Kristin Peyton, with Cox Communications, stated this is the same agreement that we had last time it was approved.

Motion by Shapiro, second by Godwin to approve the Cox agreement. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Ryan, yea; Fuhrman, yea; Shapiro, yea; and Woolley, yea.

Motion Passed Unanimously.

19. Consideration and possible action to authorize the Mayor to execute a Memorandum of Understanding with the Fraternal Order of Police to authorize a change in working hours from 8 hour shifts to 9 hour shifts on a trial basis. *Love*

Attorney Love pulled this item from the agenda.

20. Discussion and possible action on re-appointing Albert Hoch and Ed Lynn to the Personnel board and appointing Blaine Allsup to the vacant position. (Terms to expire July 2019)

Motion by Blake, second by Godwin to approve the appointments. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Blake, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

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

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

Motion Passed Unanimously.

The council entered into executive session at 7:46 p.m.

The council returned to open session at 8:43 p.m. With no action taken.

22. Questions and Comments from Council.

Councilman Fuhrman-said he wanted to brag on himself for the work he has been doing with State Representative Kern on sales tax. He said the police lobby looks like crap and could really use some paint, it reflects bad on the city when people go in there. He said the plaques need to be updated also.

Councilwoman Blake-said the State House support for abandoned properties and dilapidated building. Apologized for closing down the recycling early. The ladies are working on refurbishing the Christmas decorations.

Councilman Ryan-looks forward to serving the city and thanked the council for approving his appointment.

Councilman Godwin-he is working with ACOG on a pedestrian/bike project, called share the road. It would come through the city to connect the lakes. He said that he had also contacted Yukon to see how they went about building/funding their new Fire and Police facilities. He said the city needs to start working on getting new facilities.

Councilman McClure-the police have been watching the cars parked in the road now need to keep the cars off the right of ways along 39th.

Mayor Woolley-thanked the council for their time and stated he was happy that they all want to see the meeting move forward.

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

Motion Passed Unanimously.

The meeting was adjourned at 8:57 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

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

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

1. The meeting was called to order at 8:57 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman Patrick Woolley
Vice Chairman Stewart Shapiro
Trustee Stephen Fuhrman
Trustee Donnie Ryan
Trustee Jan Blake
Trustee William McClure
Trustee Roger Godwin

ABSENT

Trustee Cathy Maxey
Trustee James Mickley

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of June 18, 2013. ****

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

Motion Passed.

3. Approve payment of claim in the amount of \$60,134.54 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of June, 2013.

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

Motion Passed Unanimously.

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

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

Motion Passed Unanimously.

5. Adjournment.

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

Motion Passed Unanimously.

The meeting adjourned at 8:59 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer