

MINUTES

CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
AUGUST 19, 2014
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
Councilman William McClure
Councilman Donnie Ryan
Councilman Glen Lipinski
Councilman James Mickley
Councilwoman Cathy Maxey

ABSENT

Councilman Roger Godwin

STAFF PRESENT

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

2. Call to the Public.

Moot.

3. Presentation of a 20 year service pin to Detective John Gray.
Detective Gray was unable to attend the meeting.
4. Acceptance of resignation as Vice-Mayor from Councilman Shapiro.

Councilman Shapiro state that he has enjoyed being the Vice-Mayor and they have been a wonderful experience. He said he is not leaving just stepping back. There are lots of exciting things that are in the works for the city it requires much more time and he feels now is the time to hand the duties to someone that might have more time to devote. The Mayor stated how much he appreciated Councilman Shapiro for all the endless hours they spent talking and working on things for the city.

Motion by Maxey, second by Fuhrman to accept Councilman Shapiro's resignation as Vice-Mayor. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

5. Discussion and possible action on appointing a Vice-Mayor and swearing in.

The Mayor stated he would like to nominate Councilman Mickley. He has known him for 25 years, they share the same mindset to move the city forward, and he is now retired and is serving on ACOG for the city. He knows the Mayor will call on him night and day and is ready to take on the task.

Motion by Maxey, second by Ryan to accept the Mayors nomination of Jim Mickley as Vice-Mayor. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

The Mayor then swore-in Councilman Mickley as the Vice-Mayor.

6. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #7.)
- A. Approval of the minutes from the Regular meeting of July 15, 2014 and Special meeting of August 7, 2014. *****
 - B. Approval of Expenditures

General Fund	\$ 172,511.28
CIP Fund	\$ 81,625.81
Sewer Line Fund	\$ 1,720.00
 - C. Approval of Actual Expenditures for July 2014 and Proposed Expenditures for August 2014. *****
 - D. Sales Tax History Report. *****
 - E. Approval to surplus items per list from Chief Patty and 15 round 4 ft diameter tables with folding legs from the Community Center. *****

Councilman Ryan asked for item A to be pulled so they could vote on the minutes separately.

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

Motion Passed Unanimously.

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

Item A. Minutes from July 15, 2014

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

Motion Passed Unanimously.

Item A. Minutes from August 7, 2014

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

Motion Passed Unanimously.

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

Chief Patty-Thanks to Asst. Fire Chief Coy on getting all the officer recertified in CPR. He also thanked PWD Turman for the work at the firing range.

Councilman Fuhrman stated that in light of what is going on in Ferguson, MO. It makes him appreciate our Police and Fire even more.

Attorney Love-there were some issues with getting the new audio system in for the council chambers but everything has been worked out and it should be here soon.

PWD Turman-new construction going on at the 7-11 and Jimmy Johns. New pizza and hamburger restaurants have opened at 50th and Grove. He thanked the recycling group and the public works employee for their hard work.

Engineer Wallace-the 50th overlay and school zone projects are almost complete. The 50th and MacArthur project is moving along, OG&E are ready to move the lines, AT&T is good. The sewer project is nearing awarding of a contract, the drainage study is

underway and they are working on the cost of right of way for south MacArthur. The city received letters of support from OKC and the Maps group on our sidewalk project as well as Putnam City Schools. The city will know by September 19th on the funding.

Planner Rice-there will be informational meeting held for the public to let them know what the Town Center is all about. These meetings will only involve the Planner, Inspector and Planning Commission Chairman. Attorney Love added that this is for information only and not for the council. Mr. Rice stated that he was preparing a letter to be sent out that would help explain.

9. Discussion and possible action on acceptance of the 2013 Annual Audit.

Ann Cole with Arledge and Associates stated that she first wanted to let the council know that the city's audit is a clean opinion. Councilman Fuhrman said that he believes he understands the modified cash basis of accounting but not sure that everyone does and asked Ms. Cole to explain the differences between cash, modified cash and accrual. Ms. Cole stated that in a cash basis you are strictly on a receipts and disbursements basis, so whatever you received during the time period and whatever you expend during the time period is recorded. On modified cash basis, sometimes there are modifications made to that, it may record accounts receivables, or due to other entities, there are notes in the financial statements that require disclosure so basically it is modified receipts and disbursements. She stated that she was sure they all knew that the city is required to have budgetary basis accounting and the modified cash basis mirrors that very closely. So the city is in compliance for that requirement. Councilman Fuhrman read a line from the audit about modified cash basis, "a basis of accounting other than accounting principles generally accepted in the United States". He stated that if he interprets this, that it is virtually unused in the United States. Ms. Cole stated that was not correct. Councilman Fuhrman asked if he had read it wrong. Ms. Cole stated that it is a little bit accounting language, just like you have legal language when you report on things, but basically it is called other comprehensive basis of accounting and many cities and towns in Oklahoma use the modified cash basis and is used all over the United States. There are many books and publications written just for that and the American Institute of Certified Public Accountants actually recognizes the other basis of accounting. She explained that US GAAP is full accrual accounting and is used primarily by large and some small corporations. There is no requirement to do that in Warr Acres, you are required to keep budgetary basis accounting records. She stated again that modified cash basis is used all over the United States. Councilman Fuhrman stated that he misunderstood that statement in the audit and said he didn't have anything further. Councilman McClure stated that he thought what they were trying to do was every year they get a bad report card and they would like to not have those bad report cards every time and wants to know what they need to do to change that. Ms. Cole stated that this year the city received a good report. In past years there had been an audit finding that had some items that could not be reconciled because of a change in computer system that you had and she was able to clear that finding in this year's audit. There were several reasons she was able to do this. First the city does not record accounts receivable on its financial statements, you are recording on a modified cash basis, that is receipts and disbursements so there was really no basis

for that particular finding this year. They were able to reconcile every document that was provided to them, they sited that all records were materially correct, because that is what they give their opinion on is the material correctness of the city's statements and having an unmodified opinion is considered a clear opinion and that is what the city is wanting. Clerk Ramirez stated she wanted to make one thing clear and that is the documents that are provided to the auditors are from a list that they request, the city does not pick what is audited. Ms. Cole thanked Ms. Ramirez for being timely in getting them all the records they requested, so they had no difficulty doing the audit.

Motion by Shapiro, second by Maxey to accept the 2013 Annual Audit. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

10. Discussion and possible action on a recommendation from the Traffic Commission on placing "Deaf Child Playing" signs in the area of 5608 NW 62nd. **** (recommendation approved by a unanimous vote)

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

Motion Passed Unanimously.

11. Discussion and possible action on a recommendation from the Traffic Commission on placing "No Left Turn" signs at the South entrance to Wal Mart Market on MacArthur. **** (recommendation approved by a unanimous vote)

It was pointed out that Clerk Ramirez mistakenly put a note on the agenda item that the recommendation was approved unanimously, it was not, the minutes from the Traffic Commission meeting stated that Commissioner Johnson voted no, a copy of the minutes were included in the packet.

Councilman Lipinski stated that it did not seem business friendly. He has not personally seen a problem there but there are similar traffic situations all over the city. Councilwoman Maxey stated that there had never been a problem over all the years when the mall was a viable shopping center. Engineer Wallace pointed out that there are laws that govern where signs are to be placed and there is nowhere to place the sign.

Motion by Maxey, second by Lipinski to deny the recommendation. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, nay; and Woolley, yea.

Motion Passed.

12. Discussion and possible action to award the bid to Action Safety to re-strip sections of NW 63rd, Ann Arbor, 36th St and MacArthur not to exceed \$18,000.00 from General Fund, Street budget, earmarked funds from Street and Alley. (Turman)****

PWD Turman stated that a major portion on 63rd has already been done when the school zone safety project was done, so that will be removed and lower the cost. This will be paint and a temporary fix for the south section of MacArthur since permanent striping will be done when the project is done.

Motion by Maxey, second by Mickley to approve the re-striping. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, nay; and Woolley, yea.

Motion Passed.

13. Discussion and possible action to approve the annual agreement with Putnam City Schools for a crossing guard. ****

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

Motion Passed Unanimously.

14. Discussion and possible action to approve a contract with Millie Vance Incorporated for service pertaining to the CDBG Sewer Rehab Project 2014. ****

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

Motion Passed Unanimously.

15. Discussion and possible action on authorizing the City Engineer to advertise for bids for the 2014 CDBG Sewer Rehab Project.

Motion by Maxey, second by Fuhrman to approve the advertisement for bids. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

16. Discussion and possible action on a Resolution for ACOG TAP funds for the Sidewalk project. ****

Engineer Wallace stated that the application was submitted a year ago but now are looking another funding source so need to add this to the application.

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

Motion Passed Unanimously.

17. A. Discussion and possible action on adopting an ordinance amending 12.02.010 (Paving Standards) *** Love / Wallace ***

Attorney Love stated that this was brought up months ago and the city needs to decide what standards it wants to hold itself to on new streets.

- B. Approval of the emergency clause.

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

Motion Passed Unanimously.

Motion by Shapiro, second by Mickley to recess so they could move to the other two meetings since there were people in the audience waiting for those meetings. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

The council recessed the Council meeting at 7:36 p.m. and entered into the Public Works Authority meeting and the Economic Development Authority meeting.

The council returned from recess at 8:27 p.m.

18. Discussion and possible action to enter into executive session for confidential communications between the Council and the City Attorney concerning a pending litigation where the Council, with the advice of the City Attorney, determines that disclosure will seriously impair the ability of the public body to process the pending litigation as authorized by 25 O.S. §307(B)(4) re: Goodman v. City of Warr Acres, OK Co. Case CV-2013-2292 and City of Warr Acres v. Warr Acres Place LLC, OK Co. Case CJ-2013-7091).

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

Motion Passed Unanimously.

The Council entered into executive session at 8:29 p.m.

The Council returned to open session at 8:54 p.m. With no action taken.

19. Questions and Comments from Council.

Councilman Lipinski-had several things but some have already been taken care of such as updating the website. He is concerned about all the big trash people put out weeks before big trash pickup and wanted to know how it can be taken care of. PWD Turman told him that the sanitation drivers are to write down where they see stuff, there are notices left on the door and then they pick it up and charge them.

Councilman Ryan-sorry to see Councilman Shapiro step down as Vice-Mayor but glad will still be on council. Congrats to Councilman Mickley on being the new Vice-Mayor.

Councilman McClure-talked to PWD Turman about a situation and he will take care of it. Parking along Grove on Sunday mornings makes it dangerous if there was a need for a Fire truck to get through.

Councilman Mickley-appreciated the of confidence and hopes he can do half as good a job as Councilman Shapiro has done.

Councilman Fuhrman-thanks to the Mayor for all the work he is doing to promote the city, he is happy people are paying attention to Warr Acres, it has an exciting future. Also, thanks to Councilman Shapiro.

Councilman Shapiro-says a prayer every night for the Mayor to have continued good health. He has enjoyed his role as Vice-Mayor and said that the Mayor is one of the best administrators. The Mayor said it has been his pleasure having Councilman Shapiro as his sounding board the last several years and appreciates all the advice and assistance he has given him. Councilman Shapiro stated he is excited at the direction the city is moving and is thankful that everyone wants it to move forward.

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”).

Moot.

21. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 9:11 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

CITY OF WARR ACRES PUBLIC WORKS AUTHORITY MEETING TUESDAY

AUGUST 19, 2014

6:00 p.m.

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

1. The meeting was called to order at 7:36 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman Patrick Woolley
Vice-Chairman Stewart Shapiro
Trustee Stephen Fuhrman
Trustee William McClure
Trustee Donnie Ryan
Trustee Glen Lipinski
Trustee James Mickley
Trustee Cathy Maxey

ABSENT

Trustee Roger Godwin

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of July 15, 2014. ****

Motion by Mickley, second by Maxey to approve the minutes. Poll vote: McClure, abstain; Ryan, abstain; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, yea; Fuhrman, out during vote; and Woolley, yea.

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$57,722.34 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of July, 2014. ****

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

Motion Passed Unanimously.

5. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
SPECIAL
ECONOMIC DEVELOPMENT AUTHORITY MEETING
TUESDAY
AUGUST 19, 2014
6:00 p.m.**

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

1. The meeting was called to order at 7:38 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman Patrick Woolley
Vice-Chairman Stewart Shapiro
Trustee Stephen Fuhrman
Trustee William McClure
Trustee Donnie Ryan
Trustee Glen Lipinski
Trustee James Mickley
Trustee Cathy Maxey

ABSENT

Trustee Roger Godwin

2. Approve the minutes of the Economic Development Authority meeting of July 15, 2014.

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

Motion Passed.

3. Presentation and approval to prepare and have printed City of Warr Acres promotional booklets .

The Mayor introduced Barbara Anne DeBolt who has been taking the Mayor to many events and introducing him to the people that make things happen. She told the trustees that she is excited about all the plans the city has and wants to work with the city to make them come true. She wants to help Warr Acres move forward and then help other cities when they see what has taken place here. She has given the Mayor pointers on how to

promote the city and they have had discussion about festivals. There have been meetings between Putnam City Schools and the Arts Council and working out a partnership. The Mayor stated that the first festival he would like to see put on would be one to celebrate veterans. The promotional booklet will have a page for Putnam City Schools for their centennial and a page for the Arts Council. Councilman Fuhrman stated that sometimes there seems to be a disconnect between small business and the chamber and he likes the work she is doing.

Motion by Shapiro, second by Maxey to authorize the Mayor to proceed with the booklets, not to exceed \$15,000 and the appropriation of additional funds to be put on the next month's agenda. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, out during the vote; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

4. Approval to pay the annual Greater Oklahoma City Chamber membership.

Motion by Maxey, second by Mickley to approve paying the membership. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, out during the vote; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

5. Adjournment.

Motion by Ryan, second by Mickley to adjourn. Poll vote: McClure, yea; Ryan, yea; Lipinski, yea; Maxey, yea; Mickley, yea; Shapiro, out during the vote; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer