

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
AUGUST 21, 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 Scouts from Troop #117 and Invocation was given by Mayor Woolley.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice-Mayor Stewart Shapiro
Councilman Stephen Fuhrman
Councilwoman Cathy Maxey
Councilman William McClure
Councilman Roger Godwin
Councilman David Dirkschneider (arrived at 6:20 p.m.)
Councilwoman Jan Blake

ABSENT

Councilman James Mickley

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. Presentation of a 25 year service pin to Street and Parks Supervisor William Robertson. Special presentation by the Mayor.

The Mayor presented a 25 year service pin to William Robertson and then presented a plaque to Barbara Anderson from the Tribune for her 12 years of unbiased reporting on the City of Warr Acres. Barbara said that she has enjoyed covering Warr Acres and joked that she knows where the bodies are buried and who buried them. She also stated that she knew more about Warr Acres than she does Bethany which is where she lives.

3. Call to the Public.

Barbara Harris thanked the council for recommending that she attend the Planning Commission meeting for more information. She said she still had three concerns: give creative way for new commercial property but leaves the overall design to the applicant, no guidelines for the overall concept the city needs a vision or mission statement as they move forward. Might want to establish an architectural design committee it is not addressed in this Ordinance. And finally have meaningful landscape not just some grass and trees and more than just 5% of the property.

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 July 17, 2012. *****

B.	Approval of Expenditures *****	General Fund	\$ 199,934.91
		CIP Fund	\$ 234,021.00

C. Approval of Actual Expenditures for July 2012 and Proposed Expenditures for August 2012. *****

D. Sales Tax History Report. *****

Item A was pulled to be voted on separately.

Motion by Shapiro, second by Godwin to approve B, C and D. Poll vote: McClure, yea; Godwin, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

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

Motion by Shapiro, second by Godwin to approve item A. Poll vote: McClure, yea; Godwin, yea; Blake, abstain; Maxey, 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 Koger-the department is currently holding its first international class at the hotel, they have created a new web page and a new emergency procedures guidebook. They have done testing to begin putting together a list of possible recruits. They have responded to several of the wildfires and cooling vest have been donated to the department by Stroud Industries. Asst. Chief Coy writes many articles and has recently been published. He thanked everyone for the donations of water, Powerade and Gatorade.

PWD Turman-thanked Bill Robertson for his 25 years and thanked the Public Works departments for all their hard work. The new Commercial Garbage truck is here, OG&E has submitted their relocation plans to ODOT for the 50th Street project.

Engineer Barrett-has done three plan reviews and working on electronic version of comprehensive plan and over lay.

Item 17 was heard before item 7.

Item 7 was heard after item 21.

7. Final Public Hearing, discussion and possible action regarding an amendment to the Title 19 Zoning Regulations; in particular an amendment to Chapter 19.39 PUD (Planned Unit Development) District. (Planning Commission recommended approval) ****

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

Motion Passed Unanimously.

The Mayor asked if there was anyone that wished to speak on the issue and there was not.

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

Motion Passed Unanimously.

- A. Approval of the Ordinance amending 19.39.

City Planner Wiley Rice stated that this was the first step and tool to amend the current approach to zoning. One of the next steps will be ordinances to set standards. Each PUD will go before the Planning Commission as a Use Subject to Review so that specifics can be worked out such as architecture to match the surroundings. The next step will be to designate certain areas that PUD's will be allowed. One possibility of a PUD would allow retail on the ground level and offices in the upstairs. This is something that is not allowed at all currently.

Motion by Dirkschneider, second by Maxey to approve the Ordinance (#1125). Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

- B. Approval of the emergency clause.

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

Motion Passed Unanimously.

Councilman Shapiro thanked the Planning Commission, Wiley and Chairman Wehba for all the hard work they did getting this set up.

Items 8-14 were all heard together.

8. Discussion and possible action on a recommendation from the Traffic Commission on traffic control in the form of Stop or Yield Signs at the intersection of NW 72nd and Arbor Pl. (Traffic Commission recommended approval)
9. Discussion and possible action on a recommendation from the Traffic Commission on traffic control in the form of a Stop or Yield Signs at the intersection of Cherokee Plaza and Cherokee Crossing. (Traffic Commission recommended approval)
10. Discussion and possible action on a recommendation from the Traffic Commission on traffic control in the form of Stop or Yield Signs at the intersection of Cheyenne and Cherokee Crossing. (North end) (Traffic Commission recommended approval)
11. Discussion and possible action on a recommendation from the Traffic Commission on traffic control in the form of Stop or Yield Signs at the intersection of Cheyenne and Cherokee Landing. (Traffic Commission recommended approval)
12. Discussion and possible action on a recommendation from the Traffic Commission on traffic control in the form of Stop or Yield Signs at the intersection of Cheyenne and Cherokee Crossing. (south End) (Traffic Commission recommended approval)
13. Discussion and possible action on a recommendation from the Traffic Commission on traffic control in the form of Stop or Yield Signs at the intersection of Cherokee Court and Cherokee Crossing. (Traffic Commission recommended approval)
14. Discussion and possible action on a recommendation from the Traffic Commission on traffic control in the form of Stop or Yield Signs at the intersection of Ann Arbor and Cherokee Crossing. (Traffic Commission recommended approval)

Motion by Godwin, second by Dirkschneider to approve items (8) a 3 way stop; (9) a 3 way stop; (10) a 1 way stop; (11) a 1 way yield; (12) a 1 way stop; (13) a 1 way yield; and (14) a 1 way stop will an additional sign reading "Cross traffic does not stop" for Cherokee Crossing. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 15 saw heard after item 17.

15. Discussion and possible action on a contract for waste disposal with Waste Connections.

Brenda Merchant with Waste Connections told the council that this was the same contract that the city approved before it is time for renewal. She said they waive the CPI this year and will go to the end of the four years.

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

Motion Passed Unanimously.

Item 21 was heard after item 15.

16. Discussion and possible action on approving a new Mutual Cooperation Agreement with Oklahoma County Commissioners for mowing and patching.

Attorney Love stated that the changes he had requested to the agreement were approved by the county so it is ready for council approval.

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

Motion Passed Unanimously.

Item 17 was heard before item 7.

17. Discussion and possible action on approval of plans and authorize the city to advertise for bids for the construction of a new Animal Control Facility.

Jack Joiner with JHBR was present to answer questions. Councilwoman Maxey wanted to know how they would get the animal smell out of the building. He stated that the HVAC system is such that it will draw out the bad air and pull in fresh air from outside. He was asked why the bright color panels and he said they are long lasting and will stand out. Councilman Godwin stated he likes the plan. The Mayor stated he needed the council to approve the conceptual plan and make the changes they would like to see so that they can move forward of the final plans and prepare the bid specs. Councilman Fuhrman stated that there were no landscaping plans shown and he did not feel the HVAC system would do the job. The Mayor stated that the landscaping will be per city code.

Motion by Dirkschneider, second by Maxey to approve the plans subject to the changes discussed. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 15 was heard after item 17.

18. Discussion and possible action to accept the bid and approve the purchase from United Engines for a new Residential Rear load Garbage truck.

PWD Turman stated that the truck will be plumbed for the tippers that can be purchased later.

Motion by Godwin, second by Dirkschneider to accept the bid and approve the purchase. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

19. Discussion and possible action to accept the bid and approve the construction by Oakley, LLC. of the new landscaping project for City Hall. *****

Councilman Godwin stated that the bid was 50% higher than the architects' estimate and thought the city should rebid the project. PWD Turman and Clerk Ramirez stated that there had been several calls on the project and the bid packet had been faxed to those companies. The bid information was published in the Journal Record, Bid News, and a couple of other publications. It was discussed that if it is re-bid then it needs to have changes made because now the one bidders information is public and would not be fair. Some things are going to be checked on and Attorney Love will be going over the bid documents.

No action was taken on this item.

20. Discussion and possible action to accept the bid and approve the purchase from J&B Graphics for the laminated signs for the 39th Median and City Hall. *****

Motion by Godwin, second by Maxey to accept the bid for the signs and approve the purchase. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 21 was heard after item 15.

21. Discussion and possible action to approve bid specs and authorize the city to go out for bids for the 2012 Sewer Rehab Project. ****

Motion by Godwin, second by Maxey to approve the specs and authorize the city to go out for bids. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 7 was heard after item 21.

22. Discussion and possible action on a contract with Millie Vance. ****

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

Motion Passed Unanimously.

23. Discussion and possible action on a Tort Claim filed by Tonyale Christon regarding a damaged vehicle. The city's insurance company has recommended denial. ****

Motion by Dirkschneider, second by Godwin to deny the claim. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

Items 24 and 25 were heard together.

24. Discussion and possible action concerning contract negotiations for FY 2012 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*

25. Discussion and possible action concerning the pending claim the has against Golden Oaks Apartments pertaining to unpaid utilities, including discussion and possible action on entering into executive session as allowed under 25 O.S. Supp. 307 (B) (4), 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 proceedings in the public interest. *Love*

Attorney Love recommended the council enter into executive session.

Motion by Dirkschneider, second by Godwin to enter into executive session on items 24 and 25. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, yea; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed Unanimously.

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

After item 24 was discussed in executive session Councilman Dirkschneider left the executive session because of a perceived conflict of interest on item 25.

The council returned to open session at 8:27 p.m. With no action taken.

Motion by Godwin, second by Blake to authorize the Mayor to execute the lien release on Golden Oaks Apartments and accept \$5,000 check in exchange for the release from the bank. Poll vote: McClure, yea; Godwin, yea; Dirkschneider, abstain; Blake, yea; Maxey, yea; Shapiro, yea; Fuhrman, yea; and Woolley, yea.

Motion Passed.

26. Questions and Comments from Council.

Blake-asked when the directories would be passed out. She said they need to get out before they are out of date. They could have passed some of them out at the Vatterott College ribbon cutting. She said they could have the police and fire take them out when they go out to eat. Councilman Fuhrman stated that the Mayor should contact Jill at the chamber, she could find people to take them out.

Dirkschneider-attended the Vatterott opening and said they desperately need bus service to the school or when the lease is up they will have to move.

Godwin-met with Carolyn Durbin and working on getting a possible grant to connect the OKC walking trails through Warr Acres.

Maxey-thanked Chief Koger for taking care of a situation at a local restaurant.

Fuhrman-the outside of the Community Center needs fixed up and landscaped. The city is getting ready to spend a lot of money to fix up 50th and MacArthur but the buildings there look terrible, what can be done?

Mayor-thanked everyone for taking time out of their busy schedules to take care of city business.

27. 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.

28. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING**

**TUESDAY
AUGUST 21, 2012
6:00 p.m.**

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

1. The meeting was called to order at 8:53 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 Bill McClure
Trustee Roger Godwin
Trustee Jan Blake

ABSENT

Trustee David Dirkschneider
Trustee James Mickley

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

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

Motion Passed.

3. Approve payment of claim in the amount of \$57,438.05 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, 2012.

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

Motion Passed Unanimously.

4. Approval of a payment of claim in the amount of \$36,740.81 to the Bethany-Warr Acres Public Works Authority for payment of difference in calculations from previous time periods.

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

Motion Passed Unanimously.

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

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

Motion Passed Unanimously.

6. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 9:01 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk