

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
JULY 19, 2016
6:00 P.M.**

1. The meeting was called to order at 6:01 p.m. Declaration of a quorum present was given. The Flag salute was led by Asst. Fire Chief Mahaffey and the Invocation was given by Mayor Woolley.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice Mayor James Mickley
Councilman Bo Broadwater
Councilman Blayne Allsup
Councilman Stephen Fuhrman
Councilman John Knipp
Councilman Jimmy Bullen
Councilman Glenn Lipinski

ABSENT

Councilman Donnie Ryan

STAFF PRESENT

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

2. Call to the Public.

Moot.

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 June 21, 2016. ****
- B. Approval of Expenditures ****

General Fund	\$ 120,010.93
CIP Fund	\$ 3,709.49
- C. Approval of Actual Expenditures for June 2016 and Proposed Expenditures for July 2016. ****
- D. Sales Tax History Report. ****
- E. Approval of supplemental appropriation of reimbursement from OMAG of \$14,985.29 to CIP Fund line item Street Sand Blaster/Recovery Syst/Suit&Equip, where it was transferred from in order to have enough money to purchase a new Front Load Commercial Garbage truck to replace the one that was totaled when it turned over at the landfill.
- F. Approval to waive the City's right of appeal BOA Case #2016-01 for Bank of Oklahoma Financial, N.A. (Applicant) filed a Notice of Appeal before the Board of Adjustment, Warr Acres, OK, concerning a property located at 3800 N Macarthur, Warr Acres, Oklahoma, Oklahoma County. The applicant proposes to locate an "ATM" structure within the building setback line which is prohibited (zoning ordinance 19.48.010).

NATURE OF APPEAL: Special Building Lines (19.48.010).

19.48.010: GENERAL DESCRIPTION:

Special building lines are established along the streets listed in this chapter and no building shall be erected closer to the centerline of the street than the distance shown. The centerline shall be a line equidistant from the established right of way; provided, however, that land dedicated for, or easements granted for widening of streets in new subdivisions shall not be counted in calculating the location of street centerline:

A. Wilshire Boulevard and Northwest 63rd, Northwest 50th, and Northwest 36th Streets, from the east city limits to the west city limits, seventy five feet (75');

B. Meridian Avenue and MacArthur Boulevard, from the south city limits to the north city limits, seventy five feet (75'). (Ord. 832 §1, 1997)

19.48.020: PETITION FOR ALTERATION:

The owner or owners of forty percent (40%) or more of the frontage along one side of one of the streets designated in this chapter, between two (2) intersecting

streets or for a distance of five hundred feet (500') or more, may petition the city council for establishment of a different special building line. (Ord. 832 §1, 1997)

The hearing is being held before the Board of Adjustment on July 14, 2016. The Board of Adjustment granted a variance by a unanimous vote, with a stipulation that if the Right of Way is moved in the future South MacArthur Project that Bank of Oklahoma Financial, N.A. will be responsible for the moving of the "ATM".

Councilman Knipp asked for item A to be pulled.

Before the vote Councilman Fuhrman questioned the proposed expenditures and stated that they are not being figured correctly and the actual was always higher than the proposed. Clerk Ramirez stated that the Payroll Clerk looks at the previous months and estimates, if employee's cash in banked comp time or vacation or someone gets lots of overtime that can have an effect on the total. Also, the old clerk always estimated high this this clerk tries to be more precise. Councilman Fuhrman questioned where the hotel tax report was and Clerk Ramirez stated that she usually gives them on at mid-year and she forgot this month but would give it to them at the next meeting.

Motion by Knipp, second by Mickley to approve B, C, D, E and F of the consent docket. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed Unanimously.

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

Item A.

The roll call showed former Councilman Bill McClure on it. The minutes will be back on corrected for next month.

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

Ramirez-told the council that the city had finally received the Bethany/Warr Acres Public Works Authority audit and so the information that the city's auditors have been waiting on, since the end of April to finish, has been sent to them and we should receive the report in the next week or so and she will send it out so they have plenty of time to review before next month's meeting to accept the audit.

Love-finally today the contract with the Salvation Army was signed.

Turman-the street sweeper employee is back at work so he is back out sweeping the streets. Ward III big trash tomorrow and next week will be Ward IV.

Wallace-sidewalk letting in October so looks like March for construction.

Rice-Planning Commission working hard on Town Center landscaping, SPUD regulations done and working on Seasonal Ordinance draft.

6. Discussion and possible action to reconsider the vote denying the City take over the monthly payments to OG&E of the street lights in Cherokee Crossing. The action took place at the February Regular Council meeting with the motion by Ryan, and seconded by Knipp to deny taking the responsibility of paying for the street lights. Councilmen Lipinski, Ryan, Knipp, Bullen, Fuhrman, Mayor Woolley all voted to deny. Councilmen Broadwater, Mickley, and Allsup all voted against the motion. *Mayor*

Attorney Love stated that in order to have the item reconsidered a Councilman that voted with the majority would have to make the motion to reconsider. There were several citizens present that wish to speak on the issue and the Mayor called upon them one by one.

Chris Maggart addressed the council stating that he is on the board of directors for the HOA. There are three members and Mr. Case is one of them and the other two are residents. He said the HOA is paying for the lights in phase 1 and 2 which are in the percentage for the city to take over the payment of the lights. They also pay for a street light that is on 67th not really a part of their addition and for the lights in phase 3 that does not yet meet the city's percentage. He stated that they would ask the city to please take over the payments of the lights. Each is on a separate meter.

Pricilla Green told the council that she loves living in Warr Acres and if the city could take over phases 1 and 2 that are done and 67th street that would be great. If the city would also take over phase 3 would also be great but understands if they can't since it does not meet the percentage. She stated she appreciated the council taking the time to reconsider the issue.

Chris Feltman said being a part of a HOA is all new to them and they appreciate any thing the city can do for them. She asked at what point the city takes over the payments, is that normal. They have lots of issues with Mr. Case.

Councilman Bullen stated that didn't think should do phase 3 since not complete. Councilman Broadwater stated that he agreed, however, phases 1 & 2 are complete and the HOA is already paying for phase 3.

Motion by Lipinski, second by Bullen to reconsider. Poll vote: Lipinski, yea; Knipp, nay; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed.

Motion by Broadwater, second by Mickley to approve the City taking over the monthly payments of the street lights in Cherokee Crossing Phase 1 & 2, Phase 3 and also the 67th Street. Poll vote: Lipinski, yea; Knipp, nay; Bullen, nay; Fuhrman, nay; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed.

Item 7 was heard after item 11.

7. Discussion and possible action on the annual Fire Equipment agreement with Oklahoma County Emergency Management. *****

Motion by Mickley, second by Knipp to approve the agreement. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed Unanimously.

8. Discussion and possible action on the annual Jail Services agreement with Oklahoma County. *****

Councilman Allsup asked if the city ever gets restitution and he was told on some.

Motion by Mickley, second by Broadwater to approve the agreement. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed Unanimously.

9. A. Discussion and possible action on an Ordinance amending the definition of a Seasonal Building (19.08.010). *Fuhrman* *****

Attorney Love stated that the Planning Commission wants to do an overhaul of the entire Seasonal Building code not just the definition. Councilman Fuhrman asked how this would affect Lordes and Councilman Allsup said the code has not been enforced in the last 10 years, why start now. Attorney Love stated that a provisional permit was issued so that she could open. Councilman Knipp stated they were told to move the building after last season but they didn't.

Motion by Broadwater, second by Knipp to send the Seasonal Building issue back to the Planning Commission. Poll vote: Lipinski, nay; Knipp, yea; Bullen, yea; Fuhrman, nay; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed.

- B. Approval of the emergency clause.

Moot.

10. A. Discussion and possible action on an Ordinance amending 15.06.010 to include a definition of the term “sign structure”. *Fuhrman* ****

Councilman Bullen stated he doesn't understand this. Councilman Fuhrman stated that it was adding a definition to clarify what a “sign structure” is. There is currently no definition and Councilman Fuhrman feels it would help the Code Enforcement and Inspector. Councilman Knipp asked if the city's new sign met this code, he was told they do. There was a lengthy discussion and confusion as to how the measurements were to be done. Councilman Lipinski stated that he did not want air included in the area measurement of the sign.

Motion by Broadwater, second by Fuhrman to approve the Ordinance. Poll vote: Lipinski, nay; Knipp, nay; Bullen, nay; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed.

- B. Approval of the emergency clause.

Motion by Bullen, second by Mickley to approve the emergency clause. Poll vote: Lipinski, nay; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed.

Item 11 saw heard after item 6.

11. Discussion and possible vote to enter into executive session to discuss the status of negotiations between the City and the IAFF Local #2374 for FY 2017 as authorized under 25 O.S. Supp. 307 (B) (2), discussing negotiations concerning employees and representatives of employee groups. *McMorrow-Love*

Motion by Knipp, second by Bullen to approve entering into executive session. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed Unanimously.

The council entered into executive session at 7:01 p.m. The council returned to open session at 7:51 p.m. with no action taken.

12. Questions and Comments from Council.

Lipinski-new intersection looks really nice.

Knipp-likes the new signs.

Bullen-glad construction is over and businesses are getting back to normal. Project area looks really good.

Broadwater-best sales tax in the last two years.

Mickley-thanks to officer Feith for getting the \$1,800 grant.

Fuhrman-police and fire take care of themselves and stay safe.

Woolley-new web is running has lots of helpful info on it, needs some tweeking so if you see something let him know. Great staff, police, fire, public works be careful out there and thanks to the council.

13. Adjournment.

Motion by Knipp, second by Bullen to adjourn. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
JULY 19, 2016
6:00 p.m.

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

1. The meeting was called to order at 8:46 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman Patrick Woolley
Vice Chairman James Mickley
Trustee Bo Broadwater
Trustee Blayne Allsup
Trustee Stephen Fuhrman
Trustee John Knipp
Trustee Jimmy Bullen
Trustee Glenn Lipinski

ABSENT

Trustee Donnie Ryan

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of June 21, 2016. ****

Motion by Broadwater, second by Mickley to approve the minutes. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$55,315.73 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, 2016. ****

Motion by Mickley, second by Bullen to approve the payment. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed Unanimously.

4. Approval of payment of claims for the Sewer department for \$2,474.94.

Motion by Mickley, second by Knipp to approve the claims. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, yea; Broadwater, yea; and Woolley, yea.

Motion Passed Unanimously.

5. Adjournment.

Motion by Knipp, second by Bullen to adjourn. Poll vote: Lipinski, yea; Knipp, yea; Bullen, yea; Fuhrman, yea; Allsup, yea; Mickley, nay; Broadwater, yea; and Woolley, yea.

Motion Passed.

The meeting was adjourned at 8:49 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer