

**MINUTES**

CITY OF WARR ACRES  
REGULAR CITY COUNCIL MEETING  
TUESDAY,  
OCTOBER 17, 2017  
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 Logan Brown, Boy Scout Troop #374 and the Invocation was given by Mayor Woolley.

**ROLL CALL**

**PRESENT**

Mayor Patrick Woolley  
Vice Mayor James Mickley  
Councilman Bo Broadwater  
Councilman Mike Schmidt  
Councilman Stephen Fuhrman  
Councilman Roger Godwin  
Councilman Glenn Lipinski  
Councilman Donnie Ryan

**ABSENT**

Councilman John Knipp

**STAFF PRESENT**

Matthew Love, 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 September 19, 2017. \*\*\*\*

B. Approval of Expenditures \*\*\*\*      General Fund      \$ 87,985.73

CIP Fund \$ 2,541.05

- C. Approval of Actual Expenditures for September 2017 and Proposed Expenditures for October 2017. \*\*\*\*
- D. Sales Tax History Report. \*\*\*\*
- E. Approval of a supplemental appropriation within the Public Safety Tax fund of un-appropriated funds to the Police in the amount of \$4,000.00.
- F. Approval of a transfer of appropriation from the Attorney department to the Capital Building department in the amount of \$2,000.00.
- G. Approval of a transfer of appropriation from the City Clerk department to the Animal Control department in the amount of \$1,000.00.

Councilman Ryan asked to pull item A.

Motion by Mickley, second by Schmidt to approve B, C, D, E, F and G of the consent docket. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

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

**Item A.**

Motion by Mickley, second by Godwin to approve item A. Poll vote: Godwin, yea; Ryan, abstain; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed.**

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

Patty-the hit and run accident suspect was charged with manslaughter. All the officers have had special training on how to deal with deaf or hearing-impaired suspects.

Coy-had a meeting with Sarmatian on future and the change-over, renovations are going great of the sleeping quarters, there will be a phone message sent out to all residents to let the know about the training exercise coming up with the military on October 31 through November 2 and they will be putting flyers on the doors of all residents around the training area.

Ramirez-did not get them a 3<sup>rd</sup> quarter report was too busy working on the 2018 budget which is ready and the Mayor will be having a committee meeting to go over it and then it will come to the council.

Turman-Code Enforcement has been very busy this month, the carwash on 36<sup>th</sup> is gone, work on the new carwash on NW Expressway and MacArthur is underway, the medical facility is being worked on in Cherokee Crossing, big trash will be Ward III tomorrow and Ward IV next week, Duer is having the carwash demoed and he is removing the items he wanted.

6. Discussion and possible action on purchasing an Incinerator for Animal Control, budgeted in the Capital Replacement budget for \$75,000. \*\*\*\* \*Turman\*

PWD Turman stated that the old one has not worked in a long time. He has looked at several options and this one will be the best.

Motion by Fuhrman, second by Schmidt to approve purchasing the Incinerator. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

7. Discussion and possible action to approve a Certificate and Municipal Order to the County Clerk and County Treasurer. \*\*\*\*

Motion by Mickley, second by Broadwater to approve. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

8. Discussion and possible action on re-appointing Kristi Clayton and Jon Evans to the Planning Commission, and appoint Doug Johnson to the Ward III seat vacated by Rodney Dahlenberg, terms to expire October 2020.

The Mayor stated that Kristi and Jon both wanted to continue but Rodney stated he would not. Councilman Godwin stated that Doug is the son of former Councilman Dean Johnson and would like to serve.

Motion by Ryan, second by Godwin to re-appoint Kristi Clayton and Jon Evans and appoint Doug Johnson to the Planning Commission. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

9. Discussion and possible action on re-appointing Gene Hay, Barbara Harris and Dan Clarke to the Board of Adjustments, terms to expire October 2020.

The Mayor stated that Gene, Barbara and Dan would all like to continue serving.

Motion by Godwin, second by Fuhrman to re-appoint Gene Hay, Barbara Harris and Dan Clarke. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

10. Discussion and possible action on Resolution #518 related to pay for all exempt executive employees for 2018. \*\*\*\*

Attorney Love stated that there is no pay scale for the executives, their pay is set by resolution by the council.

Motion by Mickley, second by Godwin to approve the resolution. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

11. Discussion and possible action on Resolution #519 related to pay for all non-exempt employees for 2018 with attached current pay matrix for non-exempt employees and a new pay matrix for communication officers. \*\*\*\*

The pay scale for the dispatcher has been pulled out and made a separate scale.

Motion by Mickley, second by Schmidt to approve the resolution. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

12. Discussion and possible action on Resolution #520 calling for the 2018 election for the office of Councilman. \*\*\*\*

Motion by Broadwater, second by Fuhrman to approve the resolution. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

13. A. Discussion and possible action on an Ordinance amending 8.45 Tobacco Free City Property. \*\*\*\* \*Mickley\*

Vice Mayor Mickley stated that he had met with the city's TSET representative and these proposed changes would add Vaping to the city code and would allow the city to qualify for grants that the city currently does not qualify for. There is a change needed in 8.45.030 from manager to mayor.

Motion by Broadwater, second by Godwin to approve the Ordinance with the amendment to 8.45.030. Poll vote: Godwin, yea; Ryan, yea; Lipinski, nay; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed.**

B. Approval of the emergency clause.

Motion by Godwin, second by Ryan to approve the emergency clause. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

14. A. Discussion and possible action on 3 ordinance proposals related to Title 19 and seasonal buildings. (Planning Commission recommends, on a 4-3 vote, that Proposal 1 be ADOPTED and Proposals 2 and 3 be REJECTED by the Council) \*\*\*\*

**Proposal 1:** Consideration and possible action on an ordinance amending Section 19.08.010 of the Warr Acres City Code to remove the definition of "Seasonal Building" and repealing Section 19.52.045 regarding the procedures to apply for a Seasonal Building permit. Such amendments would remove all references to Seasonal Buildings from the City Code;

**Proposal 2:** Consideration and possible action on an ordinance amending Section 19.52.045 to establish and regulate Short Term Retail Businesses, Short Term Business Buildings and Short Term Portable Shelters;

**Proposal 3:** Consideration and possible action on an ordinance amending Sections 19.36.030 (C3 zoning) 19.37.030 (C4 zoning) and/or 19.38.030 (C5 zoning) to provide that Short Term Retail Businesses and the use of Short Term Business Buildings and Short Term Portable Shelters shall be a use subject to review in the C3, C4 and C5 zoning districts. This proposal to be considered only if Proposal 2 is adopted.

There were numerous people that wished to speak on this item. The first was former Councilman Dr. Shapiro who told the council about what the vision for the city was when he served and that temp businesses were not what they have envisioned. He stated that he was here when the city was on the brink of death and they fought to bring it back and the city has been moving forward and he did not want to see it go backwards. Mr. Kory Warr was next to speak, his family

founded Warr Acres. He stated that he cares deeply for the city and the community and that temp businesses invite transients into the city and not people that care or have a commitment to the city. He thanked the council for the work they do. Jeff Lawson with Flower by Pat stated that he did not think it was right to allow temp businesses when he is a long-time business owner in the city. Barbara Harris, resident, gave the council a list of all city businesses and said did not want them giving the city away to fly by night businesses, she will be watching. Mark Nestlin, resident, told the council that they have just heard from a former councilman, a developer and a woman that likes to help the city behind the scenes and he and others are moving into the city because it is growing, looks great has great response times for police and fire. They do not want the city to look trashy with temp businesses. Businesses need to be brick and mortar. Lois Watson just purchased her first home in Warr Acres and she said she spent 16 years renting and it was a big decision to purchase and there were several reasons they chose Warr Acres. A couple of those were the Police and Fire response times and it is a safe place to go for evening walks. People that have temp businesses do not care about the community. There are other ways to start up business then in a pop up shop. The vision it to grow, she saw a future in the city and tents are not a part of that. She said not to let them take what is ours.

Vice-Mayor Mickley stated that he would not be voting for temp businesses because they are cash based and we would not receive any tax dollars. He said he has driven down 10<sup>th</sup> Street and seen all the tents and that he does not want that in Warr Acres. Councilman Lipinski stated that he was dumbfounded at how this has gotten to this point. He said they passed a food truck ordinance and put sno cone shops out of business. All they were trying to do was to allow a couple stands it was never intended to create a tent city. Councilman Fuhrman said he respects Dr. Shapiro on all levels but 25 years ago he started his own business. They were trying to make it so places like Under the Sun and Christmas Tree lots could set up shop. Said he was sad that everyone thinks it was to put tents all over the city. We allow pawn shops and liquor stores, smoke shops and massage establishments but not sno-cone stands. Councilman Schmidt said it has nothing to do with sno-cones it has to do with someone selling something and not having to pay for brick and mortar. We are here to listen to the citizens and business owners that are in brick and mortar. Councilman Broadwater agrees with Dr. Shapiro about the vision for the city and also with Councilman Lipinski on how this issue has come to this, but if OKC and Bethany pass ordinances to keep them out then we would become tent city. Councilman Ryan said when he saw the item he knew there would be debate with council and appreciated the citizens involvement it helps to know how to vote. He said he does like the ordinance would allow for places like a Christmas tree lot or Under the Sun and like the idea of those seasonal places but not tents for phones. Councilman Lipinski said he is for sno-come stands but not this fiasco. Councilman Godwin weather sno-cones or food trucks they are all over. Mayor Woolley said he appreciates all that came to speak and their passionate comments. He said he is not for temp businesses and there is not enough room in the city to set up zones for them. The city has

worked very hard on the Town Center and trying to bring business in. The city adopted a great sign ordinance to help keep the city clean and with Buxton hoping they will be able to bring some quality businesses in. The image we show will determine what type of business will come in.

Motion by Mickley, second by Godwin to approve the recommendation of the planning commission and approve proposition #1. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, nay; and Woolley, yea.

**Motion Passed.**

B. **Emergency Clauses:** Discussion and possible action on the emergency clause from any proposal which is adopted by majority vote of the Council. Emergency clause from each adopted proposal to be voted on separately or as a combined motion.

Motion by Ryan, second by Broadwater to approve the emergency clause on Proposal 1. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

15. Discussion and possible vote to enter into executive session to discuss the status of negotiations between the City of Warr Acres and the FOP Lodge #145 and IAFF Local #2374 for FY 2018 as authorized under 25 O.S. Supp. 307 (B) (2), discussing negotiations concerning employees and representatives of employee groups.  
\*McMorrow-Love\*

Attorney McMorrow-Love was not present at the meeting.

Motion by Fuhrman, second by Godwin to enter into executive session. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

The council entered into executive session at 8:34 p.m.

The council returned to open session at 9:04 p.m. With no action taken.

16. Possible vote to approve the CBA with the IAFF for 2018.

Motion by Ryan, second by Godwin to approve the CBA with the IAFF. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

17. Questions and Comments from Council.

Broadwater-thank you to all the citizens that came in and voiced their opinion. Thanks to Chief Patty and Chief Coy and the Department heads for all they do.

Mickley-ditto

Fuhrman-the Christmas tree lighting will be November 28<sup>th</sup> at 6pm at 42<sup>nd</sup> and MacArthur. Is sad that everyone thought he was trying to tear down the city tents, this ordinance was written and re-written many times trying to get it right and they thought it was a good one. Not sure why everyone was against it and he still feels that there could be a way to make it work so he will try again later.

Ryan-appreciates the citizens and businesses for participating, appreciates the work Mike did to find the best and cheaper option for the incinerator. Thanks to everyone for their thoughts and prayers last month concerning his sister.

Lipinski-worked hours on the committee to come up with an Ordinance that was workable for temp businesses. They did not have any intention on hurting the current businesses.

Woolley-thanks to the committee and the planning commission for the work they all did on the temp business ordinance.

18. Adjournment.

Motion by Godwin, second by Schmidt to adjourn. Poll vote: Godwin, yea; Ryan, nay; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, nay.

**Motion Passed.**

The meeting was adjourned at 9:31 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk/Treasurer



**MINUTES**

**CITY OF WARR ACRES  
PUBLIC WORKS AUTHORITY MEETING  
TUESDAY  
OCTOBER 17, 2017  
6:00 p.m.**

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

1. The meeting was called to order at 9:29 p.m. Declaration of a quorum present was given.

**ROLL CALL**

**PRESENT**

Chairman Patrick Woolley  
Vice Chairman James Mickley  
Trustee Bo Broadwater  
Trustee Mike Schmidt  
Trustee Stephen Fuhrman  
Trustee Roger Godwin  
Trustee Glenn Lipinski  
Trustee Donnie Ryan

**ABSENT**

Trustee John Knipp

2. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #3.)
  - A. Approve the minutes of the Warr Acres Public Works Authority Meeting of September 19, 2017. \*\*\*\*
  - B. Approve payment of claim in the amount of \$55,960.98 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of September, 2017. \*\*\*\*
  - C. Approval of payment of claims for the Sewer department in the amount of \$1,615.85.

Motion by Godwin, second by Broadwater to approve the consent docket. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

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

**Moot.**

4. Adjournment.

Motion by Woolley, second by Godwin to adjourn. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 9:29 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk/Treasurer

**MINUTES**

**CITY OF WARR ACRES  
SPECIAL  
ECONOMIC DEVELOPMENT AUTHORITY MEETING  
TUESDAY  
OCTOBER 17, 2017  
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 9:31 p.m. Declaration of a quorum present was given.

**ROLL CALL**

**PRESENT**

Chairman Patrick Woolley  
Vice Chairman James Mickley  
Trustee Bo Broadwater  
Trustee Mike Schmidt  
Trustee Stephen Fuhrman  
Trustee Roger Godwin  
Trustee Glenn Lipinski  
Trustee Donnie Ryan

**ABSENT**

Trustee John Knipp

2. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #3.)
  - A. Approve the minutes of the Economic Development Authority meeting of September 19, 2017 \*\*\*\*\*
  - B. Approve payment of claims in the amount of \$325.00.

Motion by Godwin, second by Mickley to approve the consent docket. Poll vote:  
Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea;  
Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

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

**Moot.**

4. Adjournment.

Motion by Woolley, second by Mickley to adjourn. Poll vote: Godwin, yea; Ryan, yea; Lipinski, yea; Broadwater, yea; Mickley, yea; Schmidt, yea; Fuhrman, yea; and Woolley, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 9:32 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
Clerk/Treasurer