

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
AUGUST 21, 2018
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 Coy and the Invocation was given by Mayor Mickley.

ROLL CALL

PRESENT

Mayor James Mickley
Councilman Bo Broadwater (arrived at 6:08)
Councilman Mike Schmidt
Councilwoman Kim Allsup
Councilman Glenn Lipinski
Councilman Donnie Ryan
Councilman Roger Godwin

ABSENT

Vice-Mayor John Knipp
Councilman Patrick Woolley

STAFF PRESENT

Matt Love, Attorney
Roger Patty, Police Chief
Stephen Coy, Fire Chief
Mike Turman, Public Works Director
Pamela McDowell-Ramirez, City Clerk/Treasurer
Craig Wallace, City Engineer

2. Recognition of the Warr Acres recycle group the “Trashy Friends”.

Mayor Mickley presented each of the ladies with a Certificate of Appreciation for their volunteer work on the recycle program and congratulated them on 10 years.
3. Call to the Public.

Mr. Jarel Miles an Oklahoma City resident addressed the council with complaints about Mr. Case, Cherokee Crossing, and the things he did not do to prevent Mr. Miles yard from flooding during heavy rains. He wants the council to act and also wants the planning commission to discuss this issue.

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, 2018. ****

| | | |
|----------------------------------|--------------|---------------|
| B. Approval of Expenditures **** | General Fund | \$ 156,694.06 |
| | CIP Fund | \$ 2,351.70 |

C. Approval of Actual Expenditures for July 2018 and Proposed Expenditures for August 2018. ****

D. Sales Tax History Report. ****

E. Approval of a recommendation by the Traffic Commission to establish a school zone in the area of 39th and Grove on 39th Expressway. (Traffic Commission recommended approval by a unanimous vote)

F. Approval of a recommendation by the Traffic Commission to establish a school zone on NW 58th from Redmond on the northside to Central Avenue for the new Capps Middle School. (Traffic Commission recommended approval by a unanimous vote)

G. Approval of a recommendation by the Traffic Commission to extend the current school zone in the 6700 block of NW 63rd to be extended establishing the new zone to begin for the west bound traffic and ends for east bound traffic in front of 6017 NW 63rd Street, location is the former 7-Eleven. (Traffic Commission recommended approval by a unanimous vote)

H. Approval of a recommendation by the Traffic Commission to place “Duck Crossing” signs in the area of NW 63rd and Woodcreek. (Traffic Commission recommended approval by a unanimous vote)

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

Motion Passed Unanimously.

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

Moot.

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

Wallace-39th school crossing zone should start in September.

7. Discussion on possible financing options for future Capital Improvements.

Mr. Ben Oglesby with Municipal Finance Services addressed the council telling them who he was and what his company does and how they have helped other cities such as the Village. He explaining how G.O. Bonds work and how they could be beneficial to the city to finance major projects. He explained that G.O. Bonds must be voted on by the residents and you have to be specific about what you will do with the money and each project would be a separate proposition to be voted on. He explained how the bonds are paid back through ad valorem. He had done some calculations for examples of how much a month it would increase the taxes based on term of bond and value of the home. He told the council that everyone involved in the process is paid on contingency from the bonds and so they work very hard to get the bond issues passed. The cost that would come from the city would be for the elections themselves. The next step will be to have agreements with his company and a Bond Counsel company.

8. Final Public Hearing, discussion and possible action on a Use Subject to Review 19.36.030 Macarthur Square, L.L.C. by tenant, Abel's Mexican Restaurant, L.L.C. has proposed dispensing of beverages composed in whole or in part of alcoholic beverages containing more than 3.2 percent of alcohol, for consumption on the premises, which is a use subject to review, and requires review and recommendation by the Warr Acres Planning Commission and approval by City Council. Location 5822 N.W. 50th St. **** (Planning Commission recommended approval by a unanimous vote)

Motion by Ryan, second by Broadwater to open the public hearing. Poll vote: Broadwater, yea; Schmidt, yea; Allsup, yea; Godwin, yea; Ryan, yea; Lipinski, yea; and Mickley, yea.

Motion Passed Unanimously.

Motion by Broadwater, second by Ryan to close the public hearing. Poll vote: Broadwater, yea; Schmidt, yea; Allsup, yea; Godwin, yea; Ryan, yea; Lipinski, yea; and Mickley, yea.

Motion Passed Unanimously.

Motion by Ryan, second by Broadwater to approve the Use Subject to Review. Poll vote: Broadwater, yea; Schmidt, yea; Allsup, yea; Godwin, yea; Ryan, yea; Lipinski, yea; and Mickley, yea.

Motion Passed Unanimously.

9. Discussion and possible action on approval of the annual General Mutual Cooperation Agreement between the City of Warr Acres and the Board of County Commissioners of Oklahoma County. ****

This is the annual agreement for help with work on the city's streets if requested.

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

Motion Passed Unanimously.

10. Discussion and possible action to authorize the Mayor to go out for bids for the remodel of the front counter with safety glass. ****

The Mayor told the council he had an architect draw up the plans so that the city could get bids for this work to be done, would really like to get this done as so as possible.

Motion by Godwin, second by Allsup to authorize the Mayor to go out for bids. Poll vote: Broadwater, yea; Schmidt, yea; Allsup, yea; Godwin, yea; Ryan, yea; Lipinski, yea; and Mickley, yea.

Motion Passed Unanimously.

11. Discussion and possible action on authorizing the Mayor to hire an architect to do plans one more time for an Animal Control Center.

The Mayor asked the council if they wanted to have plans done once again and try again to get the city a new Animal Control Center. Councilman Lipinski asked if the city was still obligated to pay the last one and he was told it was not settled yet. Councilman Lipinski stated that he would like to see something in a contract that says that they don't get paid if the bids for the facility come in over budget. Attorney Love stated that they could not do that, but can make sure fee not based on cost of building. Councilman Broadwater wanted to know if there was a great need for a new center he was told yes there is

Motion by Schmidt, second by Godwin to authorize the Mayor to hire an architect to prepare plans for an Animal Control Center. Poll vote: Broadwater, nay; Schmidt, yea; Allsup, nay; Godwin, yea; Ryan, yea; Lipinski, yea; and Mickley, yea.

Motion Passed.

12. Discussion and possible action on authorizing the Mayor to negotiate the transfer of the Warr Acres portion of NW Expressway to OKC, which is currently owned by ODOT.

There was a meeting this morning and the only thing that will be given is the road. The right-of-ways remain Warr Acres as does all businesses and Police and Fire. Warr Acres will still maintain the median and can place signage there.

Motion by Broadwater, second by Ryan to authorize the Mayor to negotiate the transfer. Poll vote: Broadwater, yea; Schmidt, yea; Allsup, yea; Godwin, yea; Ryan, yea; Lipinski, yea; and Mickley, yea.

Motion Passed Unanimously.

13. Discussion and possible action on amending the contract with SRB related to the South MacArthur Project. ****

Changes have been made over the years and cost of increased and a need to amend the contract is needed.

Motion by Ryan, second by Schmidt to approve the amended contract. Poll vote: Broadwater, yea; Schmidt, yea; Allsup, yea; Godwin, yea; Ryan, yea; Lipinski, yea; and Mickley, yea.

Motion Passed Unanimously.

14. A. Discussion and possible action on an Ordinance adopting a New Title 10.80 related to dockless bicycles and scooters. *Mickley/Love* ****

There was a long discussion on this item. There were some that did not believe that this would ever become an issue for the city so didn't feel the need for an Ordinance. One stated has seen what has happened downtown OKC and we should charge more. One wanted an Ordinance that would not allow them at all. Mayor Mickley stated they may never come but would like to have an Ordinance so if they do we are prepared.

Motion by Broadwater, second by Mickley to approve the Ordinance. Poll vote: Broadwater, yea; Schmidt, yea; Allsup, yea; Godwin, nay; Ryan, yea; Lipinski, nay; and Mickley, yea.

Motion Passed.

- B. Approval of the emergency clause.

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

Motion Passed Unanimously.

15. A. Discussion and possible action on an Ordinance amending 3.22.220 changing the distribution of the Hotel tax. *Mickley/Ramirez* ****

The council was told that back when the hotel tax started there was a need for the money to be divided to different areas but now some of those are no longer needed and there is a need to find funding for General Fund.

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

Motion Passed Unanimously.

B. Approval of the emergency clause.

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

Motion Passed Unanimously.

16. A. Discussion and possible action on an Ordinance setting wine and strong beer license fees. ****

Councilman Broadwater wanted to know if other cities were charging the same and he was told they were.

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

Motion Passed Unanimously.

B. Approval of the emergency clause.

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

Motion Passed Unanimously.

17. A. Discussion and possible action on an Ordinance amending 8.45 Tobacco Free City Property to address medical marijuana use in public and relabeling the Chapter as the Smoke and Vape Free City Chapter. *Love* ****

Attorney Love explained and there were some changes made.

Motion by Godwin, second by Schmidt to approve the Ordinance as amended. Poll vote: Broadwater, yea; Schmidt, yea; Allsup, yea; Godwin, yea; Ryan, yea; Lipinski, yea; and Mickley, yea.

Motion Passed Unanimously.

B. Approval of the emergency clause.

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

Motion Passed Unanimously.

18. A. Discussion and possible action on an Ordinance adopting a New Title 5.56 related to the commercial growth, processing and retail sale of Medical Marijuana. *Love* ****

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

Motion Passed Unanimously.

- B. Approval of the emergency clause.

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

Motion Passed Unanimously.

19. A. Discussion and possible action on an Ordinance amending 9.38.010, 9.38.020 and adding a New Section 9.38.015 all pertaining to the Implementation of State Question 788 (Medical Marijuana) into the City's Controlled Substances Ordinances. *Love* ****

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

Motion Passed Unanimously.

- B. Approval of the emergency clause.

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

Motion Passed Unanimously.

20. Questions and Comments from Council.

Broadwater-appreciates all the hard work everyone puts in, and work on continued growth in a positive way.

Schmidt-likes the bond idea, everyone will need to explain to constitutes, if they don't want better streets and Police and Fire for a an additional \$75 dollars a year then that is on the people.

Lipinski-long meeting but well conducted, City Attorney earned his pay this month, is the Warr Acres sign at 49th and MacArthur in the sight triangle seems like hard to see around. He was told it is not.

Mickley-thanks to everyone for their input and feels that bonds are going to be the way of the future, no other options to raise revenue.

21. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 9:19 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
AUGUST 21, 2018
6:00 p.m.**

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

1. The meeting was called to order at 9:19 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman James Mickley
Trustee Bo Broadwater
Trustee Mike Schmidt
Trustee Kim Allsup
Trustee Glenn Lipinski
Trustee Donnie Ryan
Trustee Roger Godwin

ABSENT

Vice-Chairman John Knipp
Trustee Patrick Woolley

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 July 17, 2018. ****
 - B. Approve payment of claim in the amount of \$56,703.32 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, 2018. ****
 - C. Approval of payment of claims for the Sewer department in the amount of \$3,412.72.

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

Motion Passed Unanimously.

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

Moot.

4. Adjournment.

Trustee Ryan stated that he would like the information about the Devon deal that he heard about from a Bethany Councilman.

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

Motion Passed Unanimously.

The meeting was adjourned at 9:21p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
SPECIAL
ECONOMIC DEVELOPMENT AUTHORITY MEETING
TUESDAY
AUGUST 21, 2018
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 9:21 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman James Mickley
Trustee Bo Broadwater
Trustee Mike Schmidt
Trustee Kim Allsup
Trustee Glenn Lipinski
Trustee Donnie Ryan
Trustee Roger Godwin

ABSENT

Vice-Chairman John Knipp
Trustee Patrick Woolley

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 July 17, 2018 *****
 - B. Approve of the payment of claims in the amount of \$335.00.

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

Motion Passed Unanimously.

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

Moot.

4. Adjournment.

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

Motion Passed Unanimously.

The meeting was adjourned at 9:22 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer