

MINUTES

CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
APRIL 16, 2019
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
Vice-Mayor John Knipp
Councilman Roger Godwin
Councilman Glenn Lipinski
Councilman Jon Evans
Councilman Bo Broadwater
Councilman Patrick Woolley

ABSENT

Councilman Donnie Ryan
Councilwoman Kim Allsup

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
Marc Long, City Planner

2. Call to the Public.

Jane Kinney-told the council that she was glad the TIF and Bonds passed to enhance the city and make it desirable to open new businesses. She and others would like the Ordinances to be revamped and they would like to present ideas.

Barbara Harris-asked the council to take their time on the agenda items and have discussions don't cut the Mayor short on reading the item by making a motion. She would like for there to be agenda items for updates on the TIF and Bonds.

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 March 19, 2019 and Special meeting Town Hall of March 26, 2019. ****
 - B. Approval of Expenditures ****

General Fund	\$ 146,050.72
CIP Fund	\$ 125,031.26
 - C. Approval of Actual Expenditures for March 2019 and Proposed Expenditures for April 2019.
 - D. Sales Tax History Report. ****
 - F. Approval of a transfer of appropriation from the General Government department to the Garage department in the amount of \$1,168.00 in the 2018 budget to close out the year.
 - G. Approval to surplus Portable Generator Set H6115-591-6866 Serial U600-3 and Mobile Light Tower CG7819 3497SRZA20-632

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

Motion Passed Unanimously.

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

Moot

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

Patty-shout out to the Communications Officers for 911 National Dispatchers week.

Coy-have worked 8 fires, they are getting with the Red Cross, installing smoke alarms. Pleased with Samaritan 6 plus minute response times.

Turman-big trash continues

Item 6 was heard after item 14.

6. Final Public Hearing, discussion and possible action on a Lot Split of a parcel located at 5917 NW 56th Street, Lot 015, Block 004 of Warr Acres Addition. Applicant Tony Avila (TNA Homes, LLC). **** (Planning Commission recommended Denial by a Unanimous vote)

Motion by Broadwater, second by Godwin to open the public hearing. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

Mr. Avila was present to answer questions. He stated that he is wanting to build two homes on the two properties each being 2000 sq ft. the homes in the area are between 1000 and 2500 sq ft. Councilman Evans asked how large the current lot was, he was told 1 acre. Councilman Woolley asked if any other lots in the area have been split in the past and he was told yes, they have. Councilman Lipinski asked why the Planning Commission recommended it be denied by a unanimous vote. He was told that due to the neighbors' complaints they voted to deny. Some of the neighbors were present and spoke out against the lot split. Mr. Swarm stated they didn't want it to become too crowded. Mr. Warr designed them as 1 acre lots, and it is a good area to grow gardens and raise kids and didn't want to see the area divided up. He was asked if the other lots that have been split helped his property value. Mr. Swarm stated that he thinks the property value will go up. Judy Lindsay stated she was a real estate broker and she did know how well two new homes in the middle of old homes would sell, she said it needed to be left the way Mr. Warr had made it. The Mayor stated the lot has been vacant for years and is a problem with tall grass. Alex Lopez stated that it would be better to have homes that vacant and would raise the value of his property.

Motion by Broadwater, second by Godwin to close the public hearing. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

The applicant has met all requirements and ordinances and staff recommends approval.

Motion by Lipinski, second by Woolley to approve the Lot Split. Poll vote: Godwin, yea; Knipp, nay; Lipinski, yea; Broadwater, nay; Woolley, yea; Evans, yea; and Mickley, nay.

Motion Passed.

7. Final Public Hearing, discussion and possible action on a Use Subject to Review for a medical marijuana dispensary to be located at 5900 NW 50th Street, Suite B. Applicant Timothy Cable. **** (Planning Commission recommended Approval by a Unanimous vote)

Motion by Knipp, second by Godwin to open the public hearing. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

They have met state requirements, will compost wastes products, have plenty of parking and is located next to Subway.

Motion by Broadwater, second by Knipp to close the public hearing. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

This is in the C-3 zoning and is allowed in the city codes and staff recommends approval.

Motion by Broadwater, second by Lipinski to approve the Use Subject to Review. Poll vote: Godwin, abstain; Knipp, nay; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed.

8. Final Public Hearing, discussion and possible action on a Use Subject to Review for a medical marijuana dispensary to be located at 4201 N MacArthur. Applicant Mark Hatfield. **** (Planning Commission recommended Approval by a Unanimous vote)

Motion by Broadwater, second by Godwin to open the public hearing. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

Mr. Hatfield stated that he has been a resident for 35 years and has owned the property in question for 20 years. This will be at the opposite end of the strip from Metro Vape.

Motion by Broadwater, second by Godwin to close the public hearing. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

This is in the C-4 zoning and is allowed in the code and staff recommends approval. Councilman Evans asked Mr. Hatfield how many of these dispensaries are needed in a mile stretch. Mr. Hatfield said well don't know. Councilman Evans stated that eventually economics will answer that question.

Motion by Broadwater, second by Lipinski to approve the Use Subject to Review. Poll vote: Godwin, abstain; Knipp, nay; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed.

9. Final Public Hearing, discussion and possible action on a Subdivision Approval (Preliminary Plat) 19.64.080. Crafton Tull/Meek Construction are developing a new subdivision (Cherokee Crossing 5). ***** (Planning Commission recommended Approval with amendments to the Design Statement sections 1 and 6 to include language for 55 and older community by a 4-1 vote)

Motion by Broadwater, second by Godwin to open the public hearing. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

Mike Myers Oklahoma City resident that lives behind the current development. He stated this plan has the density too high and the lots are too small and concerned about eventually less value homes. He does not understand why the HOA would be for this. Mark Nestlen with the HOA congratulated the Mayor and council on the recent Bond approval. He stated that they do not want to see duplexes or 4-plexes in the area. They are the residents that pay the taxes and help the city. The new addition will pay higher rates for HOA because of special things that will be done. The HOA is in favor of this. Councilman Woolley stated this will be the only 55 and up community in the northwest side of town doesn't think fits for Warr Acres.

Motion by Broadwater, second by Knipp to close the public hearing. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

Planner Long stated that the staff had some issues with the plans originally that were deficient and the voiced the concerns and the developer conceded making all homes 1 story, some lots removed to allow for more parking and to include the wording of 55 and over housing addition. They have met the minimum requirements. The roads will be built to city code. Councilman Lipinski stated he was concerned that 1200-1500 sq ft homes seems very small and he is not confident would fit with the city. Very little room to maneuver vehicles. Planner Long stated these types of communities are going in all over the metro, the homes have not been designed yet and could have the garages set back farther to allow more driveway room. Councilman Knipp is concerned about service vehicles fitting through and does not care what other places are doing and this is to much density for this area. Councilman Woolley stated that right now is 55 and older but what happens in the future when they sell the property to people younger and with families.

Motion by Broadwater, second by Evans to approve the Preliminary Plat. Poll vote: Godwin, abstain; Knipp, nay; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed.

10. Discussion and possible action on CIP change in appropriation of \$1,700,000 from line item South MacArthur Project to a new line item New City Hall/Council Chambers.

Motion by Broadwater, second by Godwin to approve the change in the appropriation.
Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, nay; Evans, yea; and Mickley, yea.

Motion Passed.

11. Discussion and possible action on CIP change in appropriation of \$200,000 from line item South MacArthur Project to a new line item Demolition of 4301 N MacArthur, (money will be reimbursed from bond proceeds).

Motion by Knipp, second by Godwin to approve the change in appropriation. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

Items 12, 13 and 14 were heard before item 6.

12. Discussion and possible action on an agreement with Kutak Rock for Special Disclosure Counsel services, pertaining to the 2019 Bonds, not to exceed \$15,000, money will be reimbursed from bond proceeds **** *Oglesby/Ellis*

Ben Oglesby explained that Kutak Rock is a disclosure firm and have been in this business since before 1968. They are there to help insure the city does everything they are supposed to.

Motion by Broadwater, second by Knipp to approve the agreement with Kutak Rock.
Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

13. Discussion and possible action on approval of the Official Statement for the City of Warr Acres Combined Purpose General Obligation Bonds Series 2019. **** *Oglesby/Ellis*

Ben Oglesby explained the Preliminary Statement will be voted on here as a final so they can market the bonds to investors, however, it can be corrected if need be. Councilman Woolley asked about why the 10 largest tax payers appear to be paying on a much smaller amount than it shows on the assessor's website. Mr. Oglesby told the council that businesses assessments are at a 13.5% rate and homeowners are at 11% they take a fraction of the market value.

Motion by Godwin, second by Broadwater to approve the Official Statement. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, nay; Evans, yea; and Mickley, yea.

Motion Passed.

14. Discussion and possible action on a Resolution fixing the amount of Combined Purpose Bonds to mature each year; fixing the time and place the Bonds are to be sold; designating a Paying Agent/Registrar; approving the Preliminary Official Statement and distribution thereof; and authorizing the Clerk to give notice of said sale as required by law and fixing other details of the issue. **** *Oglesby/Ellis*

Attorney Nate Ellis told the council they are setting the date for the Bond sale as May 21st, they will receive bids, Ben with process and award to the lowest effective interest rate. Councilman Woolley asked if all 12 million would be sold to one entity, he was told yes, they would and they would be a fixed rate.

Motion by Broadwater, second by Knipp to approve the Resolution and authorizing the clerk to give notice. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

15. Discussion and possible action on a contract with SRB for Design of the New City Hall/Council Chambers. **** *Long/Rhodes*

Mayor Mickley pulled this item from the agenda.

16. Discussion and possible action on extending the Planner Services with Marc Long through December 2019.

Motion by Godwin, second by Broadwater to extend the Planner Services through December 2019. Poll vote: Godwin, yea; Knipp, out during vote; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

Item 17 was heard before items 12, 13 and 14.

17. Discussion and possible action on replacing alternate Judge Mike Speegle with Bill Graves. ****

Motion by Godwin, second by Knipp to approve Bill Graves to replace Judge Mike Speegle. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

18. Discussion and possible action on authorizing the Mayor to enter into an agreement with Police Grants Help for grant writing services for all new in car cameras, and body cameras as well as storage capabilities for the Police. ***** *Patty*

Chief Patty found this company that can work to get them grants, they have been successful for other cities.

Motion by Woolley, second by Broadwater to authorize the Mayor to enter into an agreement with Police Grants Help. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

19. Consideration and possible action to extend the deadline for the property owner at 4614 N. MacArthur Blvd to appeal the 3/19/2019 Council vote to condemn the property. Appeal deadline would be extended from 4/19/2019 (30 days following the vote to condemn) to 5/24/2019. *** Mayor / Love ***

Motion by Knipp, second by Broadwater to extend the date to May 24th. Poll ote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

20. Questions and Comments from Council.

Lipinski-stated that a pet peeve of his is that they make a motion and second and immediately vote on it before checking about if there is any discussion, he was glad that Barbara Harris brought it up. He thanked everyone for working hard to get the bonds past and happy that there will be new facilities.

Godwin-thanks to everyone, Judge Graves will be a great addition, and there will be a ribbon cutting and open house for a new business at 5850 N Wilshire, it is a business that brings in high profile people that possibly what to move to the area.

Knipp-thanks to staff and all employees for all their hard work.

Broadwater-congrats to the residents for passing the bond issues, this is an exciting time for the city. He said he knows people are afraid of change in the long run this will be a good thing. He stated that all members are welcome to read their agenda packets before they come to the meetings.

Woolley-said he read the packet, biggest one ever. Thanks to Pam for the work she does and all the work she has ahead of her with the bonds. Appreciates the council and employees.

Evans-thanks constituents for passing the bonds, now it incumbent upon the council to see that everything is done and in budget.

Clerk Ramirez asked if she could say something. She wanted to tell the council and everyone listening that they were going to get sick of her saying stay with in budget. She said past history has been something is going to be over budget a little but in the end is a lot more and they have to stay in their budgets.

Mickley-congrats to all that worked so hard to get the bonds past. Now let's come together, unified to move the city forward. He told the council that there are some interest being shown in the TIF districts and questions about incentives. He needs the council to be thinking about what kinds of incentives they might want to offer.

21. Adjournment.

Motion by Woolley, second by Knipp to adjourn. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
APRIL 16, 2019
6:00 p.m.**

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

1. The meeting was called to order at 8:50 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman James Mickley
Vice-Chairman John Knipp
Trustee Roger Godwin
Trustee Bo Broadwater
Trustee Patrick Woolley
Trustee Jon Evans
Trustee Glenn Lipinski

ABSENT

Trustee Donnie Ryan
Trustee Kim Allsup

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 March 19, 2019. ****
 - B. Approve payment of claim in the amount of \$53,295.33 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of March, 2019. ****
 - C. Approval of payment of claims for the Sewer department in the amount of \$5,269.42.

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

Motion Passed Unanimously.

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

Moot.

4. Adjournment.

Motion by Knipp, second by Godwin to adjourn. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
SPECIAL
ECONOMIC DEVELOPMENT AUTHORITY MEETING
TUESDAY
APRIL 16, 2019
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 8:51 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman James Mickley
Vice-Chairman John Knipp
Trustee Roger Godwin
Trustee Bo Broadwater
Trustee Patrick Woolley
Trustee Jon Evans
Trustee Glenn Lipinski

ABSENT

Trustee Donnie Ryan
Trustee Kim Allsup

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 March 19, 2019 *****
 - B. Approve of the payment of claims in the amount of \$5,931.00.

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

Motion Passed Unanimously.

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

Moot.

4. Adjournment.

Motion by Knipp, second by Godwin to adjourn. Poll vote: Godwin, yea; Knipp, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; and Mickley, yea.

Motion Passed Unanimously.

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

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer