

**MINUTES**

**CITY OF WARR ACRES  
REGULAR CITY COUNCIL MEETING  
TUESDAY,  
JULY 16, 2019  
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 Chief Coy and the Invocation was given by Mayor Mickley.

**ROLL CALL**

**PRESENT**

Mayor James Mickley  
Councilman Patrick Woolley  
Councilman Jon Evans  
Councilwoman Kim Allsup  
Councilman John Knipp  
Councilman Glenn Lipinski  
Councilman Donnie Ryan

**ABSENT**

Councilman Bo Broadwater  
Councilman Roger Godwin

**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.  
  
Laura Warren introduced herself to everyone, she is the new manager at the Warr Acres Library.
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 18, 2019. \*\*\*\*\*
  - B. Approval of Expenditures \*\*\*\*\*

|              |              |
|--------------|--------------|
| General Fund | \$141,571.26 |
| 2019 GO Bond | \$ 8,857.27  |

- C. Approval of Actual Expenditures for June 2019 and Proposed Expenditures for July 2019. \*\*\*\*
- D. Sales Tax History Report. \*\*\*\*
- E. Approval to surplus items from list provided by Chief Patty. \*\*\*\*

Motion by Ryan, second by Evans to approve A, C, D and E. Poll vote: Knipp, yea; Lipinski, yea; Ryan, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

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

Item B. Councilman Woolley had questions on how the claims were worded for the Bond Fund expenditures.

Motion by Woolley, second by Knipp to approve item B. Poll vote: Knipp, yea; Lipinski, yea; Ryan, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

Item 16 was heard before item 5.

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

Patty-thanks to Matt for getting the paperwork done through the courts so they could get rid of property and thanks to the fire department for allowing them to use the bay to display the items.

Ramirez-special meeting on the 30<sup>th</sup> will go over the audit and financials.

Love-said when he went to court for the release of property the judge was surprised, he was actually there.

Turman-Ward III and Ward IV big trash this week and next.

Long-GIS mapping done of the fire hydrants and he gave Chief Coy a map with them on it. Also stated that the sewer manholes have also been mapped.

- 6. Final Public Hearing, discussion and possible action on a Use Subject to Review: concerning a medical marijuana dispensary located at 5587 NW Expressway. Applicant: Donald Jameson. Business Name: Kief Leaf Dispensary LLC. (Planning Commission recommended approval) \*\*\*\*

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

**Motion Passed Unanimously.**

Mr. Jameson was present to answer questions. Hours of operation will be M-Th 9-9 and F-S 9-10. He has plenty of parking.

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

**Motion Passed Unanimously.**

Councilman Ryan stated that there are restrictions on distance from a school is there for a church, he was told there is not.

Motion by Ryan, second by Lipinski to approve the Special Use Permit for the dispensary. Poll vote: Knipp, nay; Ryan, yea; Lipinski, yea; Broadwater, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed.**

7. Discussion and possible vote to pursue changes to the City's zoning ordinances to allow for uses of commercially zoned property for the medical marijuana commercial growth and/or processing. Planning Commission voted 4-2 to recommend to the Council that no such changes be pursued. If the Council votes in favor of pursuing such changes, this item would include possible action to remand the matter back to the Planning Commission. \*Mayor/Love\* \*\*\*\*

There was a lengthy discussion on this issue. The debate kept going back to one particular entity. The Planning Commission recommended that no changes to the current code be made, so growing and processing would not be allowed. Councilman Evans stated that such business would increase issues for the Police in security and Fire for safety so would create greater liability for the city. Councilman Knipp stated the decision is for the entire city not for one entity. Councilwoman Allsup asked PC Chairman Wehba why they recommended no changes to the code. PC Chairman Wehba stated changes are ongoing at the State so it is hard for the city to do things when there are not guidelines.

Motion by Lipinski, second by Allsup to pursue changes to the Ordinance to allow growers and processors. Poll vote: Knipp, nay; Ryan, nay; Lipinski, yea; Woolley, nay; Evans, nay; Allsup, yea; and Mickley, nay.

**Motion Failed.**

8. Discussion of whether and under what terms the Council would rescind its March 19, 2019, vote to condemn and demolish the building located at 4614 N. MacArthur Blvd. This includes possible action to authorize the rescinding of the March 19 condemnation and staying the demolition of the building if the terms (including, but not limited to, a timeline for rehabilitation of the structure and the identification of what must be repaired and who would be authorized by the City to approve the repairs as complying with the City Code) are complied with. \*Mayor/Love\* \*\*\*\*\*

Mayor Mickley stated that he has tried to work with them and is still willing to work with them. Attorney Rudy Hiersche addressed the council on behalf of the owner. He told the council that he was not there to defend the client's past history. He stated there are 5 of the 7 things listed that needed to be taken care of that he believed his client could get accomplished in the next 30 days. He stated that if they are not then he recommended the city not bring it back up again, for the city to go ahead and proceed with the demo.

Motion by Knipp, second by Ryan to table the item to the August meeting. Poll vote: Knipp, yea; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

9. A. An Ordinance enacting a new Chapter 8.50 of the Warr Acres Municipal Code to establish and implement, establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the Fire department for services provided/rendered for the Warr Acres Fire department and providing for repeal of conflicting ordinances, severability and declaring an emergency. \*Coy\* \*\*\*\*\*

B. Approval of the Emergency clause.

Chief Coy stated that he was trying to help look for alternate revenue sources and had information about this company and the work they do to recover cost associated with incidents so he was bringing it to the council for consideration. The company goes to the insurance companies to recover not the citizen. There were many questions asked that could not be answered.

Motion by Knipp, second by Mickley to table items 9 and 10 to the August meeting. Poll vote: Knipp, yea; Ryan, nay; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed.**

10. Discussion and possible action on contracting with Fire Recovery USA to recover cost from incidents. \*Coy\* \*\*\*\*\*
11. Discussion and possible action to approve the annual agreement with Putnam City Schools for a crossing guard. \*\*\*\*\*

There was discussion as to why the city has to provide the crossing guard. Clerk Ramirez stated that this same question is asked every year but nothing is done about it, she asked that someone please do something before next years renewal. Councilman Woolley is to talk to Putnam City.

Motion by Knipp, second by Allsup to approve the annual agreement. Poll vote: Knipp, yea; Ryan, nay; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed.**

12. Discussion and possible action to award the bid to Tec-An, INC for asbestos removal from 4301 N MacArthur not to exceed \$28,750.00 from 2019 Bond Fund. \*Mayor\* \*\*\*\*

Motion by Knipp, second by Woolley to award the bid to Tec-An, Inc. Poll vote: Knipp, yea; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

13. Discussion and possible action to award the bid to M&M Wrecking, INC for the demolition of 4301 N MacArthur not to exceed \$42,138.00 from 2019 Bond Fund. \*Mayor\* \*\*\*\*

Motion by Knipp, second by Ryan to award the bid to M&M Wrecking, Inc. Poll vote: Knipp, yea; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

14. Discussion and possible action on appointing Luke Simms as Interim Judge. \*\*\*\*

Motion by Knipp, second by Woolley to appoint Luke Simms. Poll vote: Knipp, yea; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

15. Discussion and possible action on a contract with Beverly Palmer for Alternate Judge for the remainder of 2019. \*\*\*\*

Motion by Knipp, second by Woolley to approve the contract. Poll vote: Knipp, yea; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

Item 16 was heard before item 5.

16. Discussion and possible action on a Proclamation for 2020 Census Complete Count. \*\*\*\*

Mayor Mickley read the proclamation.

Motion by Ryan, second by Woolley to approve the proclamation. Poll vote: Knipp, yea; Lipinski, yea; Ryan, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

17. Discussion and possible action on a Resolution adopting and implementing a Workplace Wellness Policy. \*\*\*\*

Motion by Ryan, second by Knipp to approve the Resolution. Poll vote: Knipp, yea; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

18. Discussion and possible action on a Resolution adopting a Complete Streets Policy. \*\*\*\*

Motion by Ryan, second by Knipp to approve the Resolution. Poll vote: Knipp, yea; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

19. Questions and Comments from Council.

Woolley-thank you to Police, Fire, Mike, Pam and staff, Mayor and Matt.

Evans-commend Pam and Chief Coy on looking for new revenue, we all should be doing so.

Allsup-thank you to the Fire, her father had a heart attack and guys were great and really calmed her mother during the situation.

Lipinski-thank you all city staff, Christmas tree lighting will be here before you know it and we need to figure out where it will be done.

Ryan-appreciates that they can have civil discussion even when they do not agree.

Knipp-agree with Ryan, eight different people with eight different opinions. Thanks to all city employees.

Mickley-the meeting mentioned earlier for July 30 will be July 29 instead, will be discussing budget, audit and some other items. Thanks to all city staff.

20. Adjournment.

Motion by Ryan, second by Allsup to adjourn. Poll vote: Knipp, out during vote; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 8:58 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk/Treasurer

**MINUTES**

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

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

1. The meeting was called to order at 8:58 p.m. Declaration of a quorum present was given.

**ROLL CALL**

**PRESENT**

Mayor James Mickley  
Councilman Patrick Woolley  
Councilman Jon Evans  
Councilwoman Kim Allsup  
Councilman John Knipp  
Councilman Glenn Lipinski  
Councilman Donnie Ryan

**ABSENT**

Councilman Bo Broadwater  
Councilman Roger Godwin

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 June 18, 2019. \*\*\*\*\*
  - B. Approve payment of claim in the amount of \$56,508.44 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, 2019. \*\*\*\*\*
  - C. Approval of payment of claims for the Sewer department in the amount of \$2,336.40.

Motion by Woolley, second by Ryan to approve the consent docket. Poll vote: Knipp, out during vote; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

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

**Moot.**



4. Adjournment.

Motion by Mickley, second by Ryan to adjourn. Poll vote: Knipp, out during vote; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk/Treasurer

**MINUTES**

**CITY OF WARR ACRES  
SPECIAL  
ECONOMIC DEVELOPMENT AUTHORITY MEETING  
TUESDAY  
JULY 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 9:00 p.m. Declaration of a quorum present was given.

**ROLL CALL**

**PRESENT**

Mayor James Mickley  
Councilman Patrick Woolley  
Councilman Jon Evans  
Councilwoman Kim Allsup  
Councilman John Knipp  
Councilman Glenn Lipinski  
Councilman Donnie Ryan

**ABSENT**

Councilman Bo Broadwater  
Councilman Roger Godwin

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 June 18, 2019 \*\*\*\*
  - B. Approval of payment of claims in the amount of \$1,960.65.

Motion by Woolley, second by Ryan to approve the consent docket. Poll vote: Knipp, out during vote; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, 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 Ryan to adjourn. Poll vote: Knipp, out during vote; Ryan, yea; Lipinski, yea; Woolley, yea; Evans, yea; Allsup, yea; and Mickley, yea.

**Motion Passed Unanimously.**

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

Respectfully submitted,

Pamela McDowell-Ramirez  
City Clerk/Treasurer

