

MINUTES

CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
MAY 18, 2021
6:00 P.M.

1. The meeting was called to Order at 6:02 p.m. Declaration of a quorum present was given. The Flag salute was led by Fire Chief, Stephen Coy the invocation was given by Mayor Mickley.

ROLL CALL

PRESENT

Mayor Jim Mickley
Vice Mayor John Knipp
Councilman William Tucker
Councilman Roger Godwin
Councilwoman Kim Allsup
Councilman Jon Evans
Councilman Jim Von Thaer

ABSENT

Councilman Donnie Ryan
Councilman Patrick Woolley

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 April 20, 2021 and Special meeting of April 28, 2021 *****
 - B. Approval of Expenditures *****

General Fund	\$ 157,512.65
2019 GO Bond	\$ 454,828.23
EPA Fund	\$ 1,850.64
Sinking Fund	\$ 801,050.00
CIP Fund	\$ 28,992.78
 - C. Approval of Actual Expenditures for April 2021 and Proposed Expenditures for May 2021. *****
 - D. Sales Tax History Report. *****
 - E. Approval to surplus 5 old office desk and one credenza from City Hall.
 - F. Approval to surplus (1) 2010 Ford Crown Vic Police Interceptor VIN#2FABP7BV8AX122264 and (4) 2011 Ford Crown Vic Police Interceptor units VIN#2FABP7BV9BX138409, VIN#2FAFP7BV5BX138178, VIN#2FABP7BV5BX132090, and VIN#2FABP7BV6BX132034.

Councilman Tucker pulled Item A.

Motion by Tucker, seconded by Godwin to approve B-F on the consent docket. Poll vote: yea's; Tucker, Godwin, Knipp, Von Thae, Evans, Allsup, Mickley.

Motion Passed Unanimously.

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

Item A was pulled due to the minutes of Wednesday, April 28, 2021 Special Meeting shows Councilman Glenn Lipinski present in the Roll Call section.

Motion by Tucker, seconded by Allsup to approve pulled Item A with corrections made to the removal of Councilman Glenn Lipinski and the addition of Councilman William Tucker as present on the Roll Call. Poll vote: yea's; Tucker, Allsup, Evans, Von Thae, Knipp, Godwin, Mayor.

Motion Passed Unanimously.

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

Gray- Nothing to report

Coy- was recommended by the Mayor and City Clerk to speak to the council regarding the critical manning levels. Starting mid-June- mid January, Fireman C. Yates will be deployed and will not be paying him during this deployment and two (2) fire captains will be retiring at the end of the year. They have chosen the 2 replacements and are ready for them to start ASAP to start learning since he is losing experienced men. As stated last month, a 1/3 of his department has less than 2 years' experience as of January. He would like to hire one of the replacements in June, to fill the gap when C. Yates leaves for deployment and to start the training before Greenhill leaves in December. Hiring in June would be easy on the budget since he will not be paying for C. Yates. He would also like to hire the other replacement in September or October to start his training for when Parsons leaves in January. He understands it's the Mayor's decision but wanted to speak to the council if it requires a budget appropriation or change to the budget. He also stated, for council, who did not know this, that he has 2- 5-man shift, with a 3-man minimum and 1-6 man shift with a 4-man minimum, which doesn't even meet the OSHA requirements for 2 in 2 out for an interior fire attack with his 3-man minimum. His goal is to get all shifts to a 6 man shift with 4-man minimum.

City Clerk- Nothing

City Attorney- Nothing

Public Works- Wards 3 & 4 you will notice there is still bulky out at the curb, we are 2 to 3 weeks behind, but will get it wrapped up. He finished the FEMA paperwork for reimbursement. Cheryl, code enforcement officer does a great job, she met with the contractor for the front yard to clean up on 45th per their approval. They filled up 2-17yd dumpsters, yard looks pretty good. She also had the old Golden Corral mowed. She doesn't have a shortage of work she does a great job.

Councilman Evans asked about the 58th and Mueller Demo. Mike W stated they haven't reported their activity to the Mayor but they have trimmed some limbs and tarped the roof but that's about the extent of it. He doesn't know what their intentions are with the property.

City Engineer- project on Macarthur will start mid-June. ROW is going well on the sidewalk project that we will be accepting tonight. James Capps intersection notice to proceed issued to the traffic engineer to start work. Prework on the 2nd contract for the transportation proposition with the bond program that should start June 30, 2021.

City Planner- nothing to add that's not on the report.

Architect- gave a brief update on police and fire departments. City hall and Animal shelter going to get the restriping done on parking lots. Medallion on animal shelter has been moved. Going to repair the wall where the medallion was removed. Also, drainage issue with the floor at the animal shelter is going to be fixed.

6. Final Public Hearing, discussion and possible action on a Use Subject to Review for a medical marijuana dispensary located at 5836 N.W. Expressway, suite 100 & 200. Warr Acres OK. 73132. Business Name: Oklahoma Kush. Applicant Name: Dustin Heiman. ****(Planning Commission recommended approval by a unanimous vote with one member absent)

Motion by Godwin, seconded by Tucker to open Public Hearing. Poll vote: yea's; Godwin, Tucker, Knipp, Von Thaer, Evans, Allsup, Mickley.

Motion Passed Unanimously.

Motion by Godwin, seconded by Knipp to close the Public Hearing. Poll vote: yea's; Godwin, Knipp, Allsup, Evans, Von Thaer, Tucker, Mickley.

Motion Passed Unanimously.

Motion by Godwin, seconded by Tucker to approve the Use Subject to Review for a medical marijuana dispensary located at 5836 N.W. Expressway, suite 100 & 200. Poll vote: yea's; Godwin, Tucker, Evans, Allsup, Mickley. Nay's; Knipp, Von Thaer.

Motion Passed.

7. Discussion and possible action on condemnation and/or demolition of a house located at 6031 NW 47th Street, owner had filed an appeal. *Woodard/Turman* ****

The owner stated it has sold and under contract. June 7, 2021 is the closing. Owner asked if she needs to bring something showing it sold. Matt stated yes, anything to show the house sold and you went to closing.

Motion by Von Thaer, seconded by Godwin to table the item to the next regularly scheduled City Council meeting with the condition; if the house sells before the next regular meeting it doesn't have to come back before the council. Poll vote: yea's; Von Thaer, Godwin, Evans, Allsup, Knipp, Tucker, Mickley.

Motion Passed Unanimously.

8. Discussion and possible action on an addendum agreement extending the term of a video services franchise agreement entered into by the City and Southwestern Bell Telephone Company (aka AT&T Oklahoma) on August 19, 2008, for an additional 10 years. ****

Motion by Godwin, seconded by Von Thayer to approve the agreement extending the term of video services franchise agreement entered into by the City and Southwestern Bell Telephone company. Poll vote: yea's; Godwin, Von Thayer, Evans, Allsup, Knipp, Tucker, Mickley.

Motion Passed Unanimously.

9. Discussion and possible action to terminate the remainder of the agreement with Sign Tech for signage at the new Fire Department and Police Department facilities including possible action to authorize the Mayor to advertise and accept bids for the signage at said facilities.

Mayor stated Ryan Coddling, owner of Sign Tech, has yet to send the order into the factory as of Monday, May 17, 2021. Mayor gave him a final deadline of Friday, May 14, 2021. He was to have ordered all of the medallions at one time and store the police and fires at public works. He is months behind and keeps giving excuse after excuse or doesn't answer. Mayor & Troy Rhodes have tried to reach him by phone and email. (crickets). He did, however, receive the email stating the council is hearing an item to terminate is contract. With Attorney Love's permission the city paid him a 50% down payment that was "required" for the factory. With some orders completed but very late we owe him \$907.04. He also has damaged the wall at the Animal Shelter when he put the medallion in the wrong place. He corrected that issue months later and we will be docking him for that repair from his balance. After the email was sent to Mr. Coddling stating the council will be discussing his termination of contract. Mr. Coddling emailed the Mayor back stating he has spoke with the factory and placed the order. Mayor advised Mr. coddling he will discuss termination with the stipulation that Mr. Coddling will have to provide proof of the order the next morning, Wednesday, May 19, 2021.

There was a motion by Knipp. It died for lack of a second.

A majority of the council stated to cut him loose and not wait for him to provide proof.

Motion by Evans, seconded by Knipp to terminate the remainder of the agreement with Sign Tech for signage at the new Fire and Police department facilities including possible action to authorize the Mayor to advertise and accept bids for the signage at said facilities. Poll vote: yea's; Evans, Knipp, Godwin, Tucker, Von Thayer, Allsup, Mickley.

Motion Passed Unanimously.

10. Discussion and possible action to approve Change Order #3 to Lingo on the Fire Department Storm Sewer Revisions, approved at the April 20th council meeting. ****

Motion by Evans, Seconded by Von Thayer to approve Change Order #3 to Lingo on the Fire Department Storm Sewer Revisions, approved at the April 20th council meeting. Poll vote: yea's; Evans, Von Thayer, Allsup, Tucker, Knipp, Godwin, Mickley.

Motion Passed Unanimously.

11. Discussion and possible action to authorize the Chief to purchase window treatments for the new Police department from Russell Interiors in the amount of \$1,740.00. ****

Motion by Allsup, Seconded by Knipp to authorize the Chief to purchase window treatments for the new Police department from Russell Interiors in the amount of \$1,740.00. Poll vote: yea's; Allsup, Knipp, Godwin, Tucker, Evans, Von Thayer, Mickley.

Motion Passed Unanimously.

12. Discussion and possible action to receive and accept Drainage Easements for drainage improvements associated with the PCO Tennis Facility:

*Meridian Land Corporation (SW Builders), Permanent Easement
Meridian Land Corporation (SW Builders), Temporary Workplace Agreement
DSKS, LLC, an Oklahoma Limited Liability Co. Tennis Facility, Permanent
Easement*

Marc- these are some of the easements that are required in order to do a drainage improvement in association with the PCO Tennis Facility. This was a project in which several property owners were experiencing heavy flooding and drainage problems associated with past projects on the PC Property. Putnam City paid for a drainage engineering study, completed by SRB. Entered into an agreement to secure the easements on behalf of the City of Warr Acres. These easements are going to be donated by the property owners. He met with PC Schools, which is NOT on the agenda tonight, they went to the May 14, 2021, board meeting, they were approved. They will be heard at next month's council meeting.

Matt asked whose drainage structure is this going to be? Marc answered that's an issue that needs to be resolved. We have developed a legal description for a drainage easement that needs to be worked out with the commercial property owners, there is already a public storm sewer under the building we just need to get a legally filed drainage utility easement to run through it.

Knipp asked who is paying for the drainage work. Marc answered PC Schools is paying for all the work. They have paid for all the engineering required to be able solve the problem, they are donating their own property and paying 100% of the construction. Once it's done, all the drainage improvements that is in the PC Tennis facility are theirs. When it outfalls into this drainage ditch that will be on the north side of the tennis facility but in the parking lot areas behind Southwest Builders and behind the commercial strip center that will be publicly dedicated drainage easement to the City of Warr Acres, who will also maintain it.

Motion by Evans, seconded by Godwin to accept drainage easements for drainage improvements associated with the PCO Tennis Facility. Poll vote: yea's; Evans, Godwin, Allsup, Knipp, Von Thayer, Tucker, Mickley.

Motion Passed Unanimously.

13. Discussion and possible action to receive and accept Temporary Construction Easements for Sidewalk and Driveways, City of Warr Acres Sidewalk Project, ODOT JP 33281(04):

J&S Maranatha Properties, Parcel 1

LAOS, Parcel 2

Gilberto Gallegos Jimenez, Parcel 3

Frank C Evans & Anna L Evans, Trustees of the Evans Family Revocable Trust, Parcel 6

Christopher M Baker, Parcel 9

Terry L Gather & Shelley Gather, husband & wife, Parcel 15

Craig- This item is to accept 6 of the 14 temporary easements. They are all donations, therefore no expenditure for purchase of these easements. There will be one more next month. The citizens of Warr Acres are recognizing the improvements for pedestrian accessibility.

Motion by Godwin, seconded by Allsup to receive and accept Temporary Construction Easements for Sidewalk and Driveways, City of Warr Acres Sidewalk Project, ODOT JP 33281(04). Poll vote: yea's; Godwin, Allsup, Knipp, Von Thaer, Tucker, Evans, Mickley.

Motion Passed Unanimously.

14. Questions and Comments from Council.

Allsup- with a heavy heart she is retiring. Her husband has obtained a job in Durant. When she started serving, she thought it would benefit others but found out it has also benefit her. It changes you, she said. She is thankful for the opportunity. She also asked the council to take into consideration, Mike Schmidt, to fill her position.

Von Thaer- Thanked the fire, police and city hall. They are awesome.

Evans- asked about the fire at 50th & meridian if it was a grow house. Chief Coy stated it was just marijuana paraphernalia storage.

Tucker- thanked city hall, police and fire.

Godwin- pleasure serving with Councilwoman Allsup and thanked her for her opinions & how she has stood strong on her values as a leader in our city. He has been speaking to the Humane Society on a volunteer program for our city animal shelter. Looking forward to having that to help the animals and Carlos in our City. He also told Stephen they will talk to see what they can do to get new fireman hired.

Knipp- Thanked Kim for her service. Thanked fire, police, public works and city hall for the jobs they do.

Mickley-Spoke to Retail Strategies, site behind the car wash is close to signing a tenant, which will be a national fast-food franchise and the first for Oklahoma. There are several things working with David Evans property next to the dental office on Expressway. There is a deal pending on the old Long John Silvers area. All restaurants. The Hispanic grocery store has completed their plans and will be obtaining permits, soon. They are starting on the exterior next week.

He thanked Kim Allsup, stated she will be missed and hate to see her leaving. She's been a great councilwoman and appreciate her years of dedication and support on the council.

The Oklahoma State Legislature recently passed a public safety law that would allow citizens to vote through their community to pass an issue that would help to raise money

for public safety ONLY, which would release funds back to the City to work on streets sewer, parks etc. If 5 mill tax levy would cost each household about \$75.00 a year. Councilman Tucker asked if that would help the fire department reach their 6 man shifts. Mayor- yes it would go towards that. The citizens have to vote on it

Matt- its not a bond. Oklahoma is the only state where municipalities don't receive property tax as a regular funding source. This allows a creation of a public safety district, which is the jurisdictional limits of the city it would become the Warr Acres Public Safety District where the property tax owners would agree to pay a property tax that would be dedicated to public safety and any public safety cost. Its 1 to 5 mills what is authorized and it has to be adopted by 60% votes cast of the people. It would be a recurring tax revenue if passed.

15. Adjournment.

Motion by Allsup, seconded by Godwin to adjourn. Poll vote: yea's; Allsup, Godwin, Von Thae, Knipp, Evans, Tucker, Mickley.

Motion Passed Unanimously.

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Veronica Thompson
Asst. City Clerk

MINUTES
CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
MAY 18, 2021
6:00 p.m.

1. The meeting was called to order at 7:02 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman James Mickley
Trustee Roger Godwin
Trustee William Tucker
Trustee Kim Allsup
Trustee Jon Evans
Trustee Jim Von Thaer

ABSENT

Trustee Donnie Ryan
Trustee 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 April 20, 2021. ****

B. Approve payment of claim in the amount of \$55,852.27 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of April, 2021. ****

C. Approval of payment of claims for the Sewer department in the amount of \$4,890.75.

Motion by Godwin, seconded by Tucker to approve the consent docket. Poll vote: yea's; Godwin, Tucker, Von Thaer, Evans, Allsup, Mickley.

Motion Passed Unanimously.

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

Moot.

4. Adjournment.

Motion by Tucker, seconded by Godwin to adjourn. Poll vote: yea's; Tucker, Godwin, Von Thaer, Allsup, Evans, Mickley.

Motion Passed Unanimously.

The meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Veronica Thompson
Asst. City Clerk

MINUTES
CITY OF WARR ACRES
SPECIAL
ECONOMIC DEVELOPMENT AUTHORITY MEETING
TUESDAY
MAY 18, 2021
6:00 p.m.

1. The meeting was called to order at 7:03 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman James Mickley
Trustee Roger Godwin
Trustee William Tucker
Trustee Kim Allsup
Trustee Jon Evans
Trustee Jim Von Thaer

ABSENT

Trustee Donnie Ryan
Trustee 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 January 19, 2021 *****

B. Approval to pay the partial year membership to the Greater Oklahoma City Chamber in the amount of \$1,750.00.

Motion by Evans, seconded by Von Thaer to approve the consent docket. Poll vote: yea's; Evans, Von Thaer, Allsup, Mickley. Abstain; Tucker, Godwin.

Motion Passed.

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

Moot.

4. Adjournment.

Motion by Allsup, seconded by Von Thaer to adjourn. Poll vote: yea's; Allsup, Von Thaer, Tucker, Godwin, Evans, Mickley.

Motion Passed Unanimously.

The meeting was adjourned at 7:04 p.m.

Respectfully submitted,

Veronica Thompson
Asst. City Clerk