

MINUTES

CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
JANUARY 18, 2022
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 Invocation was given by Mayor Mickley.

ROLL CALL

Present

Absent

Mayor Jim Mickley
Vice-Mayor John Knipp
Councilman Roger Godwin (arrived at 6:14 p.m.)
Councilman Jim Von Thaer
Councilman Pat Woolley
Councilman Jon Evans
Councilman Mike Schmidt
Councilman Donnie Ryan (arrived at 6:07 p.m.)
Councilman William Tucker

STAFF PRESENT

Matt Love, City Attorney
Roger Patty, Police Chief
Stephen Coy, Fire Chief
Pamela McDowell-Ramirez, Clerk/Treasurer
Mike Turman, Public Works Director
Craig Wallace, City Engineer
Marc Long, City Planner
Troy Rhodes, Project Architect

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 December 21, 2021 and Special meeting of January 10, 2022. *****
 - B. Approval of Expenditures 2021*****

| | |
|--------------|---------------|
| General Fund | \$ 102,674.78 |
| 2019 GO Bond | \$ 373,459.94 |

CIP Fund \$ 805.00

Approval of Expenditures 2022**** General Fund \$ 49,382.40

- C. Approval of Actual Expenditures for December 2021 and Proposed Expenditures for January 2022. ****
- D. Sales Tax History Report. ****
- E. Approval to waive the City’s right of appeal BOA Case #2022-1. Todd Cooper Homes (Applicant) has filed a Notice of Appeal before the Board of Adjustment, Warr Acres, OK, concerning undeveloped Lot 7, Block 13 (aka 7055 Richardson Ct). Applicant is requesting a variance for changing the property lines, and for the lot size, which is approximately 100’ less than the required minimum of 7200 square feet specified in the design statement for the PUD due to a corner survey pin having been moved or incorrectly placed. As a result of the misplaced shared survey pin, the adjoining property, Lot 8, Block 13 (aka 7051 Richardson Ct) is approximately 100’ larger than what is reflected on the recorded plat of Cherokee Crossing – Section 4. Applicant is building a smaller house to meet the side yard setbacks. **(The Board of Adjustment approved the variance by a unanimous vote)**

Motion by Schmidt, second by Woolley to approve the consent docket. Poll vote: Tucker, yea; Knipp, yea; Von Thae, yea; Woolley, yea; Evans, yea; Schmidt, 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, City Planner, Projects Architect. ****

Patty-he is back to full staffing

Coy-he has all his guys back at work

Ramirez-sorry been working on year end and didn’t get to do the reports this month

Love-nothing

Turman-big trash

Wallace-final temporary easement for the sidewalks was received

Long-nothing

Rhodes-signage is up on the Police station, working on final installs for the PD, 911 ACOG set for January 31st, Fire signage has been delivered, finishing up on offices cabinets, electrical, fence is backordered, doors show a delivery date now of January 31st, ACO couple of things to clear up, cold water line problem, adjust exhaust, Fire station punch list set for February 7th and move in February 14th.

6. Final Public Hearing, discussion and possible action on a Use Subject to Review concerning a private school or college with or without dormitory facilities (Cafeteria/Classrooms Middle School serve only-no kitchen). Applicant/Location: Dove Science Academy, Marc Julian; 5527 NW Expressway, Warr Acres, Oklahoma 73132. **** (Planning Commission recommended approval by a unanimous vote with two members absent)

Motion by Tucker, second by Knipp to open the public hearing. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thaer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

Planner Long told the council that the special use was approved for the school and the concern was the affect on traffic and there is less traffic with it being a school than if it were commercial. They are not adding staff the are dividing an area that is already being used. They are separating the elementary and middle school kids in the lunch room. They will not be expanding to include high school.

Motion by Schmidt, second by Knipp to close the public hearing. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thaer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

Motion by Schmidt, second by Godwin to approve the Use Subject to Review. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thaer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

7. Discussion and possible action to approve a supplemental appropriation in CIP of \$172,500.00 and authorize PWD Turman to purchase one 2023 Mack TE64R/Heil 28 (40) yard Half/Pack Front Loader for \$307,500.00 per Oklahoma State Purchasing Contract SW197. **** *Woolley*

Councilman Ryan asked what year truck this one would replace and asked about a note in the packet that indicated would be a long time to get one if not this one. PWD Turman stated that it would replace a 2012 and that the company is holding this truck for us awaiting the approval at this meeting. If not approved will be middle of 2023 before can get one.

Motion by Woolley, second by Tucker to approve the supplemental appropriation of CIP funds in the amount of \$172,500 for a total appropriation of \$307,500 and authorize the PWD to make the purchase. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

8. Discussion and possible action to approve supplemental appropriation of CIP funds in the amount of \$16,500 for Alerting System and Siren Control and authorize Chief Coy to purchase the system, not to exceed \$16,500. **** *Coy*

Motion by Knipp, second by Godwin to approve the supplemental appropriation of CIP funds for \$16,500 and authorize the Chief to make the purchase, not to exceed \$16,500. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

9. Discussion and possible action on an agreement with LMRoss for Managed Services Computer Support. **** *Mickley*

Mayor Mickley stated that some of you are aware Lt. Goodman performed a lot of our computer work. Since he just retired, we are in need of someone to do the work. Lawrence Ross comes highly recommended and offers 24-hour services which most companies do not. We are a 24-hour city and need someone that can help 24-hours a day. The day after Goodman left, we had a server crash and immediately after that the second on crashed. It took many hours to completely get all the bugs out. Lawrence gave Warr Acres 100% of his attention. Our system was totally outdated and patched many times over the years it was destined to fail. I would aske that we hire his firm. There is a tremendous amount of work to be done to bring us into this century.

Motion by Knipp, second by Von Thayer to approve an agreement with LMRoss for Managed Services Computer Support. Poll vote: Ryan, yea; Tucker, yea; Godwin, abstain; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed.

10. Discussion and possible action a Resolution entering in to a lease agreement with PNC Financial for the purchase of a Pierce Enforcer Pumper Fire Truck. **** *Coy*

Mayor Mickley told the council this truck will replace a 1992 pumper truck. These trucks are taking a long time to build and the pricing goes up nearly daily. The truck will take 18 months to build. Councilman Woolley wanted to know when the department got the latest two trucks. Chief Coy stated that Tower 22 was in 2009 and the Engine 23 was in 2016. The brush pumper is from the county and is a 2013.

Motion by Knipp, second by Tucker to approve the Resolution entering into a lease/purchase agreement with PNC for a Pierce Enforcer Pumper Fire Truck. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thae, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

11. Discussion and possible action to approve the CBA with the FOP Lodge #145 for FY 2022. *Mickley*

Motion by Evans, second by Knipp to approve the CBA with the FOP Lodge #145 for FY 2022. Poll vote: Ryan, abstain; Tucker, yea; Godwin, yea; Knipp, yea; Von Thae, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed.

12. 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):

Gabriel Escobar Velasco & Elizabeth Escobar, Parcel 5

This is the final temporary easement that was needed.

Motion by Godwin, second by Ryan to accept the temporary easement. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thae, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

Items 13, 14 and 15 were heard before item 6.

13. A. Discussion and possible action on Ordinance #1213 Naming Increment District "A" Of The City Of Warr Acres Economic Development Project Plan, As Increment District Number One, City Of Warr Acres, And Establishing The Date For The Creation Thereof; Ratifying And Confirming The Actions, Recommendations And Findings Of The Review Committee And Planning Commission With Regard To Increment District "A"; Ratifying And Confirming The Action Of The City Of Warr Acres In Enacting Ordinance #1192 A That Approved And Adopted The City Of Warr Acres Economic Development Project Plan, Established The Project Area, And Established Increment District "A"; Ratifying And Confirming The City Of Warr Acres And The Warr Acres Economic Development Authority As The Entities Authorized To Carry Out And Administer The Project Plan, Including Administration Of The Tax Apportionment Fund And The Use Of Increment Revenues For The Payment Of

Certain Project Costs; Directing Continuing Apportionment; Providing For Severability; And Declaring An Emergency. ***** *Sabin*

Mayor Mickley stated that now that there is interest on the properties and before they improve the properties these Ordinances need to be passed to basically flip the switch to insure, we get the new tax base now so we get the increased tax rate after they are improved. TIF Attorney Jeff Sabin told the council that these reaffirm what the city wants and was already set up and he understands that two applications have already been turned in and staff has reviewed. Councilman Evans asked why they were only doing three and not all four. At this time there is no activity in District C so they do not need to do anything until there is.

Motion by Evans, second by Knipp to approve TIF District A, Ordinance #1213. Poll vote: Ryan, yea; Tucker, yea; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

B. Approval of the emergency clause.

Motion by Ryan, second by Von Thayer to approve the emergency clause. Poll vote: Ryan, yea; Tucker, yea; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

14. A. Discussion and possible action on Ordinance #1214 Naming Increment District "B" Of The City Of Warr Acres Economic Development Project Plan, As Increment District Number Two, City Of Warr Acres, And Establishing The Date For The Creation Thereof; Ratifying And Confirming The Actions, Recommendations And Findings Of The Review Committee And Planning Commission With Regard To Increment District "B"; Ratifying And Confirming The Action Of The City Of Warr Acres In Enacting Ordinance #1192 A That Approved And Adopted The City Of Warr Acres Economic Development Project Plan, Established The Project Area, And Established Increment District "B"; Ratifying And Confirming The City Of Warr Acres And The Warr Acres Economic Development Authority As The Entities Authorized To Carry Out And Administer The Project Plan, Including Administration Of The Tax Apportionment Fund And The Use Of Increment Revenues For The Payment Of Certain Project Costs; Directing Continuing Apportionment; Providing For Severability; And Declaring An Emergency. ***** *Sabin*

Motion by Ryan, second by Tucker to approve Ordinance #1214. Poll vote: Ryan, yea; Tucker, yea; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

B. Approval of the emergency clause.

Motion by Tucker, second by Knipp to approve the emergency clause. Poll vote: Ryan, yea; Tucker, yea; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

15. A. Discussion and possible action on Ordinance #1215 Naming Increment District "D" Of The City Of Warr Acres Economic Development Project Plan, As Increment District Number Three, City Of Warr Acres, And Establishing The Date For The Creation Thereof; Ratifying And Confirming The Actions, Recommendations And Findings Of The Review Committee And Planning Commission With Regard To Increment District "D"; Ratifying And Confirming The Action Of The City Of Warr Acres In Enacting Ordinance #1192 A That Approved And Adopted The City Of Warr Acres Economic Development Project Plan, Established The Project Area, And Established Increment District "D"; Ratifying And Confirming The City Of Warr Acres And The Warr Acres Economic Development Authority As The Entities Authorized To Carry Out And Administer The Project Plan, Including Administration Of The Tax Apportionment Fund And The Use Of Increment Revenues For The Payment Of Certain Project Costs; Directing Continuing Apportionment; Providing For Severability; And Declaring An Emergency. **** *Sabin*

Motion by Schmidt, second by Von Thayer to approve Ordinance #1215. Poll vote: Ryan, yea; Tucker, yea; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

B. Approval of the emergency clause.

Motion by Knipp, second by Ryan to approve the emergency clause. Poll vote: Ryan, yea; Tucker, yea; Knipp, yea; Von Thayer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

Item 6 was heard after item 15.

16. A. Discussion and possible action on an Ordinance pertaining to Chickens and Rooster in the city limits. **** *Love/Mickley*

Councilman Ryan said his issue is with the placement of the chicken coop. It should be by the house of the owner not along the fence near the neighbor's home. Councilman Evans stated that there is no need for there to be Roosters and they do not know the time of day they crow all the time. Councilman Godwin stated he didn't have a problem with chickens, people are trying to do healthy living by having fresh eggs. Councilman

Schmidt stated that he agreed the coops needed to be close to the owner's home not the neighbors.

Motion by Knipp, second by Godwin to reject the Ordinance. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thaer, yea; Woolley, yea; Evans, nay; Schmidt, yea; and Mickley, yea.

Motion Passed.

B. Approval of the emergency clause.

Moot.

17. Questions and Comments from Council.

Von Thaer-thanked everyone and told everyone to stay healthy

Woolley-told everyone how much he appreciates all the employees and staff and how everyone has an important role, and appreciates the council. The thanked everyone for all the prayers and thoughts for his recovery from his accident.

Evans-told Chief Patty he was looking forward to taking a tour of the new station

Schmidt-2 ladies from the humane society are here tonight and he thanked them for the volunteer work they are going to continued to get. Chief Patty stated that they have been a great help since the Animal Control officer has been out sick and was glad they were present so he could thank them publicly.

Ryan-said the only reason he abstained on the vote on the FOP contract was that he missed the meeting and did not know exactly what they were approving and felt he needed more information. He reminded anyone watching that the election for Ward I will be February 8th.

Tucker-thanks staff and is thankful for citizen participation

Godwin-thanks humane society lots of dogs and cats to love, would like the city to do a sister city project

Knipp-thanked all employees

Mickley-chamber event has been postponed, thanks staff and especially the department heads that keep everything rolling. Very glad Roger has a new dispatcher on board, thank you Chief Coy for saving the citizens potentially millions of dollars in structure fire damage. The police station is scheduled for January 31st move in date with final testing by ATT on the 27th. We have been delayed nearly two months waiting on ATT. The fire station is tentatively set to move February 15th, we hear the garage doors should be installed on January 31st. Just give Chief Coy or myself a holler and we would love to walk you through. Have a great rest of the month and I will see everyone next month and a new councilmember.

18. Adjournment.

Motion by Knipp, second by Godwin to adjourn. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thaer, yea; Woolley, nay; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed.

The meeting was adjourned at 7:29 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
JANUARY 18, 2022
6:00 p.m.**

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

1. The meeting was called to order at 7:29 p.m. Declaration of a quorum present was given.

ROLL CALL

Present

Absent

Chairman Jim Mickley
Vice-Chairman John Knipp
Trustee Roger Godwin
Trustee Jim Von Thaer
Trustee Pat Woolley
Trustee Mike Schmidt
Trustee Jon Evans
Trustee Donnie Ryan
Trustee Willian Tucker

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 December 21, 2021. ****
 - B. Approve payment of claim in the amount of \$56,784.00 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of December, 2021. ****
 - C. Approval of payment of claims for the Sewer department 2021 in the amount of \$10,719.63. ****

Motion by Woolley, second by Knipp to approve the consent docket. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thaer, yea; Woolley, yea; Evans, yea; Schmidt, 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 Ryan to adjourn. Poll vote: Ryan, yea; Tucker, yea; Godwin, yea; Knipp, yea; Von Thaer, yea; Woolley, yea; Evans, yea; Schmidt, yea; and Mickley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 7:31 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer