

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY,
NOVEMBER 19, 2013
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 Koger and the Invocation was given by Mayor Woolley.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice Mayor Stewart Shapiro
Councilman Stephen Fuhrman
Councilman Roger Godwin
Councilman William McClure
Councilman Donnie Ryan
Councilwoman Cathy Maxey
Councilman James Mickley

ABSENT

STAFF PRESENT

Matt Love, City Attorney
Craig Wallace, City Engineer
Wiley Rice, City Planner
Hugh Osborn, Deputy Police Chief
Stephen Coy, Asst. Fire Chief
Mike Turman, Public Works Director
Pamela McDowell-Ramirez, City Clerk/Treasurer

2. Presentation of a 10 year pin to Fire Sgt. Jason Hartpence.

Fire Sgt. Jason Hartpence was unable to attend the meeting.
3. Presentation of commendations by the Mayor and Chief Patty to Officer Darryl Goodman.

Deputy Chief Osborn and the Mayor presented Officer Goodman with a certificate of commendation.
4. Call to the Public.

No one wished to speak.

5. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #6.)

A. Approval of the minutes from the Regular meeting of October 15, 2013. ****

B. Approval of Expenditures ****	General Fund	\$ 156,108.59
	CIP Fund	\$ 2,635.00
	Sewer Line Fund	\$ 6,040.00

C. Approval of Actual Expenditures for October 2013 and Proposed Expenditures for November 2013. ****

D. Sales Tax History Report. ****

Motion by Ryan, second by Shapiro to approve the consent docket. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

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

Moot.

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

Deputy Chief Osborn-Wal Mart had their grand opening and they gave the Police Department a \$500 donation and one to the Fire Department.

PWD Turman-the welcome signs on 39th are now illuminated, the pedestrian crossing at the Community Center is done, park pavilions have been re-roofed, library parking has been patched, fence a Grandma Lily's park will be put up, stripping on 63rd is done, they are blocking off the railroad property, and the Christmas tree will be decorated and a lighting on the Friday after Thanksgiving. The Mayor showed a sign that the city purchased that can be used each year to advertise the tree lighting. Councilman Shapiro stated that he really appreciated the Street Sweeping. PWD Turman said the crews have also been filling cracks in the streets all over town.

Engineer Wallace-50th overlay and school zone projects will have federal letting soon and will be a joint project. 50th and Mac project properties require condemnation and funding for 2014 has been approved. The Mayor stated that 39th and Grove school crossing pulled out of the School Zone project because state highway and now will be a project with ODOT and 80/20.

8. Final Public Hearing, discussion and possible action on A Planned Unit Development Amendment of Cherokee Crossing Sec II. *****

LEGAL DESCRIPTION: A Part of The West Half (W/2) of Section 3, T 12 N, R 4 W, I.M., City of Warr Acres, Oklahoma County, Oklahoma. Owner/Developer Cherokee Crossing L.L.C./Cherokee Crossing Development, L.L.C.

- A. Amendment shall include the re-designation of TRACT 4B to commercial development, and to provide for a redesign of an area South of the current development to be known as a part of Cherokee Crossing Section II. Approval requires recommendation and approval by Warr Acres Planning Commission and City Council.
- B. Submission of Preliminary Plat. Approval requires recommendation and approval by Warr Acres Planning Commission and City Council.

Motion by Shapiro, second by Godwin to open the public hearing. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

Attorney Love stated there were 4 written protest. Barbara Ragland stated that she was against a wall being put up, she is concerned it will lower her property value. Brett Owen stated he thought the wall was great and that he misunderstood what was being requested, thought it was going to be changed to Commercial, he withdrew his protest. Mark Montgomery thought it was a change to Commercial also and withdrew his protest when he discovered that was not the case. He stated that he would rather look at a fence or wall than at the back of a house. Kristi Clayton does not like the wall concerned about property value. Jay Campbell liked being able to see the lake from his house but would like the wall, does not believe would affect property values. Mark Nestlen gave the Mayor a list of people he was representing that could not attend the meeting. He said they like the Commercial area, ok with the proposed changes to the setbacks, likes all the proposed changes. Bob Carter said that his house backs up to the retention pond and they were supposed to put houses behind him no they want to put commercial, if they do they the city needs to look at the retention pond because it is not designed properly.

Motion by Shapiro, second by Godwin to close the public hearing. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

Councilman Mickley was concerned that several changes had been made to the PUD that were not discussed at the Planning Commission meeting such as quantities of lots and the lot size changes. He said it went to the Planning Commission as one item then was

broken down into 3 items and voted on, now back to one item for the council to vote on. He said that he could not vote on documents with handwritten notes on them. He had many concerns about the information they were given. There was confusion for other councilmembers also stemming from the paperwork that was sent out in the agenda packet. It had handwritten notes on it and it turned out that the notes were made by Inspector Strong during the Planning Commission meeting. The council thought that it was changes the applicant had handwritten in and felt that a clean copy of changes needed to be turned in before they could make a decision on the issues. Special Planning Commission meeting and special Council meeting were set to take care of this item.

Motion by Mickley, second by Maxey to table the item and send it back to the Planning Commission for proper documentation. Poll vote: McClure, yea; Godwin, nay; Ryan, nay; Maxey, yea; Mickley, yea; Fuhrman, nay; Shapiro, yea and Woolley, yea.

Motion Passed.

The council took a recess from 8:10 p.m. to 8:22 p.m.

9. Discussion and possible action to withdraw the appeal of the Board of Adjustment's granting of a variance in BOA Case No. 13-01. *Godwin/Ryan* *****

Councilman Fuhrman stated that he objected to this item being on the agenda stating that everyone that was at the original meeting that voted on the item are not at this meeting and it wasn't right to have it on the agenda again without them being present.

Councilman Godwin stated that the council needs to hear about the item from the Inspector. Three options were considered, to get the shelter behind the house can not go at back of yard due to gas line, NE corner of yard contractor can not get equipment where he needs it, behind the front building line he could add on to his house but not place a shelter there. The applicant agreed if allowed to place the shelter in the front he would build a wall to match the house and plant flowers to block the shelter from view. The council was told that there were neighbors present in support of the applicant at the BOA meeting. Each case is on it's own merit so no president is set if granted. The council must decide to appeal or not.

Motion by Shapiro, second by Ryan to withdraw the appeal. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, abstain; Shapiro, yea and Woolley, abstain.

Motion Passed.

10. Discussion and possible action to accept the bid from Apex Gates and Openers and authorize the Mayor to execute the contract for a new automatic gate system for the main entrance of the Public Works Yard located at 6045 NW 50th St. *Turman* *****

Motion by Maxey, second by McClure to accept the bid and authorize the Mayor to execute the contract for the automatic gate. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

11. Discussion and possible action to approve a Campus Police Jurisdictional Agreement between the City of Warr Acres and Independent School District No. 1 of Oklahoma County (aka Putnam City Public Schools). *Patty/Love* ****

Motion by Shapiro, second by Fuhrman to approve the agreement. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

12. Discussion and possible action on a Resolution for the 39th School zone project with ODOT. ****

Motion by Godwin, second by Ryan to approve the Resolution. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

13. Discussion and possible action on a Resolution and agreement with ODOT concerning ADA on the 50th overlay project. ****

Motion by Godwin, second by Mickley to approve the Resolution. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

14. Discussion and possible action on a Resolution calling for the 2014 Council election. ****

Motion by Godwin, second by Fuhrman to approve the Resolution. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

15. Questions and Comments from Council.

Ryan-asked that the information about the rate increase be put in the monthly newsletter.

Godwin-enjoyed the Greater Metro Chamber outing.

McClure-need to take care of signs and the parking of vehicles in yards on the weekends.

Maxey-PWD Turman is doing a great job, the streets are looking great.

Fuhrman-need to improve the technology in the council chambers.

Woolley-good discussions and thanks for all the time the council spends working for the city to make it better.

Item 16 was heard before item 10.

16. Discussion and possible action concerning contract negotiations for FY 2014 with IAFF Local #2374 and FOP Lodge #145, and the City of Warr Acres, including discussion and action on entering into Executive Session as allowed under 25 O.S. Supp. 307 (B) (2), discussion negotiations concerning employees and representatives of employee groups.
Love

Motion by Fuhrman, second by Godwin to enter into executive session. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

The council entered into executive session at 9:02 p.m. The council returned to open session at 10:21 p.m. With no action taken.

Item 10 was heard after item 16.

17. Any Old or New Business (“New Business”) is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”).

Moot.

18. Adjournment.

Motion by Shapiro, second by Godwin to adjourn. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 10:39 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
NOVEMBER 19, 2013
6:00 p.m.**

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

1. The meeting was called to order at 10:39 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

ABSENT

Chairman Patrick Woolley
Vice Chairman Stewart Shapiro
Trustee Stephen Fuhrman
Trustee Donnie Ryan
Trustee William McClure
Trustee Roger Godwin
Trustee Cathy Maxey
Trustee James Mickley

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of October 15, 2013. ****

Motion by Ryan, second by Godwin to approve the minutes. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$60,819.15 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of October, 2013.

Motion by Fuhrman, second by Godwin to approve the payment. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

4. Approval of payment of claims for the Sewer department. ****

Motion by Godwin, second by Mickley to approve the payment of claims. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

5. Adjournment.

Motion by Godwin, second by Mickley to adjourn. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 10:41 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer

MINUTES

**CITY OF WARR ACRES
SPECIAL
ECONOMIC DEVELOPMENT AUTHORITY MEETING
TUESDAY
NOVEMBER 19, 2013
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 10:41 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

ABSENT

Chairman Patrick Woolley
Vice Chairman Stewart Shapiro
Trustee Stephen Fuhrman
Trustee Donnie Ryan
Trustee William McClure
Trustee Roger Godwin
Trustee Cathy Maxey
Trustee James Mickley

2. Approve the minutes of the Economic Development Authority meeting of September 17, 2013. ****

Motion by Godwin, second by Ryan to the minutes. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

3. Approval of payment of claims for Economic Development. ****

Motion by Godwin, second by Ryan to approve the payment of claims. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

4. Adjournment.

Motion by Godwin, second by Ryan to adjourn. Poll vote: McClure, yea; Godwin, yea; Ryan, yea; Maxey, yea; Mickley, yea; Fuhrman, yea; Shapiro, yea and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 10:44 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk/Treasurer