

Minutes

CITY OF WARR ACRES REGULAR CITY COUNCIL MEETING

Tuesday,
June 18, 2013
6:00 p.m.

This meeting was given in accordance with applicable State Statutes.

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice Mayor Stewart Shapiro
Councilman James Mickley
Councilwoman Jan Blake
Councilman Roger Godwin
Councilman Stephen Furhman

ABSENT

Councilwoman Cathy Maxey
Councilman William McClure

STAFF PRESENT

Matt Love, City Attorney
Craig Wallace, City Engineer
Wiley Rice, City Planner
Roger Patty, Police Chief
Kenny Koger, Fire Chief
Mike Turman, Public Works Director
Jenell Robertson, Asst. City Clerk

1. Call to order, Declaration of a quorum, Flag salute and Invocation.

Mayor Woolley called the meeting to order at 6:00 p.m., declared a quorum present. Flag Salute led by Fire Chief Koger and Invocation led by Mayor Woolley.

2. Presentation by the Mayor for a 15 year service pin to Detective Sean Thompson and a 30 year service pin to Communications Supervisor Karen Selby. Presentation to David Dirkschneider.

Mayor Woolley presented Sean Thompson with a 15 year pin. Karen Selby was not present. Mayor Woolley also presented former Councilman David Dirkschneider with a plaque.

3. Call to the Public.

Barbara Anderson, with the Tribune, stated she was retiring and enjoyed working with the City of Warr Acres. She stated Brandon Rahbar would be taking her place.

4. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #5.)
 - A. Approval of the minutes from the Regular meeting of May 21, 2013 and Special meeting of June 6, 2013.

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|----|--------------------------|------------------|---------------|
| B. | Approval of Expenditures | General Fund | \$ 619,841.03 |
| | | Res for Cap Fund | \$ 3,450.00 |
| | | CIP Fund | \$ 89,240.00 |
| | | Sewer Line Fund | \$ 4,500.00 |
- C. Approval of Actual Expenditures for May 2013 and Proposed Expenditures for June 2013.
- D. Sales Tax History Report.
- E. Approval to surplus items per the attached list from the Fire Chief.
- F. Approval of supplemental appropriations in the Public Safety Tax Fund in the amount of \$5500.00 for the purchase of an additional part for the Livescan Electronic Fingerprint/Palm system from GSA contract.

Motion by Mickley, seconded by Blake to approve the Consent Docket as presented. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

5. Discussion and possible action on items removed from the consent docket.
None.
6. Receive reports from Staff: Police Chief, Fire Chief, City Clerk, City Attorney, Public Works Director, City Engineer, and City Planner.

Police Chief Patty-discussed fingerprint equipment, graduating officer 6-28-13

Fire Chief Koger-letter about weather responses, IRIS system, covering Edmond Fire Depts. for funeral for firefighter, manning situation at Warr Acres Fire Dept.

Attorney Matt Love-stated IAFF EOP denied, Walmart negotiation, Planning Commission Comprehensive Plan and final public hearing next month

Public Works Director Mike Turman-sewer grant, final report from DEQ, 2 new employees (Street Dept.), repair of lift stations during storms

City Engineer Craig Wallace-50th St. overlay and N. W. 50th & MacArthur intersection

City Planner Wiley Rice-Memo passed out to City Council (updated Resolution creating a town center community). Bob Wehba also spoke on this matter.

Councilman Shapiro stated he did not feel that the City Council should review the Resolution creating a town center community until the Planning Commission accepted the document and brought it before Council for final approval. Councilman Shapiro and Councilman Mickley gave their copies back to Bob Wehba and Wiley Rice.

7. Final Public Hearing and possible action on a sign variance for an electronic message board for Metro Vape, LLC., located at 4201 N MacArthur.

Motion by Shapiro, seconded by Godwin to open the Public Hearing for a sign variance for an electronic message board for Metro Vape, LLC., located at 4201 N. MacArthur. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

Matt Hatfield, with Metro Vape, LLC was present. He stated there was a 3'x8' sign already on the building and that he put his sign on top of the existing sign. Mr. Hatfield stated that Building Inspector, Kevin Strong, came by his business and told him he needed a sign permit. Mr. Hatfield stated he came to City Hall the same day as Inspector Strong came by and filled out the sign permit application.

Motion by Godwin, seconded by Mickley to close the Public Hearing for a sign variance for an electronic message board for Metro Vape, LLC., located at 4201 N. MacArthur. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

Discussion among Councilmembers and Matt Love reference the signage and the statue out front of Metro Vape. Councilman Shapiro stated he did not feel the statue in front of this business was appropriate and was a distraction to drivers. Councilman Fuhrman stated he had driven by the business at night and felt the LED sign was very bright and was more of a distraction to drivers. He also stated he had issues with the sign already in place before a sign permit was issued.

Motion by Godwin, seconded by Blake to approve a sign variance for an electronic message board for Metro Vape, LLC., located at 4201 N. MacArthur. Poll vote: Woolley, yes; Shapiro, no; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, no. Motion passed.

8. Discussion and possible action on appropriation of funds to the Fire Department from the Unreserved fund balance in the amount \$37,715.15 and authorization for the Fire Chief to hire an additional firefighter.

Motion by Godwin, seconded by Blake to approve appropriation of funds to the Fire Department from the Unreserved fund balance in the amount \$37,715.15 and authorize the Fire Chief to hire an additional firefighter. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

9. Discussion and possible action on sending the Public Works Director and two Public Works employees to Waco, TX, TYMCO Service School, July 23-24, 2013, at a cost of approximately \$1434.00 for training on the new Street Sweeper.

Motion by Blake, seconded by Mickley to approve sending the Public Works Director and two Public Works employees to Waco, TX, TYMCO Service School, July 23-24, 2013, at a cost of approximately \$1434.00 for training on the new Street Sweeper. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

10. Discussion and possible action on re-appointing Beth Toland to the Metropolitan Library Commission for a 3 year term.

Barbara Beasley explained she was the manager of the Warr Acres Library. She stated there were 18 members on the board from surrounding municipalities for the Library System and these members were appointed by each municipality. Ms. Beasley stated that the library was funded by property taxes. Ms. Beth Toland was not present.

Motion by Blake, seconded by Mickey to reappoint Beth Toland to the Metropolitan Library Commission for a 3 year term. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

11. Discussion and possible action on an agreement to engage in compliance activities by the Oklahoma Tax Commission.

Motion by Blake, seconded by Godwin to approve an agreement to engage in compliance activities by the Oklahoma Tax Commission. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

12. Discussion and possible action on an Agreement for Independent Audit Management Services and an Agreement for Independent Sales and Use Tax Compliance Services with Gano Coleman, CPA PLLC, to audit sales and use tax revenue for the City of Warr Acres.

Motion by Fuhrman, seconded by Blake to approve an Agreement for Independent Audit Management Services and an Agreement for Independent Sales and Use Tax Compliance Services with Gano Coleman, CPA PLLC, to audit sales and use tax revenue for the City of Warr Acres. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

13. Discussion and possible action on an Agreement for Compliance Audit Services and a Confidentiality Agreement with PRA Government Service, LLC, dba RDS to audit sales and use tax revenue for the City of Warr Acres.

Motion by Mickley, seconded by Blake to approve an Agreement for Compliance Audit Services and a Confidentiality Agreement with PRA Government Service, LLC, dba RDS to audit sales and use tax revenue for the City of Warr Acres. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

14. Discussion and possible action to participate in an audit of a business with the City of Oklahoma City to be performed by Mr. Gano Coleman, CPA, LLC.

Motion by Fuhrman, seconded by Godwin to approve to participate in an audit of a business with the City of Oklahoma City to be performed by Mr. Gano Coleman, CPA, LLC. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

15. Discussion and possible action on a Mutual Cooperation Agreement with Oklahoma County for Mowing and Patching.

Motion by Godwin, seconded by Blake to approve, as amended last year, a Mutual Cooperation Agreement with Oklahoma County for Mowing and Patching. Poll vote: Woolley, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. (Councilman Shapiro stepped out of the meeting). Motion passed.

16. Discussion and possible action on a Mutual Cooperation Agreement with Oklahoma County concerning road maintenance and repairs.

Motion by Blake, seconded by Mickley to approve a Mutual Cooperation Agreement with Oklahoma County concerning road maintenance and repairs. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

17. Discussion and possible action on Resolution 478 setting the 911 fee for 2014 at 3%.

Motion by Blake, seconded by Mickley to approve Resolution 478 setting the 911 fee for 2014 at 3%. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

18. Discussion and possible action on Tort Claims filed by Carolyn Durbin regarding a sanitary sewer overflow. The city's insurance company has recommended denial.

Public Works Director Turman stated the property owner did not have a backflow preventer.

Motion by Mickley, seconded by Fuhrman to deny the Tort Claim filed by Carolyn Durbin regarding a sanitary sewer overflow. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

19. Discussion and possible action on having the attorney prepare an Ordinance requiring all new residential construction, nursing homes, mobile home parks to include a safe room or storm shelter.

Councilwoman Blake stated she would like to see this in all new construction.

Discussion among Councilmembers, Mike Turman, and City Attorney Love on storm shelters, new construction, FEMA standards, and the specifications it would take in order to require citizens to build a storm shelter/safe room. Attorney Love stated this would be a very large task which would require expertise from several employees to put together an ordinance and would take several months.

No action taken.

20. A. Discussion and possible action on an Ordinance amending 10.64.030 regarding taillights.

Motion by Blake, seconded by Fuhrman to approve an Ordinance amending 10.64.030 regarding taillights. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

- B. Approval of the emergency clause.

Motion by Fuhrman, seconded by Blake to approve the emergency clause for an Ordinance amending 10.64.030 regarding taillights. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

21. Consideration and possible action to authorize the City Attorney to dismiss the unfair labor practice charge which was filed by the City against IAFF Local 2374 including possible action to enter into executive session pursuant to 25 O.S. 307(B)(4) for the purpose of engaging in confidential communications between the City Council and the City Attorney regarding a pending action (City of Warr Acres v. IAFF Local 2374, PERB Case No. 2013-ULPC-526) where the City Council, with the advice of the City Attorney, determines that disclosure will seriously impair the ability of the City Council to conduct the action or proceeding in the public interest.

22. Discussion and possible action concerning contract negotiations for FY 2014 with IAFF Local #2374, 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.

Motion by Shapiro, seconded by Godwin to go into executive session for Items 21 and 22 on the Agenda. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

City Council took a recess at 7:46 p.m.

Entered into executive session at 7:53 p.m.

Mayor Woolley stated the Council was out of executive session at 8:34 p.m. No action taken.

Motion by Shapiro, seconded by Godwin to authorize Mayor Woolley to settle ULP, including filing for dismissal. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

23. Questions and Comments from Council.

Blake-Christmas decorations, getting a list together for citizens wanting storm shelters (maybe at a discounted price) - contact her

Godwin-thanked the Fire Dept. for helping with his newborn baby born 6-2-13, now serves on the board for ACOG

Shapiro-animal shelter, 42nd St. building needed to be demolished, wanted to see new Fire Dept. and new Police Dept. on MacArthur, potholes at Golden Coral

Fuhrman-storm shelters, wanted new Fire Dept. at N. W. 42nd and MacArthur with storm shelter underneath the building, temporary signs, sewer rates. He also said he would like an item on the next agenda, reference sewer rates. He would also like an item on next months agenda, discussion only, no action, reference the City's storm shelters.

Mickley-shortage of dispatchers, does not want mannequins in front of businesses

Mayor-looking into computer tablets for the Police Dept.

24. 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").
None.

25. Adjournment.

Motion by Blake, seconded by Godwin to adjourn this meeting of the Warr Acres City Council. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

Meeting adjourned at 9:05 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk

MINUTES

CITY OF WARR ACRES
PUBLIC WORKS AUTHORITY MEETING
TUESDAY
JUNE 18, 2013
6:00 p.m.

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

ROLL CALL

PRESENT

Mayor Patrick Woolley
Vice Mayor Stewart Shapiro
Councilman James Mickley
Councilwoman Jan Blake
Councilman Roger Godwin
Councilman Stephen Furhman

ABSENT

Councilwoman Cathy Maxey
Councilman William McClure

STAFF PRESENT

Matt Love, City Attorney
Jenell Robertson, Asst. City Clerk

1. Call to order, Declaration of a quorum.

Mayor Woolley called the meeting to order at 9:05 p.m. and declared a quorum present.

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of May 21, 2013.

Motion by Mickley, seconded by Blake to approve the minutes of the Warr Acres Public Works Authority Meeting of May 21, 2013. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

3. Approve payment of claim in the amount of \$58,051.71 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of May, 2013.

Motion by Mickley, seconded by Godwin to approve payment of claim in the amount of \$58,051.71 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of May, 2013. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

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

Councilman Fuhrman stated on this report he would like to know the accounts receivable balance each month.

Motion by Blake, seconded by Godwin to approve payment of claims for the Sewer Dept. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

5. Adjournment.

Motion by Blake, seconded by Shapiro to adjourn this meeting of the Warr Acres Public Works Authority. Poll vote: Woolley, yes; Shapiro, yes; Godwin, yes; Blake, yes; Mickley, yes; Fuhrman, yes. Motion passed unanimously.

Meeting adjourned at 9:09 p.m.

Respectfully Submitted,

Jenell Robertson
Asst. City Clerk