

**MINUTES OF A
MEETING OF THE NEWCASTLE PUBLIC WORKS AUTHORITY
(Opening Prayer & Flag Salute)**

DATE: November 14, 2011

TIME: 6:00 P.M.

PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH STREET

ITEM 1: CALL TO ORDER/ROLL CALL

Chairman Karl Nail called the meeting to order at 6:04 p.m.

PRESENT: Chairman Karl Nail
Vice Chair Linda Molsbee
Trustee Cindy Frizzell
Trustee Wayne McDoulett
Trustee Chris Turner

ABSENT: None

OTHERS PRESENT: Nick Nazar, General Manager; Kevin Self, Assistant General Manager; Ted Haxel, City Attorney; Camille Dowers, NPWA Secretary; Sharon Ferguson, City Treasurer; Ian Crittenden, City Planner; Dinah Alizadeh, Administrative Assistant; Kenny Sullivan, P.E., Glenn Sullivan & Associates, City Engineer

ITEM 2: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE
AGENDA

Motion was made by Linda Molsbee and seconded by Cindy Frizzell to approve the agenda. Board polled: Linda Molsbee, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 3: CITIZENS' COMMENTS

None

ITEM 4: CONSENT AGENDA

- A. Minutes:
October 10, 2011
- B. Claims
- C. Transfer of funds
- D. Appropriation of funds
- E. DWSRF Payment Request No. 14
- F. Budget Amendments
- G. OKC Connection claims
- H. Approval of claims in excess of \$25,000.00
- I. Acknowledgment of DEQ Permit No. WL000044110650 (Newcastle Public Schools Performing Arts Center and Library)

City Treasurer Sharon Ferguson presented NPWA Budget Amendment #12-03. Motion was made by Cindy Frizzell and seconded by Chris Turner to approve the consent agenda as amended. Board polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 5: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF REGULARLY SCHEDULED MEETING TIMES AND DATES OF THE NEWCASTLE PUBLIC WORKS AUTHORITY FOR CALENDAR YEAR 2012

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve meeting times and dates under Item 5 as proposed. Board polled: Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON ADJUSTMENT OF UTILITY ACCOUNTS:

A. DISCUSSION AND POSSIBLE ACTION REGARDING ADJUSTMENT TO UTILITY ACCOUNT NO. 15492-2734, SERVICE ADDRESS: 200 N. MAIN STREET, SUITE D (ROBIN FIELDER)

No action was taken.

B. DISCUSSION AND POSSIBLE ACTION REGARDING ADJUSTMENT TO UTILITY ACCOUNT NO. 1068201682, SERVICE ADDRESS: 1307 JORDAN DRIVE (MICHELLE SANDWELL)

Jay Sandwell, 1307 Jordan Drive, appeared and requested adjustment because of a water leak. Motion was made by Karl Nail and seconded by Cindy Frizzell to approve adjustment of utility bill dated 10/25/11 to the average monthly bill for the previous 12 months. Board polled: Chris Turner, yes; Linda Molsbee, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Karl Nail, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION FOR AUTHORIZATION TO ENTER INTO FINANCING IN THE AMOUNT OF \$53,898.00 WITH FIRST NATIONAL BANK & TRUST CO. FOR PURCHASE OF THREE (3) 2011 CHEVROLET SILVERADO EXTENDED CAB TRUCKS

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve financing proposal of First National Bank at 3.25% for 36 months under Item 7. Board polled: Linda Molsbee, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON AUTHORIZATION FOR PURCHASE AND PAYMENT FOR NEW HOLLAND T5060 TRACTOR AT STATE CONTRACT PRICE OF \$43,567.73 AND ALAMO 20 FT. VERSA BOOM MOWER AT STATE CONTRACT PRICE OF \$40,544.80, PLUS \$4,000.00 FOR MOUNTING, FOR APPROVAL OF TOTAL BID AMOUNT OF \$88,112.53 RECEIVED FROM CENTRAL NEW HOLLAND, INC., OKLAHOMA CITY, AND AUTHORIZATION TO SOLICIT BIDS FOR FINANCING

Motion was made by Linda Molsbee and seconded by Cindy Frizzell to approve Item 8. Board polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 9: GENERAL MANAGER'S COMMENTS

Wee Construction has been given Notice to Proceed for the Oklahoma City portion of the waterline construction. The concrete pours are being made at the ends of the river bore. Large trash pickup is doing well and may have to be extended due to a large public response.

ITEM 10: TRUSTEES' COMMENTS

None

ITEM 11: ADJOURNMENT

Motion was made by Cindy Frizzell and seconded by Wayne McDoulett to adjourn. The motion unanimously passed and the meeting was adjourned at 6:26 p.m.

Except for motions, the minutes only constitute an outline of discussion made by the Council/NPWA and legal advice by the City Attorney.

Chairman

Vice Chairman

Trustee

Trustee

Trustee

**MINUTES OF A
MEETING OF THE NEWCASTLE CITY COUNCIL**

DATE: November 14, 2011

TIME: 6:00 P.M.

PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH STREET

ITEM 1: CALL TO ORDER/ROLL CALL

Mayor Karl Nail called the meeting to order at 6:27 p.m.

PRESENT: Mayor Karl Nail
Vice Mayor Linda Molsbee
Council Member Cindy Frizzell
Council Member Wayne McDoulett
Council Member Chris Turner

ABSENT: None

OTHERS PRESENT: Nick Nazar, City Manager; Kevin Self, Assistant City Manager; Ted Haxel, City Attorney; Camille Dowers, City Clerk; Sharon Ferguson, City Treasurer; Ian Crittenden, City Planner; Dinah Alizadeh, Administrative Assistant; Kenny Sullivan, P.E., Glenn Sullivan & Associates, City Engineer

ITEM 2: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE
AGENDA

Motion was made by Linda Molsbee and seconded by Chris Turner to approve the agenda. Council polled: Linda Molsbee, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 3: CITIZENS' COMMENTS

None

ITEM 4: CONSENT AGENDA

- A. Minutes:**
October 10, 2011
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. DWSRF Payment Request No. 14**
- F. Budget Amendments**
- G. OKC Connection Claims**
- H. Approval of claims in excess of \$25,000.00**
- I. Acknowledgment of DEQ Permit No. WL000044110650 (Newcastle Public Schools Performing Arts Center and Library)**

City Treasurer Sharon Ferguson presented General Fund Budget Amendment #12-04. Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve Item 4 as amended. Council polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 5: PRESENTATION OF DONATION BY CENTENNIAL SQUARE DANCERS OF NEWCASTLE TO POLICE DEPARTMENT "SHOP WITH A COP" PROGRAM

Tom Moore, representing the Centennial Square Dancers, presented Police Chief Gary Norman a check for \$660.00 for the Shop with a Cop program. Applause was received with photos taken to be submitted to the Newcastle Pacer.

(At this time Mayor Karl Nail tabled Item 6 to follow Item 17.)

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS OF PLANNING AND ZONING COMMISSION

Planning Commission Agenda Item 8 (October 24, 2011 Meeting):
A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR REZONING FROM A (AGRICULTURE) TO PUD (PLANNED UNIT DEVELOPMENT DISTRICT) FOR NEWCASTLE PUBLIC SCHOOLS, NEWCASTLE BOARD OF EDUCATION, LOCATED IN THE SE/4 OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 4 WEST OF THE I.M., McCLAIN COUNTY, OKLAHOMA. PROPERTY ADDRESS: 101 N. MAIN, NEWCASTLE, OK (R#2011-008)

- A. The Planning and Zoning Commission recommends approval of Ordinance No. 670 rezoning property from A (Agriculture) to PUD (Planned Unit Development) subject to correction of Section 8.2 amending façade requirement to meet current requirements of 100% and the additional grant of a 17 ft. roadway and utility easement.**

City Planner Ian Crittenden presented the recommendation of the Planning Commission under Item 6(A). Motion was made by Karl Nail and seconded by Linda Molsbee to approve Ordinance No. 670 under Item 6(A) with amendments as proposed. Council polled: Linda Molsbee, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

B. Adoption of the Emergency Clause for Ordinance No. 670

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve Item 6(B). Council polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

Planning Commission Agenda Item 9 (October 24, 2011 Meeting):
DISCUSSION AND POSSIBLE ACTION ON DEVIATION FROM FAÇADE REQUIREMENTS AS DESCRIBED IN ORDINANCE 532, SECTION 1, COMMERCIAL BUILDING (C) FOR CIMARRON ENERGY LOCATED AT 4190 SOUTH HARVEY, NEWCASTLE, OK

- C. The Planning and Zoning Commission recommends declining Cimarron Energy the opportunity to waive the façade requirements regarding Building Permit #11-142.**

Motion was made by Cindy Frizzell and seconded by Wayne McDoulett to approve the recommendation of the Planning and Zoning Commission under Item 6(C) to decline waiver of façade requirements. Council polled: Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION OF LOCAL EMERGENCY PLANNING COMMITTEE

**LEPC Agenda Item 4 (November 14, 2011 Meeting):
DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE CITY OF NEWCASTLE EMERGENCY SOG (STANDARD OPERATING GUIDELINES)—continued**

A. Report on recommendation of LEPC.

Assistant City Manager Kevin Self reported it was the recommendation of the LEPC to approve the City of Newcastle Emergency SOG, establishing operating guidelines for city personnel in the event of an emergency. Motion was made by Chris Turner and seconded by Wayne McDoulett to approve the recommendation of the LEPC under Item 7. Council polled: Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION OF PARKS, RECREATION AND BEAUTIFICATION BOARD

**Parks, Recreation and Beautification Board Agenda Item 6 (October 19, 2011 Meeting):
DISCUSSION AND POSSIBLE ACTION ON PARKS PLANS—continued**

A. The Parks Board recommends appropriation of funds to design and build a Walking Trail at Veteran's Park.

City Manager Nick Nazar reported on cost estimates from the Street Department and recommended waiting until after sales tax receipt reports are in to approve appropriation of funds. Council Member Cindy Frizzell and City Planner Ian Crittenden further reported on the recommendation of the Parks Board and previously approved CIP. City workers will begin work on the base construction. No action was taken.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON DEDICATION AND ACCEPTANCE BY THE CITY OF NEWCASTLE OF PERMANENT STREET AND UTILITY EASEMENTS FORMING PART OF THE S/2 OF SEC. 31, TOWNSHIP 10 NORTH, RANGE 4 WEST, I.M., McCLAIN COUNTY, OKLAHOMA, ALSO KNOWN AS "DEL REX DRIVE", FROM STEPHEN W. McCAN, D.C. AND MARIA McCAN; M & S PROPERTIES, LLC; SCOTT D. ROUSE AND JANE A ROUSE FAMILY TRUST; JOHN EDWARD PEEPER AND CAROL A. PEEPER, JOHN MARK PEEPER; JOHNNY O. CERNY; AND MICHAEL W. MIEARS

City Attorney Ted Haxel announced modifications to some of the easements may be needed. Motion was made by Linda Molsbee and seconded by Chris Turner to accept dedication of easements from property owners under Item 9 with modifications as needed. Council polled: Chris Turner, yes; Linda Molsbee,

yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Karl Nail, yes. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF AGREEMENT FOR STREET IMPROVEMENTS TO DEL REX DRIVE, BETWEEN THE CITY OF NEWCASTLE AND OWNERS OF REAL ESTATE ABUTTING DEL REX DRIVE

Motion was made by Linda Molsbee and seconded by Chris Turner to approve agreement under Item 10. Council polled: Linda Molsbee, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 11: DISCUSSION AND POSSIBLE ACTION FOR ADOPTION OF RESOLUTION NO. 2011-14 TO EXTEND 45 MPH SPEED LIMIT ON STATE HIGHWAY 37, ALSO KNOWN AS NORTHWEST 32ND STREET TO 0.15 MILES EAST OF COUNTRY CLUB ROAD

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve Item 11 as modified to extend "0.15 miles west of Country Club Road" instead of "0.15 miles east of Country Club Road". Council polled: Linda Molsbee, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 12: DISCUSSION OF REQUEST FOR INSTALLATION OF STREET LIGHT AT 1428 N. PORTLAND—MPC MATERIAL

Kyle Gothard appeared and requested assistance with costs of installation of a street light for safety and security at MPC Material, 1428 N. Portland. No action was taken.

ITEM 13: DISCUSSION AND POSSIBLE ACTION ON AUTHORIZATION FOR PURCHASE AND PAYMENT FOR NEW HOLLAND T5060 TRACTOR AT STATE CONTRACT PRICE OF \$43,567.73 AND ALAMO 20 FT. VERSA BOOM MOWER AT STATE CONTRACT PRICE OF \$40,544.80, PLUS \$4,000.00 FOR MOUNTING, FOR APPROVAL OF TOTAL BID AMOUNT OF \$88,112.53 RECEIVED FROM CENTRAL NEW HOLLAND, INC., OKLAHOMA CITY, AND AUTHORIZATION TO SOLICIT BIDS FOR FINANCING

Motion was made by Linda Molsbee and seconded by Wayne McDoulett to approve Item 13. Council polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 14: DISCUSSION AND POSSIBLE ACTION FOR AUTHORIZATION TO ENTER INTO FINANCING IN THE AMOUNT OF \$53,898.00 WITH FIRST NATIONAL BANK & TRUST CO. FOR PURCHASE OF THREE (3) 2011 CHEVROLET SILVERADO EXTENDED CAB TRUCKS

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve financing proposal of First National Bank at 3.25% for 36 months under Item 14. Council polled: Wayne McDoulett, yes; Chris Turner, yes; Linda Molsbee, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 15: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF REGULARLY SCHEDULED MEETING TIMES AND DATES OF THE NEWCASTLE CITY COUNCIL FOR CALENDAR YEAR 2012

Motion was made by Wayne McDoulett and seconded by Linda Molsbee to approve approve meeting times and dates under Item 15 as proposed. Council polled: Chris Turner, yes; Linda Molsbee, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Karl Nail, yes. Motion carried.

ITEM 16: DISCUSSION AND POSSIBLE ACTION ON DECLARATION OF DECEMBER 1, 2011, AS “WINTER AWARENESS DAY” IN THE CITY OF NEWCASTLE

Mayor Karl Nail proclaimed December 1, 2011, “Winter Awareness Day” in the City of Newcastle to raise public awareness of winter weather hazards.

ITEM 17: DISCUSSION AND POSSIBLE ACTION REGARDING SUBMITTAL OF SEALED BIDS TO THE OKLAHOMA DEPT. OF TRANSPORTATION FOR PURCHASE OF EXCESS RIGHT-OF-WAY AND AUTHORIZATION TO SOLICIT QUOTES FOR FINANCING PURCHASE OF THE FOLLOWING DESCRIBED REAL PROPERTY:

- A. PART OF PARCELS 45 & 46, BEING PART OF THE NW ¼ OF SEC. 14-9N-4W, McCLAIN COUNTY, OKLAHOMA (MINIMUM BID \$77,700.00)**

No action was taken.

- B. PART OF PARCELS 40 & 43, BEING PART OF THE NW ¼ OF SEC. 14-9N-4W, McCLAIN COUNTY, OKLAHOMA (MINIMUM BID \$51,600.00)**

No action was taken.

(Mayor Karl Nail called Item 6 at 7:05 p.m., following Item 17.)

ITEM 18: CITY MANAGER’S COMMENTS

City Manager Nick Nazar announced the District Dinner hosted by the Oklahoma Municipal League will be held at Cattlemen’s Steakhouse in Oklahoma City at 6:00 p.m. on Thursday.

Meetings have been held with ODOT about Hwy. 62 crosswalks. Solutions were proposed and the City has requested assistance from ODOT with the crosswalks. ODOT proposed an additional crosswalk and traffic signal, along with reducing speed limits between the crossings at 10th Street and Hwy. 130. City Planner Ian Crittenden reported Safe Routes to School is proceeding. Some striping has been completed. City personnel will do the concrete work. Flashing school zone lights will be placed on 10th Street. New traffic signals will have audio recordings to assist pedestrian crossing. Highway 76 was discussed and requested by the City to be put on the State’s program for widening shoulders.

A new pickup will be purchased for animal control.

Mr. Nazar complimented Sharon Ferguson’s work on the Newcastle Memorial Gardens cemetery project.

ITEM 19: COUNCIL MEMBERS’ COMMENTS

Council Member Chris Turner reported on citizens’ comments regarding the condition of streets behind Wal-Mart.

Mayor Karl Nail called a Special Meeting to be held on December 2, 2011, at 3:00 p.m.

A report on the San Antonio economic development trip will be presented by Kim Brown at the next regular meeting.

Cindy Frizzell inquired about obtaining quotes for earthquake coverage in consideration of the recent earthquakes experienced in Newcastle.

ITEM 20: ADJOURNMENT

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to adjourn. The motion unanimously passed and the meeting was adjourned at 7:38 p.m.

Except for motions, the minutes only constitute an outline of discussion made by the Council/NPWA and legal advice by the City Attorney.

Mayor

Vice Mayor

Council Member

Council Member

Council Member