

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

DATE: November 8, 2010

TIME: 6:00 P.M.

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

ITEM 1: CALL TO ORDER/ROLL CALL

Vice Chairman Jim Inskeep called the meeting to order at 6:00 p.m.

PRESENT: Vice Chairman James Inskeep
Trustee Cindy Frizzell
Trustee Linda Molsbee
Trustee Chris Turner

ABSENT: Chairman Karl Nail

OTHERS PRESENT: Nick Nazar, General Manager; Ted Haxel, City Attorney; Sharon Ferguson, City Treasurer; Camille Dowers, NPWA Secretary; Ian Crittenden, City Planner; Gordon Harness, Planning Commission Chairman; Glenn Sullivan II, of Glenn Sullivan & Associates, City Engineers

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. Board polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 3: CITIZENS' COMMENTS

None

ITEM 4: CONSENT AGENDA

- A. Minutes:**
 - October 11, 2010 (2 meetings)
 - November 1, 2010
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. DWSRF Payment Request No. 11**
- F. OKC Connection Claims**
- G. Utility account adjustment (Acct. #11940-3892)**

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve Item 4. Board polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 5: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF NPWA MEETING TIMES AND DATES FOR CALENDAR YEAR 2011

Motion was made by Linda Molsbee and seconded by Chris Turner to approve meeting dates presented under Item 5. Board polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON SUBMITTING WATER LINE PLANS, APPLICATION FOR PERMIT TO CONSTRUCT AND APPLICATION FEE OF \$825.00 TO OKLAHOMA DEPT. OF ENVIRONMENTAL QUALITY FOR OKC CONNECTION WATER LINE, PHASE I; PROJECT LOCATION IS FROM PENN TO MAY ALONG SW 164TH STREET

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 6. Board polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF PROFESSIONAL SERVICES AGREEMENT, AMENDMENT NO. 1 WITH GLENN SULLIVAN & ASSOCIATES, INC. FOR ENGINEERING DESIGN SERVICES IN THE AMOUNT OF \$26,250.00 AND RESIDENT INSPECTION SERVICES IN THE AMOUNT OF \$10,000.00 FOR FOX LANE AND U.S. 62 PORTION OF OKC CONNECTION, PHASE II

Glenn Sullivan II of Glenn Sullivan & Associates, Inc., appeared and presented their Amendment No. 1 to contract for engineering services for the OKC Connection waterline project for approval. Motion was made by Chris Turner and seconded by Linda Molsbee to approve Item 7. Board polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION REGARDING CHANGE ORDER NO. 2, FERGUSON ENTERPRISES, INC., FOR CERTAIN ADDITIONAL MATERIALS IN THE AMOUNT OF \$9,908.00, REVISED TOTAL CONTRACT AMOUNT OF \$644,030.52

Glenn Sullivan II appeared for city engineers Glenn Sullivan & Associates, Inc., and recommended approval of Change Order No. 2 for Ferguson Enterprises, Inc. Motion was made by Chris Turner and seconded by Linda Molsbee to approve Change Order No. 2 in the amounts stated under Item 8. Board polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON REQUEST OF TRANS-AMERICAN UNDERGROUND, LTD. FOR JANUARY 2011 START DATE FOR CANADIAN RIVER DIRECTIONAL DRILLING FOR OKC CONNECTION, PHASE I, WATERLINE PROJECT

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve Item 9. Board polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2010-05 ESTABLISHING A CONVENIENCE FEE FOR CREDIT CARD SERVICES

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 10. Board polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 11: GENERAL MANAGER'S COMMENTS

General Manager Nick Nazer reported the OKC Connection waterline installation is proceeding into Phase I of the project. Crews are performing very well. Water should become available by next summer from the Oklahoma City water supply.

ITEM 12: TRUSTEES' COMMENTS

None

ITEM 13: ADJOURNMENT

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to adjourn. Board polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried and the meeting was adjourned at 6:25 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 8, 2010

TIME: 6:00 P.M.

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

ITEM 1: CALL TO ORDER/ROLL CALL

Vice Mayor Jim Inskeep called the meeting to order at 6:26 p.m.

PRESENT: Vice Mayor James Inskeep
Council Member Cindy Frizzell
Council Member Linda Molsbee
Council Member Chris Turner

ABSENT: Mayor Karl Nail

OTHERS PRESENT: Nick Nazar, City Manager; Ted Haxel, City Attorney; Sharon Ferguson, City Treasurer; Camille Dowers, City Clerk; Ian Crittenden, City Planner; Gordon Harness, Planning Commission Chairman; Glenn Sullivan II, of Glenn Sullivan & Associates, City Engineers

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: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 3: CITIZENS' COMMENTS

Frank Tietjens, 205 NW 14th St., appeared and commended the street department for trimming the trees on NW 24th St. He suggested the city purchase the type of brush hog used for tree trimming which was borrowed from the county.

ITEM 4: CONSENT AGENDA

- A. Minutes:**
 - October 11, 2010 (2 meetings)
 - November 1, 2010
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. DWSRF Payment Request No. 11**
- F. OKC Connection Claims**

City Treasurer Sharon Ferguson reported supplemental claims from Chase Credit Card in the amount of \$4,117.11 for replacement of computer for the city manager and ICSC membership

registration expense, and AT&T telephone bill for Fire Dept. on Hwy. 9 in the amount of \$223.81, increasing general government claims to \$140,679.66. Motion was made by Cindy Frizzell and seconded by Chris Turner to approve the consent agenda including \$4,117.11 to Chase Credit Card and \$223.81 to AT&T, bringing general government claims to \$140,679.66. Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 5: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS OF PLANNING & ZONING COMMISSION

**Planning Commission Agenda Item 8 (October 25, 2010 Meeting):
DISCUSSION AND POSSIBLE ACTION ON PLAT OF PHASE I OF
NEWCASTLE MEMORIAL GARDENS**

**A. The Planning & Zoning Commission recommends approval of
Plat of Newcastle Memorial Gardens, Phase I**

Planning Commission Chairman Gordon Harness appeared and reported on the recommendation of the Planning Commission for approval of Plat of Newcastle Memorial Gardens, Phase I.

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve Plat of Newcastle Memorial Gardens, Phase I. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

Ron Moore, resident on south side of 24th St. south of cemetery appeared and inquired whether the easement along his property abutting 24th St. will be increased to 50 ft. from the center line.

**Planning Commission Agenda Item 10 (October 25, 2010 Meeting):
DISCUSSION ON AMENDMENTS TO SIGN ORDINANCE**

**B. The Planning & Zoning Commission recommends adoption of sign
Ordinance No. 661**

Planning Commission Chairman Gordon Harness appeared and reported on the Planning Commission's proposed one-year intermediate sign ordinance for regulation of signs for new commercial businesses. City Planner Ian Crittenden will research political sign ordinances. No action was taken.

C. Adoption of Emergency Clause of Ordinance No. 661

No action was taken.

**ITEM 6: DISCUSSION AND POSSIBLE ACTION ON REPORT FROM
PLANNING COMMISSION REGARDING MAILBOX PLACEMENT**

Planning Commission Chairman Gordon Harness and City Planner Ian Crittenden reported on the Planning Commission's discussion. Input was requested from the City Council regarding placement of mailboxes in the overlay districts, along section line roads, highways and main thoroughfares, stabilization of rights-of-way, and issues relating to existing mailboxes. No action was taken.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON SUBMITTING WATER LINE PLANS, APPLICATION FOR PERMIT TO CONSTRUCT AND APPLICATION FEE OF \$825.00 TO OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR OKC CONNECTION WATER LINE, PHASE I; PROJECT LOCATION IS FROM PENN TO MAY ALONG SW 164TH STREET

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 7. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF PROFESSIONAL SERVICES AGREEMENT, AMENDMENT NO. 1 WITH GLENN SULLIVAN & ASSOCIATES, INC. FOR ENGINEERING DESIGN SERVICES IN THE AMOUNT OF \$26,250.00 AND RESIDENT INSPECTION SERVICES IN THE AMOUNT OF \$10,000.00 FOR FOX LANE AND U.S. 62 PORTION OF OKC CONNECTION, PHASE II

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 8. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON REQUEST FROM OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR SELECTION OF BRIDGE INSPECTION TEAM FOR "LOCAL GOVERNMENT BRIDGE INSPECTION CONTRACT" TO INCLUDE 20% LOCAL MATCH

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 9. Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION FOR APPROVAL OF DONATION OF TEN (10) AMERICAN BODY ARMOR BALLISTIC VESTS TO THE GRADY COUNTY SHERIFF'S DEPARTMENT UNDER INTERLOCAL AGREEMENT AND APPROVAL OF WAIVER OF LIABILITY

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve Item 10. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 11: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION OF CLARK CONSTRUCTION, INC., FOR ACCEPTANCE OF SOLICITED BID RECEIVED FROM PRO-SEAL CONSTRUCTION, LLC, DEL CITY, OKLAHOMA, IN THE AMOUNT OF \$8,950.00, FOR SEALANTS AND CAULKING, POLICE STATION CONSTRUCTION PROJECT

Appearance was made by Pete Garcia, Clark Construction, Inc., requesting approval of Item 11. Motion was made by Chris Turner and seconded by Cindy Frizzell to approve Item 11. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes;

Karl Nail, absent. Motion carried.

ITEM 12: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF CONTRACTS FOR POLICE STATION CONSTRUCTION PROJECT:

A. JC Concrete, Midwest City, in the amount of \$78,325.00 (Bid Package #10—Paving)

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 12(A). Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

B. All Commercial Openings in the amount of \$30,475.00 (Solicited bid)

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 12(B). Council polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

C. Williams Automatic Sprinkler, Oklahoma City, in the amount of \$14,900.00 (Solicited bid)

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 12(C). Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

D. Pro-Seal Construction, LLC, Del City, in the amount of \$8,950.00 (Solicited bid)

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 12(D). Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 13: DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGE ORDERS FOR POLICE STATION CONSTRUCTION PROJECT:

A. Sweeper Metal Fabricators Corp: Change door frames J1 and J2 to match J5 door frame; change lockset for J1 and J2 to Series 7056S to match J5 frame hardware; add detention doors—1 in amount of \$3,368.64; to increase contract amount from \$28,326.00 to \$31,694.64

Appearance was made by Pete Garcia, Clark Construction, Inc. Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve Item 13(A). Council polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

B. Yarbrough & Sons: Supply labor and material to install a Mitsubishi Mini Split A/C unit in the Radio Equipment 129, consisting of: Indoor Unit M#MSA12WA1; Outdoor Unit M#MUA12WA1. Correct previous Change Order BP-9-1 from new contract amount of \$90,856.00 to \$90,855.00. Approve change Order BP-9-2 in amount of \$2,550.00 increasing contract amount from \$90,856.00 to \$93,406.00.

City Manager Nick Nazar reported on the Change Order request under Item 13(B) stating that additional cooling is needed for electronic equipment in the communications room. Motion was made by Chris Turner and seconded by Linda Molsbee to approve Item 13(B). Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 14: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF AIA APPLICATION AND CERTIFICATE FOR PAYMENT TO CLARK CONSTRUCTION, INC., IN THE AMOUNT OF \$61,788.29 INCLUDING AMOUNTS FOR REIMBURSABLE EXPENSES FOR POLICE STATION CONSTRUCTION PROJECT

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve Item 14. Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 15: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF CONTRACT BETWEEN THE CITY OF NEWCASTLE AND TWIN CITIES FOP LODGE #135 FOR FISCAL YEAR 2010-2011

Motion was made by Chris Turner and seconded by Cindy Frizzell to approve Item 15. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 16: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CITY COUNCIL MEETING TIMES AND DATES FOR CALENDAR YEAR 2011

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 16. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 17: DISCUSSION AND POSSIBLE ACTION ON CITY OF NEWCASTLE RESOLUTION NO. 2010-12 ESTABLISHING A CONVENIENCE FEE FOR CREDIT CARD SERVICES

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 17. Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 18: DISCUSSION AND POSSIBLE ACTION ON A BUDGET AMENDMENT TO PROVIDE FOR SALARY AND BENEFITS FOR THE POSITION OF ASSISTANT CITY MANAGER

Motion was made by Linda Molsbee and seconded by Chris Turner to approve amendment to the budget under Item 18 in the amount of \$51,366.67, to provide for salary and benefits for the employment of an Assistant City Manager. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried.

ITEM 19: DISCUSSION AND POSSIBLE ACTION ON PURCHASE OF REAL ESTATE TRACT SITUATED IN SECTION 35, TOWNSHIP 10 NORTH, RANGE 4 WEST OF THE INDIAN MERIDIAN, McCLAIN COUNTY, OKLAHOMA (GURLEY FAMILY TRUST)

No action was taken.

ITEM 20: CITY MANAGER'S COMMENTS

City Manager Nick Nazar reported the new audit firm will be here this week. There are road problems on Rockwell Avenue, south of Hwy. 37, that need to be budgeted. There are ponds on both sides and erosion problems are occurring. The Street Dept. is laying rip-rap to help stabilize the area for expected rains. Drainage pipe will be installed with concrete slurry to be poured around it. The grass field started at Pinecrest Park has a good stand and the irrigation equipment is being removed for the winter. Parking lot provisions at the park need to be made. Vice Mayor Jim Inskeep suggested a vehicle barrier cable be installed at the park.

ITEM 21: COUNCIL MEMBERS' COMMENTS

Cindy Frizzell commented that plans by the soccer organization for bathrooms/concession stands at the park need to have City involvement. Mr. Nazar asked Ian Crittenden, City Planner, to schedule a meeting.

Cindy Frizzell inquired about contracting for tree trimming and whether if the City had the proper equipment, it could be done by City crews. City Manager Nick Nazar reported on the use of a type of brush hog equipment used for tree-trimming.

Cindy Frizzell commented on traffic safety issues on Hwy. 76.

ITEM 22: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. 307(B)(2) DISCUSSING NEGOTIATIONS CONCERNING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEE GROUPS (TWIN CITIES FOP #135 & IAFF LOCAL 3910 CONTRACTS)

Motion was made by Linda Molsbee and seconded by Cindy Frizzell at 7:45 p.m. to enter into executive session, to include the City Manager and the City Attorney, for discussion of Item 22. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried and the Council convened into executive session at 7:46 p.m.

Motion was made by Linda Molsbee and seconded by Chris Turner to come out of executive session at 8:30 p.m. Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried and the regular open meeting was reconvened at 8:31 p.m.

B. DISCUSSION AND POSSIBLE ACTION ON ANY ITEMS DISCUSSED IN EXECUTIVE SESSION

No action was taken.

ITEM 23: ADJOURNMENT

Motion was made by Linda Molsbee and seconded by Cindy Frizzell to adjourn. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Cindy Frizzell, yes; Jim Inskeep, yes; Karl Nail, absent. Motion carried and the meeting was adjourned at 8:33 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