

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

**DATE:** March 13, 2017  
**TIME:** 6:00 P.M.  
**PLACE:** NEWCASTLE MULTI-PURPOSE CENTER  
705 NW 10<sup>TH</sup> STREET

**ITEM 1: CALL TO ORDER/ROLL CALL**

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

**PRESENT:** Chair Karl Nail  
Vice Chair Gene Reid  
Trustee Tiffany Elczyn  
Trustee Mike Fullerton

**ABSENT:** Trustee Tommy Clay

**OTHERS PRESENT:** Nick Nazar, General Manager; Camille Dowers, NPWA Secretary; Kim Coffman, Treasurer; Rebecca Brewster, Community Development Director; Gordon Harness, Planning Commission Chair; Ted Haxel, City Attorney

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

Motion was made by Gene Reid and seconded by Mike Fullerton to approve the agenda. Board polled: Gene Reid, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

**ITEM 3: CITIZENS' COMMENTS**

None

**ITEM 4: CONSENT AGENDA**

- A. Minutes: February 13, 2017**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendment: #17-06**
- F. Approval of Claims in excess of \$25,000.00**
- G. Approval of Lease Agreement with Tri-City Publishing Corporation**

Motion was made by Mike Fullerton and seconded by Tiffany Elczyn to approve the consent agenda. Board polled: Tiffany Elczyn, yes; Gene Reid, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

**ITEM 5: TREASURER'S MONTHLY FINANCIAL REPORT**

Kim Coffman presented her monthly Treasurer's report.

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

**A. #05-1719-00, Service address: 2704 W. Oaks Pl. (Arthur Foster)**

Arthur Foster appeared and requested adjustment of his account for the months of February and March due to a leak in the service line. Repairs have been made. Motion was made by Gene Reid and seconded by Tiffany Elczyn to adjust the billings for the months of February and March to the average of the previous 12 months. Board polled: Gene Reid, yes; Mike Fullerton, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried.

**B. #09-2610-00, Service address: 212 SE 24<sup>th</sup> St. (Marianne Stephens)**

Marianne Stephens appeared and presented a repair statement for a leak. Motion was made by Gene Reid and seconded by Mike Fullerton to adjust the account for the months of December, January and February to the average of the previous 12 months, giving credit for payments made. Board polled: Mike Fullerton, yes; Tiffany Elczyn, yes; Gene Reid, yes; Karl Nail, yes. Motion carried.

**C. #17625-1579, Service address: 1804 S. Country Club Rd. (Kristen Goodhue)**

No action was taken.

**ITEM 7: DISCUSSION AND POSSIBLE ACTION ON ADJUSTMENT OF CERTAIN UNCOLLECTIBLE UTILITY ACCOUNTS:**

City attorney Ted Haxel recommended accounts under Item 7(A), 7(B) and 7(C) be written off as uncollectible bad debts.

**A. Bankruptcies \$10,770.29**

Motion was made by Tiffany Elczyn and seconded by Gene Reid to write off the amount of \$10,770.29. Board polled: Tiffany Elczyn, yes; Gene Reid, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

**B. Decedents' accounts \$8,319.94**

Motion was made by Tiffany Elczyn and seconded by Gene Reid to write off the amount of \$8,319.94. Board polled: Gene Reid, yes; Mike Fullerton, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried.

**C. Unassigned collection company fees \$120.79**

Nick Nazar reported these are fees that the collection company charges that were charged back to utility accounts but not collected. Motion was made by Tiffany Elczyn and seconded by Gene Reid to write off the amount of \$120.79. Board polled: Mike Fullerton, yes; Tiffany Elczyn, yes; Gene Reid, yes; Karl Nail, yes. Motion carried.

**D. Old City Hall \$785.98**

Motion was made by Gene Reid and seconded by Tiffany Elczyn to write off the amount of \$785.98 carried over from the meter at Old City Hall at 5 N. Main. Board polled: Tiffany Elczyn, yes; Gene Reid, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

**ITEM 8: GENERAL MANAGER'S COMMENTS**

Nick Nazar reported that computer errors in the new accounting software are being worked out.

**ITEM 9: TRUSTEES' COMMENTS**

None

**ITEM 10: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. 307(B)(3) DISCUSSING THE PURCHASE OR APPRAISAL OF REAL PROPERTY (GARRETT PROPERTY)**

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

No action was taken. Mayor Karl Nail announced, on advice of Ted Haxel, that Item 10 would be called and held concurrently with Executive Session Item 16 on the City Council agenda.

**ITEM 11: ADJOURNMENT**

Motion was made by Tiffany Elczyn and seconded by Mike Fullerton to adjourn. The motion unanimously passed and the meeting was adjourned at 6:27 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.

\_\_\_\_\_  
Chair

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Vice Chair

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Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

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

**DATE:** March 13, 2017  
**TIME:** 6:00 P.M.  
**PLACE:** NEWCASTLE MULTI-PURPOSE CENTER  
705 NW 10<sup>TH</sup> STREET

**ITEM 1: CALL TO ORDER/ROLL CALL**

Karl Nail called the meeting to order at 6:28 p.m.

**PRESENT:** Mayor Karl Nail  
Vice Mayor Gene Reid  
Council Member Tiffany Elczyn  
Council Member Mike Fullerton

**ABSENT:** Council Member Tommy Clay

**OTHERS PRESENT:** Nick Nazar, City Manager; Camille Dowers, City Clerk; Kim Coffman, City Treasurer; Rebecca Brewster, Community Development Director; Gordon Harness, Planning Commission Chair; Ted Haxel, City Attorney

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

Motion was made by Gene Reid and seconded by Mike Fullerton to approve the agenda. Council polled: Gene Reid, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

**ITEM 3: CITIZENS' COMMENTS**

Appearance was made by Larry Baldwin, 1021 Carr Drive. He stated he went to City Hall twice in the last two weeks and was unable to make contact with the City Manager and the Assistant City Manager, and further was told if he left a message he may not receive a return call. He also said the city hall phone rings with no answer and there may be no answer at the extensions. He said he has heard many other people making complaints about this. He said he was able to resolve his concerns by contacting the Street Department directly.

Parks Board member Wayne McDoulett, 1949 Greenwood Lane, appeared and stated he wanted to express his disappointment about the Splash Pad project approved by the City Council in October 2016. He stated that \$80,000 was spent on the cemetery gazebo which de-funded the splash pad project and caused the loss of an approximate \$150,000 grant for the splash pad. He wanted the council to consider this before acquiring more land for parks. Mayor Nail clarified that the City Council was looking at applying for a grant but it did not mean it would be approved. If the grant had not been approved, the project would not proceed. Rebecca Brewster explained that management decided to not proceed because of shortfalls in revenues. Kim Coffman stated that these projects were separately funded. Mr. McDoulett stated that the linkage fees charged on building permits had not been appropriated to the parks budget. Kim Coffman stated there is a fund for linkage fees and Karl Nail stated it is necessary for the council to decide whether the Parks budget should receive the linkage fees in addition to their initial budget allocation. Karl Nail reported that discussions are being held with the Chickasaw Nation regarding a contribution for the splash pad project. Nick Nazar said they have agreed to meet with the Parks Board.

- ITEM 4: CONSENT AGENDA**
- A. Minutes: February 13, 2017**
  - B. Claims**
  - C. Transfer of Funds**
  - D. Appropriation of Funds**
  - E. Budget Amendment: #17-06**
  - F. Approval of Claims in excess of \$25,000.00**
  - G. Approval of Contracts**
  - H. Approval of Invoice from Cen-OK Services in the amount of \$40,000**
  - I. Approval of Lease Agreement with Tri-City Publishing Corporation**

Motion was made by Mike Fullerton and seconded by Tiffany Elczyn for approval of the consent agenda as amended to correct the Budget Amendment to #17-07, and as revised in the total amount of \$2,300.00. Council polled: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Karl Nail, yes. Motion carried.

- ITEM 5: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF LETTER OF SUPPORT FOR DELTA PUBLIC TRANSIT IN THE AMOUNT OF \$25,000**

Appearance was made by Delta Public Transit Transportation Director Terrell Turman. He presented costs and expenditures for operating the system and requested support for the 2017-18 fiscal year. Motion was made by Gene Reid and seconded by Tiffany Elczyn to approve Item 5. Council polled: Mike Fullerton, yes; Gene Reid, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried.

- ITEM 6: ECONOMIC DEVELOPMENT REPORT BY NEWCASTLE CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT DIRECTOR JEANNETTE LORE**

Chamber of Commerce Economic Development Director Jeannette Lore appeared and presented an updated report on community activities. The next ribbon cutting will be for Optimal Wireless/Cricket Wireless on March 17 at 4:00 p.m. The next Color Run will be Saturday, July 29<sup>th</sup>. Community Coffees are held on the second Friday of every month. She reported on donations made and other planned fundraising activities. There will be 30,000 Easter eggs for the Egg Hunt at Veterans Park on April 8<sup>th</sup> at 2:00 p.m. The city-wide garage sale is April 27<sup>th</sup>-29<sup>th</sup>.

- ITEM 7: PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON PLANNING COMMISSION RECOMMENDATION FOR APPROVAL OF REZONING APPLICATION OF JACK & LONDA DEITRICK AND ADOPTION OF ORDINANCE NO. 781 TO REZONE TRACTS FROM A (AGRICULTURE) TO E-2 (URBAN ESTATE RESIDENTIAL) LOCATED IN THE E/2 OF THE SW/4 OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: 1209 DICKERSON AND 1414 DICKERSON, NEWCASTLE, OK (R2017-001)**

The recommendation of the Planning Commission to approve the rezoning under Item 7 and adopt Ordinance No. 781 was presented by Gordon Harness, Planning Commission Chair. Appearance was made by Danny Carillo, owner of 80 acres near the subject property, appeared and inquired about the intended development of the property with consideration given to the location of existing gas lines. Discussion was also held about the size of waterlines available for future development of the property. Motion was made by Tiffany Elczyn and seconded by Gene Reid to adopt Ordinance No. 781. Council polled: Mike Fullerton, yes; Gene Reid, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried.

**ITEM 8: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF EMERGENCY CLAUSE OF ORDINANCE NO. 781**

Motion was made by Tiffany Elczyn and seconded by Gene Reid to adopt the Emergency Clause of Ordinance No. 781. Council polled: Gene Reid, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

Gordon Harness announced the recommendation from the Planning Commission regarding the Final Plat of Eagle Lake Estates 2 is not on this City Council agenda. Also, the Planning Commission recommendation regarding the Order of the McClain County District Court vacating Walnut Grove Addition, and reservation of cul-de-sacs, is not on the Council agenda. Mayor Karl Nail called for a special meeting with agenda items to for the Council to act on these issues.

Gordon Harness also reported it was brought to his attention that under state law there must be Planning Commission approval of placement of parks under 11 O.S. 45-104. He asked for Planning Commission participation in the future when designating lands for City parks.

**ITEM 9: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF ORDINANCE NO. 782 ESTABLISHING FEES FOR RELEASE OF IMPOUNDED VEHICLES**

Motion was made by Tiffany Elczyn and seconded by Mike Fullerton to adopt Ordinance No. 782 establishing a \$100 vehicle impound fee. Council polled: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Karl Nail, yes. Motion carried.

**ITEM 10: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF EMERGENCY CLAUSE OF ORDINANCE NO. 782**

Motion was made by Tiffany Elczyn and seconded by Gene Reid to adopt the Emergency Clause of Ordinance No. 782. Council polled: Mike Fullerton, yes; Gene Reid, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried.

**ITEM 11: DISCUSSION AND POSSIBLE ACTION ON ESTABLISHING DATES OF FRIDAY, JUNE 30, 2017, AND SATURDAY, JULY 1, 2017, FOR CITY OF NEWCASTLE INDEPENDENCE DAY CELEBRATION IN VETERANS PARK**

Nick Nazar stated that June 30 will consist of setup of a large inflatable event, with possibly some food trucks, with the traditional Independence Day Celebration to be held on July 1. Motion was made by Gene Reid and seconded by Tiffany Elczyn to approve Item 11. Council polled: Gene Reid, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

**ITEM 12: 2017 NOMINATIONS TO THE BOARD OF TRUSTEES OF THE OKLAHOMA MUNICIPAL ASSURANCE GROUP**

Motion was made by Tiffany Elczyn and seconded by Gene Reid to nominate Camille Dowers as a candidate to serve on the OMAG board for a three-year term beginning July 1, 2017. Council polled: Gene Reid, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

**ITEM 13: ASSISTANT CITY MANAGER'S COMMENTS**

None

**ITEM 14: CITY MANAGER'S COMMENTS**

Nick Nazar reported that Street Dept. crews have been working on roads in numerous areas. Second Street between Main St. and Wright St. has been redone to obtain a better asphalt job, with the City paying for the materials and the asphalt company providing the labor. The ramp from Hwy. 37 to Hwy. 62 will be closed for improvements but the Turnpike Authority is estimating reducing the time it will be closed by as much as 1 ½ months and has agreed to provide additional signage directing traffic to the access road on the west side. The Turnpike Authority will also provide materials and crews to help patch the access road. It will possibly be 4-5 more weeks until the ramp is opened for traffic. Mayor Karl Nail expressed appreciation to Rep. Bobby Cleveland for assisting with negotiations and communication with the Turnpike Authority. Crews are still working on the drainage ditches and fencing on Portland Ave. OEC has agreed to move the utility poles. The parking lot at the Senior Citizens Center is being addressed where the trash trucks move the dumpsters. The accounting software conversion to InCode is almost complete.

**ITEM 15: COUNCIL MEMBERS' COMMENTS**

Mike Fullerton commented on closures at Hwy. 37 and Hwy. 62, stating that the H.E. Bailey exit onto Hwy. 62 will be closed completely. Nick Nazar will check on this.

Gene Reid commented the supplement in the Tuttle Times had a good article about Newcastle. He would like the format provided in that article following in future reports to Council. Mr. Reid also inquired about reaching the 10,000 population mark mentioned in the article. He also made inquiry on feedback from the Hwy. 76 stop sign installed at Hwy. 37.

**ITEM 16: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. 307(B)(3) DISCUSSING THE PURCHASE OR APPRAISAL OF REAL PROPERTY (GARRETT PROPERTY)**

**B. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. 307 B (1) DISCUSSING THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE (CITY MANAGER'S EVALUATION)**

Motion was made by Tiffany Elczyn and seconded by Mike Fullerton to convene the meeting of the Newcastle City Council into executive session to include the City Attorney and the City Manager. Council polled: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Karl Nail, yes. The motion carried and the Council convened into executive session at 8:07 p.m. after a five-minute recess.

Motion was made by Gene Reid and seconded by Tiffany Elcyzen to reconvene the open meeting of the Newcastle City Council. Council polled: Mike Fullerton, yes; Gene Reid, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried and the open session of the meeting of the Newcastle City Council was reconvened at 8:18 p.m.

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

There was no action on Item 16(B).

Motion was made by Tiffany Elczyn and seconded by Mike Fullerton to approve the real estate purchase agreement between Meek Development, LLC, and Newcastle Public Works Authority and the City of Newcastle under Item 16(A). Council polled: Gene Reid, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

Motion was made by Karl Nail to secure 20-year financing on rates proposed by First National Bank and Trust Co. Nick Nazar commented there will be an origination fee. The motion was seconded by Tiffany Elczyn. Council polled: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Karl Nail, yes. Motion carried.

**ITEM 17: ADJOURNMENT**

Motion was made by Tiffany Elczyn and seconded by Mike Fullerton to adjourn. The motion unanimously passed and the meeting was adjourned at 9:25 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.

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Mayor

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Vice Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member