

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

DATE: April 10, 2017
TIME: 6:00 P.M.
PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH 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 Tommy Clay
Trustee Tiffany Elczyn
Trustee Mike Fullerton

ABSENT: None

OTHERS PRESENT: Nick Nazar, General Manager; Kevin Self, Assistant General Manager; Dinah Alizadeh, Executive Administrative Assistant; Camille Dowers, NPWA Secretary; Kimberly Coffman, City Treasurer; Rebecca Brewster, Community Development Director; Kenny Sullivan, City Engineer; Gordon Harness; Planning Commission Chair; Ted Haxel, City Attorney; Gary Norman, Police Chief

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

Motion was made by Karl Nail and seconded by Gene Reid to approve the agenda as amended to strike Item 9. Board polled: Gene Reid, yes; Tommy Clay, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

ITEM 3: CITIZENS' COMMENTS

None

ITEM 4: CONSENT AGENDA

- A. Minutes: March 13, 2017
March 27, 2017**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendment #17-07**
- F. Approval of Claims in excess of \$25,000.00**
- G. Approval of Contracts**
- H. Acknowledgment of ODEQ Permit No. WL000044170037 (Newcastle Acres)**

Motion was made by Mike Fullerton and seconded by Tiffany Elczyn to approve the consent agenda. Board polled: Tommy Clay, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, 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. #03-1579-01, Service address: 1804 S. Country Club Rd. (Kristen Goodhue)

Motion was made by Tommy Clay and seconded by Mike Fullerton to table Item 6 (A) to the next regular meeting. Board polled: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Karl Nail, yes. Motion carried.

B. #06-2083-00, Service address: 2009 State Hwy. 76 (Kevin D. Johnson)

No action was taken.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF ANNUAL AUDIT REPORT OF HBC CPA'S AND ADVISORS FOR FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016

Chris Heim and Lonnie Heim appeared and presented the Auditor's Report and Opinion on Financial Statements for FY 2015-2016. Motion was made by Gene Reid and seconded by Mike Fullerton to approve the audit. Board polled: Mike Fullerton, yes; Tiffany Elcyzen, yes; Gene Reid, yes; Tommy Clay, yes; Karl Nail, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF RESOLUTION NO. 2017-01 FOR ADJUSTMENT OF SEWER FACILITIES IMPACT FEE

Kenny Sullivan presented alternate proposals for calculations of impact fees for sewer. Arti McFarlin, 1909 Oak Hollow, appeared and inquired whether the funds would go into a special fund for a new sewer plant. Motion was made by Tiffany Elczyn and seconded by Mike Fullerton to adopt Resolution No. 2017-01 increasing commercial and residential sewer impact fees based upon a 5/8" water meter to from \$1,000 to \$1,500. Board polled: Tiffany Elcyzen, yes; Gene Reid, yes; Tommy Clay, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON

Item 9 was stricken from the agenda.

ITEM 10: GENERAL MANAGER'S COMMENTS

Nick Nazar stated the City is looking at ways to build a new sewer plant and that increasing the sewer impact fee will help make sure the City is ready to build when the time comes.

ITEM 11: TRUSTEES' COMMENTS

Mike Fullerton commented that the City is planning for the future and that he wants it made clear that the increase in sewer impact fees will not affect current customers. Karl Nail reviewed the steps the City has taken in assuring water and wastewater demands generated by the growth of the City were met. Gene Reid stated that Newcastle has a good infrastructure and the planning has been well done.

ITEM 12: 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/MEEK PROPERTY)

Karl Nail announced the NPWA executive session under Item 12 would be addressed concurrently under executive session Item 19 of the City Council agenda.

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

No action was taken.

ITEM 13: ADJOURNMENT

Motion was made by Gene Reid and seconded by Mike Fullerton to adjourn. The motion unanimously passed and the meeting was adjourned at 6:50 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

Vice Chair

Trustee

Trustee

Trustee

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

DATE: April 10, 2017
TIME: 6:00 P.M.
PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH STREET

ITEM 1: CALL TO ORDER/ROLL CALL

Karl Nail called the meeting to order at 6:51 p.m.

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

ABSENT: None

OTHERS PRESENT: Nick Nazar, City Manager; Kevin Self, Assistant City Manager; Dinah Alizadeh, Executive Administrative Assistant; Camille Dowers, City Clerk; Kimberly Coffman, City Treasurer; Rebecca Brewster, Community Development Director; Kenny Sullivan, City Engineer; Gordon Harness; Planning Commission Chair; Ted Haxel, City Attorney; Gary Norman, Police Chief

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

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

ITEM 3: CITIZENS' COMMENTS

None

ITEM 4: CONSENT AGENDA

- A. Minutes: March 13, 2017
March 27, 2017**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendment #17-09**
- F. Approval of Claims in excess of \$25,000.00**
- G. Approval of Contracts**
- H. Approval of \$1,000 Donation to Cub Scout Pack #231**
- I. Non-waiver of Sales/Use Tax Penalties and Interest:
Approximately \$5.00 from Avon Products, Inc.**

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

ITEM 5: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF ANNUAL AUDIT REPORT OF HBC CPA'S AND ADVISORS FOR FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016

Motion was made by Gene Reid and seconded by Tiffany Elczyn to approve Item 5. Council polled: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Karl Nail, yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION REGARDING PARKS BUDGETING PROCESS

Parks Board Chair Cindy Frizzell appeared and requested that the Parks Board be contacted by City staff to consider recommendations to Council for any future plans for parks. She also requested funding changes for the parks budget. Karl Nail stated that funding for parks has not been clear and that there is a need to change the budgeting process. There is a need to use carryover dollars for capital improvements for parks. The linkage fee on building permits should also be earmarked for the parks capital improvement fund. Maintenance and operation expenses should be in a separate parks operating account fund. Community Development Director Rebecca Brewster commented on the benefits of parks programs to economic development and tourism. City Treasurer Kim Coffman explained to the council the amount of additional money for capital improvements that would be necessary for the splash pad proposal.

After further discussion, motion was made by Karl Nail and seconded by Gene Reid to designate two fund accounts for parks for 1) "capital improvements" funded with linkage fees and other budgeted amounts, and 2) "operations and maintenance" (to include purchase of maintenance equipment for parks) and that any remaining operation and maintenance funds at the end of the fiscal year be rolled over and added to the capital improvement fund for parks for the next year's budget. Comments were then received from Kevin Self, with a request to consider other revenue streams, and Gordon Harness in support of the motion. Council polled: Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried.

ITEM 7: PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON AN APPLICATION FOR REZONING FOR BILLY RAY TAYLOR AND BARBARA R. TAYLOR FROM A (AGRICULTURE) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED IN THE E/2 E/2 SW/4 OF SECTION 24, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION: 1931 SE 16TH STREET, NEWCASTLE, OK (R2017-002) AND ADOPTION OF ORDINANCE NO. 783

Gordon Harness presented the recommendation of the Planning Commission regarding the proposed PUD for approval as a "single use". No other use except agricultural with event center use is recommended. If the event center use ceases the property will revert to agricultural use. There is also a residence on the property. Billy Ray Taylor appeared and described the proposed event center buildings and use of the property. There was no other public comment. Motion was made by Tiffany Elczyn and seconded by Tommy Clay to approve Item 7 and adopt Ordinance No. 783. Council polled: Gene Reid, yes; Tommy Clay, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF EMERGENCY CLAUSE OF ORDINANCE NO. 783

Motion was made by Tiffany Elczyn and seconded by Tommy Clay to approve Item 8. Council polled: Tommy Clay, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Karl Nail, yes. Motion carried.

ITEM 9: PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON AN APPLICATION FOR REZONING FOR EXOK REALTY FROM R-F-4 (MULTIPLE FAMILY RESIDENTIAL)/C-C-2 (COMMUNITY COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED IN THE NW/4 OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA, CONTAINING 19.037 ACRES. PROPERTY LOCATION: EAST OF HIGHWAY 62 AND ALONG NE 19TH PLACE, NEWCASTLE, OKLAHOMA (R2017-003) AND ADOPTION OF ORDINANCE NO. 784

Gordon Harness presented the recommendation of the Planning Commission for approval of the proposed PUD subject to modifications recommended at the March 27, 2017 Planning Commission meeting. Greg Lewis, 350 NW 22nd St., appeared and stated concerns about decreased property values by allowing smaller homes to be constructed next to existing platted phases of Bradford Place. Arti McFarlin, 1909 Oak Hollow, appeared and presented concerns about no parking availability for houses along the cul-de-sacs. Lengthy discussion was held by Council members regarding the required amount of brick façade on the homes. Steven Lear for Rausch-Coleman appeared and stated that homes with lesser finishes and less brick fill a need in Newcastle, and that it is appropriate for homeowners to be able to choose their upgrade options. Gordon Harness added that the City is the last protection for the purchasers of the homes. David Hibbs, 1002 NW 1st, appeared and stated that the Park Place addition will have the same problems and encouraged the Council to make a decision on it now, noting that the interest of the developers was economic. Karl Nail stated it should be noted the Planning Commission notes applied to both the PUD document and the Preliminary Plat. Motion was made by Karl Nail and seconded by Tommy Clay to approve Item 9 with the minimum requirement of full brick on all sides of the homes to the top-plate, with the exception of above the windows and doors, along with the other notes of Planning Commission relating to the PUD document, and further to adopt Ordinance No. 784. Council polled: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Karl Nail, yes. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF EMERGENCY CLAUSE OF ORDINANCE NO. 784

Motion was made by Karl Nail and seconded by Tommy Clay to approve Item 10. Council polled: Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried.

ITEM 11: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF PRELIMINARY PLAT OF BRADFORD PLACE, SECTION VI

Gordon Harness presented the recommendation of the Planning Commission for approval of the Preliminary Plat, subject to corrections, of Bradford Place, Section VI. Motion was made by Tommy Clay and seconded by Gene Reid to approve Item 11. Council polled: Gene Reid, yes; Tommy Clay, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

ITEM 12: PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON AN APPLICATION FOR REZONING FOR THE GARRETT TRUST FROM A (AGRICULTURE)/ R-F-1 (SINGLE FAMILY RESIDENTIAL)/ C-C-2 (COMMUNITY COMMERCIAL DISTRICT)/ R-MH-1 (MANUFACTURED HOUSING SUBDIVISION) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED IN THE NW/4 SW/4 OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA CONTAINING 218.007 ACRES. PROPERTY LOCATION: EAST SIDE OF COUNTRY CLUB BETWEEN NW 16TH STREET AND HIGHWAY 130. (R2017-004) AND ADOPTION OF ORDINANCE NO. 785 (continued by Planning Commission on 3/27/2017)

Gordon Harness stated there was no recommendation from Planning Commission and that the applicant had agreed to a continuance. Motion was made by Karl Nail and seconded by Mike Fullerton to continue Item 12 to the next regularly scheduled Council meeting. Council polled: Tommy Clay, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Karl Nail, yes. Motion carried.

ITEM 13: DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT OF PARK PLACE (continued by Planning Commission on 3/27/2017)

No action was taken.

ITEM 14: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF NPWA RESOLUTION NO. 2017-01 FOR ADJUSTMENT OF SEWER FACILITIES IMPACT FEE

Motion was made by Tiffany Elczyn and seconded by Gene Reid to approve the NPWA Resolution No. 2017-01 increasing the sewer impact fee based on 5/8 in. water meters from \$1,000 to \$1,500. Council polled: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Karl Nail, yes. Motion carried.

ITEM 15: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF BUDGET APPROPRIATION FOR INDEPENDENCE DAY CELEBRATION

Nick Nazar reported that \$17,000 was approved last year and he requested \$17,500 be approved for fireworks and other expenses of this year's Independence Day celebration. Kim Coffman reported that a \$5,100 budget amendment would be required. The celebration will begin on Friday and continue through Saturday. Negotiations are underway for a carnival of inflatables with wristbands sold for admission, in addition to other no-cost activities. Motion was made by Tiffany Elczyn and seconded by Tommy Clay to approve a budget of \$17,500 with a \$5,100 budget amendment for the Independence Day Celebration. Council polled: Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried.

ITEM 16: ASSISTANT CITY MANAGER'S COMMENTS

None

ITEM 17: CITY MANAGER'S COMMENTS

Nick Nazar stated crews are working on continuing work on roads for paving. Oversight Committee met and received a comment from a citizen who wanted the City to consider striping the roads. He received

an estimated cost of approximately \$9,500 for a mile of striping on both sides of the lanes. Additional bids for striping will be solicited.

ITEM 18: COUNCIL MEMBERS' COMMENTS

Gene Reid gave a farewell with appreciation to the Council members who will be leaving their positions. Karl Nail gave his appreciation as well and stated he wanted them to remain involved because of their passion for the City. He further stated that he looks forward to working with Jim Gurley and Joe Covey on the Council.

ITEM 19: 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/MEEK PROPERTY)

Motion was made by Tiffany Elczyn and seconded by Tommy Clay to convene the meeting of the Newcastle City Council into executive session to include the City Attorney, City Manager and the Assistant City Manager.

Newly-elected Council member Joe Covey appeared and acknowledged the City is under contract to purchase 70 acres of land for parks. He said he has heard of a proposed 10th Street extension to be built by the City and that the City subdivision regulations require it be built to meet certain requirements for curb and gutter. He said the City is bound by its own regulations. Cost estimates have been requested from Kenny Sullivan.

Council was polled on the motion to convene executive session: Tiffany Elczyn, yes; Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Karl Nail, yes. The motion carried and the Council convened into Executive Session at 9:40 p.m. after a five-minute recess.

Motion was made by Tommy Clay and seconded by Mike Fullerton to reconvene the open meeting of the Newcastle City Council. Council polled: Mike Fullerton, yes; Gene Reid, yes; Tommy Clay, yes; Tiffany Elczyn, yes; Karl Nail, yes. Motion carried and the open session of the meeting of the Newcastle City Council was reconvened at 10:25 p.m.

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

Motion was made by Karl Nail and seconded by Tommy Clay to approve extension of the closing date under the contract with Meek Development, LLC for a period not to exceed 90 days beyond April 30, 2017.

Brenda Gladney, 301 N. Main, appeared and requested clarification of the motion. City Attorney Ted Haxel responded.

Council polled: Gene Reid, yes; Tommy Clay, yes; Tiffany Elczyn, yes; Mike Fullerton, yes; Karl Nail, yes. Motion carried.

ITEM 20: ADJOURNMENT

Motion was made by Tiffany Elczyn and seconded by Gene Reid to adjourn. The motion unanimously passed and the meeting was adjourned at 10:30 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