

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

DATE: November 13, 2017
TIME: 6:00 P.M.
PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH STREET

ITEM 1: CALL TO ORDER/ROLL CALL

Gene Reid called the meeting to order at 6:00 p.m.

PRESENT: Chair Gene Reid
Vice Chair Joe Covey
Trustee Mike Fullerton
Trustee Jimmy Gurley
Trustee Karl Nail

ABSENT: None

OTHERS PRESENT: Kevin Self, Assistant General Manager; Camille Dowers, NPWA Secretary; Kimberly Coffman, City Treasurer; Todd Kennemer, 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 Mike Fullerton and seconded by Joe Covey to approve the agenda. Board polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

ITEM 3: CITIZENS' COMMENTS

None

ITEM 4: CONSENT AGENDA
A. Minutes: October 10, 2017
B. Claims
C. Transfer of Funds
D. Appropriation of Funds
E. Budget Amendments: #17-02
F. Approval of Claims in excess of \$25,000.00

The numbering of Budget Amendment #17-02 is corrected to #18-02 under Item 4(E). Motion was made by Mike Fullerton and seconded by Karl Nail to approve the consent agenda, as amended. Board polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

ITEM 5: DISCUSSION AND POSSIBLE ACTION ON ADJUSTMENT OF UTILITY ACCOUNT #07-4293-00 FOR SERVICE ADDRESS OF 4550 S. WESTERN AVENUE (JOSHUA AND TRACY O'NEAL)

The board was presented with a written report from the utility department regarding the water usage by

the customer, repairs and unpaid amounts on utility account #07-4293-00. No appearance was made on behalf of the water customer. The water department was directed to change out the 2 in. water meter and check the usage. No action was taken.

ITEM 6: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF REGULAR MEETING DATES FOR CALENDAR YEAR 2018 FOR THE NEWCASTLE PUBLIC WORKS AUTHORITY

Motion was made by Joe Covey and seconded by Mike Fullerton to approve the proposed meeting dates for Calendar Year 2018, as amended to correct "Monday" to "Tuesday" on November 13, 2018. Board polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH GLENN SULLIVAN & ASSOCIATES, INC. TO PROVIDE ENGINEERING AND INSPECTION SERVICES ASSOCIATED WITH CONSTRUCTION OF A NEW MUNICIPAL WATER WELL

Motion was made by Mike Fullerton and seconded by Karl Nail to approve Item 7. Board polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 8: TREASURER'S MONTHLY FINANCIAL REPORT

Kim Coffman presented the monthly Treasurer's Report. Gene Reid requested an inquiry be made into sources of increased use tax receipts.

ITEM 9: ASSISTANT GENERAL MANAGER'S COMMENTS

Kevin Self reported the waterline sleeves for the Wyndemere waterlines have been installed, with one being 13 ft. deep. Notice has been received that Oklahoma City water rates are increasing and a water rate study will be prepared by Kenny Sullivan, City Engineer. IT Director Scott Hannan has been working with Kenny Sullivan on digital mapping for water and wastewater lines. He said that Kenny Sullivan's existing digital files will be transferred to the city's Spatial Data Research system. He also reported on a citizen complaint regarding inadequate lighting on Hwy. 37 near Country Club Dr. and Riverview Estates.

ITEM 10: TRUSTEES' COMMENTS

Joe Covey requested that digital files of "as-built" improvements be obtained from developers following the platting process. He also stated that file-stamped copies of final plats need to be received as they are recorded at the county.

Karl Nail commented on the need for street striping and street lighting near the casino.

ITEM 11: 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 (NE 16TH & PORTLAND AVENUE)

At 6:47 p.m. motion was made by Mike Fullerton and seconded by Joe Covey to recess the meeting of the NPWA and to call the NPWA Executive Session concurrently with the City Council Executive

Session under Item 21 of the City Council agenda. Board polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

The NPWA meeting was resumed concurrently with the City Council meeting at 9:44 p.m. At 9:45 p.m. motion was made by Gene Reid and seconded by Jimmy Gurley to enter executive session to include the Assistant City Manager and City Attorney under Item 11 of the NPWA agenda and Item 21 of the City Council agenda. Board/Council polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

Motion was made at 10:11 p.m. by Mike Fullerton and seconded by Jimmy Gurley to exit the joint executive session of the NPWA and City Council. Board/Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

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

Motion was made by Karl Nail and seconded by Mike Fullerton to authorize the Assistant City Manager and the City Attorney to negotiate the purchase of 69.36 acres. Board polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 12: ADJOURNMENT

Motion was made by Joe Covey and seconded by Mike Fullerton to adjourn. The motion unanimously passed and the meeting was adjourned at 10:14 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: November 13, 2017
TIME: 6:00 P.M.
PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH STREET

ITEM 1: CALL TO ORDER/ROLL CALL

Gene Reid called the meeting to order at 6:48 p.m.

PRESENT: Mayor Gene Reid
Vice Mayor Joe Covey
Council Member Mike Fullerton
Council Member Jimmy Gurley
Council Member Karl Nail

ABSENT: None

OTHERS PRESENT: Kevin Self, Assistant City Manager; Camille Dowers, City Clerk; Kimberly Coffman, Treasurer; Todd Kennemer, 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 Joe Covey and seconded by Karl Nail to approve the agenda. Council polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

ITEM 3: CITIZENS' COMMENTS

Gordon Harness appeared and stated that improved internet speeds would help with greater economic development. He asked that the City look at a plan to bring improved internet to the City and also discuss faster internet options with Pioneer Internet.

Mike Fullerton stated he had spoken to Pioneer and that the new subdivisions have fiber-optic availability but upgrades need to be made to existing subdivisions and commercial areas, as well.

ITEM 4: CONSENT AGENDA

- A. Minutes: October 10, 2017
November 2, 2017**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendments: #18-03**
- F. Claims in excess of \$25,000.00**
- G. 2018 Interlocal Agreement with Newcastle Public Schools**
- H. Non-waiver of Sales/Use Tax Penalties and Interest:
Approximately \$18.00 from Etailz, Inc.**
- I. Acknowledgment of Oversight Committee Report**
- J. Estimate approval: Warren Cat-140H grader repair \$16, 038.42**

Kim Coffman reported that Budget Amendment #18-03 needed to be increased by \$14,300.00 for equipment maintenance to \$39,300.00.

Jerry Petty, Jr., appeared and commented on the Oversight Committee meeting, having presented the written report of the committee for acknowledgment under Item 4(I).

Motion was made by Mike Fullerton and seconded by Joe Covey to approve the consent agenda as modified, increasing the amount of Budget Amendment #18-03 as stated. Council polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

ITEM 5: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF PLANNING COMMISSION RECOMMENDATION FOR CONDITIONAL APPROVAL OF PRELIMINARY PLAT FOR FOX HOLLOW

Gordon Harness presented the recommendation of the Planning Commission to approve the Preliminary Plat of Fox Hollow, subject to conditions. Phil Hagan, P.E. of Crafton Tull & Associates appeared. Discussion was held regarding the proposed round-a-bouts on the plat and use of speed tables on certain streets. Gordon Harness stated he is reviewing the PUD document which has been previously approved subject to scrivener's error corrections. Motion was made by Jimmy Gurley and seconded by Joe Covey to approve the recommendation of the Planning Commission, upon the following conditions, for approval of the Preliminary Plat of Fox Hollow:

1. The LOMAR "F" Letter based upon actual surveyed elevations and fill shall be obtained as to all areas in the development extending into the currently designated flood plain noting Blocks 1,2,3,7,9,15 & 18
2. The North Entry will be modified to remove or move the island and provide a left turn lane with space for at least 8 cars to stack
3. A traffic calming design will be incorporated in the intersection at Common Area "C" SE corner
4. A stub street will be provided to the east in the NE corner of the development in Block 18; AND an easement will be granted across the property running N-S joining the NE corner of the development to Fox Lane to provide the opportunity for future road development
5. Common Area "C" lake will be reshaped to provide at least a 20 ft. lake access area on the sides with a minimum 5 ft. flat area /walkway above the 100 year flood plain
6. Designation of the 75 ft. roadway easement along Fox Lane shall be designated and granted

Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, absent; Gene Reid, yes. Motion carried.

Mike Fullerton, was temporarily absent from the Council Chambers and returned to the meeting at this time.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF "LETTER OF CREDIT" PRESENTED FOR DELTA CROSSING, LLC, RICK PETERS, SR., AND RICK PETERS, JR., AND IN THE ALTERNATIVE APPROVAL OF PROPOSAL OF RICK PETERS FOR DELTA CROSSING, LLC TO SECURE PERFORMANCE AND CONSTRUCTION OF IMPROVEMENTS

Appearance was made by developer Rick Peters. He stated the improvements would be built and would pass inspections before lots are sold and maintenance bonds will be provided to the City, before a signed copy of the final plat is obtained. No action was taken.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF RESOLUTION NO. 2017-10 ESTABLISHING TIERED RE-INSPECTION FEES FOR CODE INSPECTIONS

Kevin Self reported on the need for re-inspection fees for code inspections. Motion was made by Joe Covey and seconded by Mike Fullerton to approve Resolution No. 2017-10, effective January 1, 2018, as amended to invoice additional \$15 fees for each residential re-inspection after the third inspection. Council polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF 2015 ICC BUILDING CODES AS AMENDED BY THE OKLAHOMA UNIFORM BUILDING CODE COMMISSION:

- **2015 International Residential Code (IRC)**
- **2015 International Building Code (IBC)**
- **2015 International Plumbing Code (IPC)**
- **2015 International Mechanical Code (IMC)**
- **2015 International Fuel Gas Code (IFGC)**
- **2015 International Fire Code (IFC) with Appendix “D”**
- **2015 International Energy Conservation Code (IECC)**
- **2015 International Property Maintenance Code (IPMC)**
- **2015 International Existing Building Code (IEBC)**
- **2015 International Swimming pool and Spa Code (ISPC)**

Appearance was made by Mike Zimmerman, Code Inspector. Recommendation was made by Kevin Self for approval of Item 8. Motion was made by Joe Covey and seconded by Mike Fullerton to approve adoption of ICC Building Codes under Item 8, as amended by the Oklahoma Uniform Building Code Commission. Council polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF THE 2014 NATIONAL ELECTRIC CODE (NEC)

Motion was made by Mike Fullerton and seconded by Jimmy Gurley to approve adoption of the 2014 National Electric Code under Item 9. Council polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION ON AUTHORIZATION TO ENTER INTO A COST-SHARE AGREEMENT BETWEEN THE CITY OF NEWCASTLE, THE CHICKASAW NATION AND LOVE’S TRAVEL STOP PROVIDING FOR EACH ENTITY TO CONTRIBUTE \$20,000 TOWARD THE COST OF MATERIALS AND INSTALLATION OF CROSSWALKS AT NORTH 24TH STREET AND U.S. HIGHWAY 62/NORTH MAIN STREET

Kevin Self reported that Love’s Travel Stops has offered to participate in costs of improvements if the Chickasaw Nation and the City will also contribute one-third each. Cost estimates are nearly \$60,000.00. Motion was made by Joe Covey and seconded by Mike Fullerton to authorize approval of a cost-share agreement for a one-third cost not to exceed \$25,000.00. Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

ITEM 11: DISCUSSION AND POSSIBLE ACTION ON THE IMPLEMENTATION OF MANDATORY ADMINISTRATIVE AND TECHNOLOGICAL FEES TO BE ASSESSED AS COSTS ON MUNICIPAL CITATIONS, EARMARKED FOR THE PURCHASE OR REPLACEMENT OF POLICE DISPATCH AND COURT EQUIPMENT ITEMS, COMMUNICATION ITEMS AND INFORMATION TECHNOLOGY ITEMS AND DIRECTING THE CITY ATTORNEY AND CITY STAFF TO DRAFT A RESOLUTION

Kevin Self recommended a \$20 Administrative Fee and a \$10 Information Technology Fee be assessed on municipal court citations as allowed by Oklahoma Statutes. Motion was made by Joe Covey and seconded by Gene Reid to table Item 11 to the next regular meeting. Council polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 12: DISCUSSION AND POSSIBLE ACTION TO CONFIRM APPOINTMENT BY THE MAYOR OF MEMBER(S) TO THE LOCAL PLANNING AND ADVISORY COMMITTEE (LPAC)

- **Jerry Petty, Jr.**
- **Carl Rose**
- **Keith Cleghorn**
- **Tiffany Elczyn**

Motion was made by Joe Covey and seconded by Jimmy Gurley to confirm the Mayor's appointment of the four members named in Item 12 to the Local Planning and Advisory Committee. Council polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

ITEM 13: DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2017-11 TO REDUCE THE POSTED SPEED LIMIT FROM 45 M.P.H. TO 35 M.P.H. ON NW 16TH BETWEEN STATE HIGHWAY 76 AND DEAVILLE DRIVE

No action was taken.

ITEM 14: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF RESOLUTION NO. 2017-12 REGARDING ASSIGNMENT OF FEES COLLECTED BY PROVIDERS FOR 9-1-1 EMERGENCY SERVICES TO 9-1-1 ACOG

Motion was made by Joe Covey and seconded by Mike Fullerton to approve Resolution No. 2017-12 under Item 14. Council polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

ITEM 15: DISCUSSION AND POSSIBLE ACTION ON AUTHORIZATION FOR REFUND TO THE CITY OF NEWCASTLE ALL OF THE UNUSED WORKERS' COMPENSATION LOSS FUND FOR FISCAL YEAR 2014-2015 HELD IN ESCROW BY THE OKLAHOMA MUNICIPAL ASSURANCE GROUP

Motion was made by Joe Covey and seconded by Mike Fullerton to approve Item 15. Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

ITEM 16: DISCUSSION AND POSSIBLE ACTION REGARDING THE LIGHTING OF THE TREE HOLIDAY CELEBRATION SCHEDULED ON THURSDAY, DECEMBER 7, 2017

The evening of December 7, 2017 was acknowledged by the council for the Chamber of Commerce Lighting of the Tree celebration in Leesa Cornett Park. No action was taken.

ITEM 17: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF REVISED COLLECTION SERVICES AGREEMENT WITH AMERICAN COLLECTION SERVICES, INC.

Motion was made by Joe Covey and seconded by Mike Fullerton to approve Revised Collection Services Agreement under Item 17. Council polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 18: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF REGULAR MEETING DATES FOR THE NEWCASTLE CITY COUNCIL FOR CALENDAR YEAR 2018

Motion was made by Joe Covey and seconded by Mike Fullerton to approve the proposed meeting dates for Calendar Year 2018, as amended to correct "Monday" to "Tuesday" on November 13, 2018. Council polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 19: ASSISTANT CITY MANAGER'S COMMENTS

None

ITEM 20: COUNCIL MEMBERS COMMENTS

Gene Reid stated it has been suggested that Planning Commission recommendations be presented to the Council by the Planning Commission Chair and that if there are other requests to be presented to the Council, the owner or his representative should make those requests. Joe Covey stated he wanted to know the Planning Commission recommendation for approval or disapproval by the Council, and that it was up to the owner to present his case.

Mike Fullerton commented on a call he received from a family who owns show goats in the E-3 zoning district.

ITEM 21: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. SECTION 307(B)(2) DISCUSSING NEGOTIATIONS CONCERNING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEE GROUPS (IAFF LOCAL #3910)

At 9:45 p.m. Gene Reid reconvened the meeting of the Public Works Authority to run concurrently with the remainder of the City Council meeting. Motion was made by Gene Reid and seconded by Mike Fullerton to enter into a Joint Executive Session under Item 11 of the NPWA agenda and Item 21 of the City Council agenda to run concurrently, to include the Assistant City Manager and the City Attorney. Board/Council polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

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

Motion was made by Mike Fullerton and seconded by Jimmy Gurley to exit Executive Session at 10:11 p.m. Board/Council polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

Motion was made by Karl Nail and seconded by Mike Fullerton under Item 11(B) of the NPWA agenda to authorize the Assistant City Manager and the City Attorney to negotiate with Dolese for the purchase of 69.36 acres. Board polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

Motion was made by Karl Nail and seconded by Mike Fullerton under Item 21(B) of the City Council agenda to approve the contract between IAFF Local #3910 and the City of Newcastle. Council polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

ITEM 22: ADJOURNMENT

Motion was made by Mike Fullerton and seconded by Joe Covey to adjourn. The motion passed unanimously and the joint meeting of the NPWA and City Council was adjourned at 10:14 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