

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

DATE: April 9, 2018
TIME: 6:00 P.M.
PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH STREET

Gene Reid called the meeting to order at 6:01 p.m.

ITEM 1: CALL TO ORDER/ROLL CALL

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; Jeanie Skeen, City Treasurer; Dinah Alizadeh, Executive Administrative Assistant; Todd Kennemer, Community Development Director; Ted Haxel, City Attorney; Kenny Sullivan, P.E., City Engineer; Gordon Harness, Planning Commission Chair

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: March 12, 2018**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendments**
- F. Approval of Claims in excess of \$25,000.00**
- G. Approve DWSRF Pay Request #16 (OWRB Loan, Green Projects-Municipal Water Well)**
- H. Authorization for payment to Meyer Pump Service (Pay Application No. 1, Municipal Water Well)**

Motion was made by Mike Fullerton and seconded by Karl Nail to approve the consent agenda. 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 ACCOUNTS:

A. Account #04-1439-00 for service address of 201 SW 16th St. (Karen Stonebraker)

No action was taken.

B. Account #07-2228-01 for service address of 4724 Crystal Lakes Road (Theresa Holman)

Motion was made by Karl Nail and seconded by Mike Fullerton to adjust the account under Item 5(B) by adjusting the January bill to the average of the previous four (4) months' billings. Board polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

C. Account #10-2770-00 for service address of 200 Naomi Lane (Stonetown Tri-City, LLC)

Motion was made by Karl Nail and seconded by Mike Fullerton to adjust the account under Item 5(C) by adjusting the February bill to the average of the previous ten (10) months' billings. Board polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF SUBMITTAL OF APPLICATIONS FOR PERMITS TO CONSTRUCT TOGETHER WITH PLANS AND SPECIFICATIONS TO ODEQ FOR WATER LINE EXTENSIONS FOR ARROWHEAD SUBDIVISION

Kenny Sullivan recommended approving the submittal of the applications for Permits to Construct to ODEQ under Item 6. Motion was made by Karl Nail and seconded by Mike Fullerton to approve Item 6. Board polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF SUBMITTAL OF APPLICATIONS FOR PERMITS TO CONSTRUCT TOGETHER WITH PLANS AND SPECIFICATIONS TO ODEQ FOR WATER LINE EXTENSIONS FOR CHISHOLM TRAIL SUBDIVISION

Kenny Sullivan recommended approving the submittal of the applications for Permits to Construct to ODEQ under Item 7. Motion was made by Karl Nail and seconded by Joe Covey to approve Item 7. Board polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF TEMPORARY PLACEMENT OF STORM RADAR DETECTION DEVICE BY THE NATIONAL WEATHER SERVICE ON NPWA PROPERTY SITUATED IN THE W/2 OF SEC. 15, TOWNSHIP 9N, RANGE 4W.I.M, McCLAIN COUNTY, OKLAHOMA

Motion was made by Mike Fullerton and seconded by Karl Nail to approve Item 8. Board polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF DEDICATION OF ASSIGNMENTS OF UTILITY EASEMENTS TO NEWCASTLE PUBLIC

WORKS AUTHORITY FROM SOUTH CANADIAN LAND LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY:

A. ACCEPTANCE OF ASSIGNMENT OF UTILITY EASEMENT FROM SOUTH CANADIAN LAND LLC, SITUATED IN TRACTS LOCATED IN PARTS OF SECTIONS 1, 2, 11 & 12, TOWNSHIP 8N, RANGE 4 WEST I.M., McCLAIN COUNTY, OKLAHOMA

Motion was made by Mike Fullerton and seconded by Karl Nail to approve Item 9(A). Board polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, no; Gene Reid, yes. Motion carried.

B. ACCEPTANCE OF ASSIGNMENT OF UTILITY EASEMENT FROM SOUTH CANADIAN LAND LLC, SITUATED IN TRACTS LOCATED IN THE N/2 OF SECTION 12, TOWNSHIP 8 NORTH, RANGE 4 W.I.M., McCLAIN COUNTY, OKLAHOMA

Motion was made by Mike Fullerton and seconded by Karl Nail to approve Item 9(B). Board polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION REGARDING ADJUSTMENT OF SEWER RATES

City Engineer Kenny Sullivan appeared and presented his sewer rate calculations. Motion was made by Karl Nail and seconded by Mike Fullerton to direct staff to adjust sewer rates to \$16 for the first 2000 gal. of water used and \$1.00 per 1,000 gal. over 2,000 gal. of water used, for all customers. Board polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

ITEM 11: DISCUSSION AND POSSIBLE ACTION REGARDING ESTABLISHMENT OF LIFT STATION SERVICE FEE

Kenny Sullivan appeared and presented his study regarding lift station costs and recommended lift station user service fees. Motion was made by Karl Nail and seconded by Mike Fullerton to establish a \$3.00 fee per lot served by lift stations. Gene Reid asked for citizen comments. There were none. Gordon Harness commented on the Planning Commission's comments regarding the recoupment of costs. Board polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

ITEM 12: DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR WATER SERVICE AND SALES AT 7036 N. MacARTHUR, BLANCHARD, OKLAHOMA

Kevin Self commented that this request is resulting from a lot split for a second customer. There will be a bore and a second meter at the customer's expense. Motion was made by Karl Nail and seconded by Mike Fullerton to approve Item 12. Board polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 13: TREASURER'S MONTHLY FINANCIAL REPORT

Gene Reid introduced Jeanie Skeen, City Treasurer and the monthly financial report was presented. Staff was requested to examine use tax receipts on new construction having Norman addresses.

ITEM 14: ASSISTANT GENERAL MANAGER'S COMMENTS

None

ITEM 15: TRUSTEES' COMMENTS

None

ITEM 16: ADJOURNMENT

Motion was made by Joe Covey and seconded by Gene Reid to adjourn. The motion unanimously passed and the meeting was adjourned at 7:05 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 9, 2018
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 7:06 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; Jeanie Skeen, City Treasurer; Dinah Alizadeh, Executive Administrative Assistant; Todd Kennemer, Community Development Director; Ted Haxel, City Attorney; Kenny Sullivan, P.E., City Engineer; Gordon Harness, Planning Commission Chair

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

Motion was made by Karl Nail and seconded by Mike Fullerton 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

None

ITEM 4: CONSENT AGENDA

- A. Minutes: March 12, 2018**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendments**
- F. Claims in excess of \$25,000.00**
- G. Dedication and acceptance of three (3) Sewer Easements from Shaz Investment Group, LLC, to City of Newcastle, each being part of the NE/4 of Sec. 26, Township 9 North, Range 4 West I.M., McClain Co., Oklahoma, containing 1,717 s.f. (0.040 ac.); 600 s.f. (0.014 ac.); and 300 s.f. (0.007 ac.) respectively (Farmington III)**
- H. Acknowledgment of ODEQ Permits to Construct:**
 - i. ODEQ Permit No. WL000044180218 for 4,103 l.f. of 8 in. and 1,054 l.f. of 6 in. potable water line (Wyndemere Phase I)**
 - ii. ODEQ Permit No. SL000044180219 for 9,168 l.f. of 8 in. sanitary sewer line (Wyndemere Phase I)**

- iii. ODEQ Permit No. WL000044180220 for 2,540 l.f. of 8 in. and 1,156 l.f. of 6 in. potable water line (Wyndemere Phase II)
- iv. ODEQ Permit No. SL000044180221 for 7,652 l.f. of 8 in. sanitary sewer line (Wyndemere Phase II)
- v. ODEQ Permit No. WL000044180222 for 5,899 l.f. of 12 in. and 85 l.f. of 8 in. potable water line (Wyndemere Phase II off-site waterline)
- vi. ODEQ Permit No. WL000044180223 for 1,871 l.f. of 8 in. and 614 l.f. of 6 in. potable water line (Wyndemere Phase III)
- vii. ODEQ Permit No. SL000044180224 for 505 l.f. of 8 in. sanitary sewer line (Wyndemere Phase III)

I. Approve DWSRF Pay Request #16 (OWRB Loan, Green Projects-Municipal Water Well)

Motion was made by Karl Nail and seconded by Mike Fullerton to approve the consent agenda. Council polled: Mike Fullerton, yes; Jimmy Gurley, no; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

ITEM 5: APPEARANCE BY BRUCE BAXTER, 4800 LAKE FRONT DRIVE, REGARDING PROCESSES FOR HOMEOWNERS ASSOCIATION REQUESTS TO THE CITY OF NEWCASTLE

Appearance was made by Bruce Baxter who presented two suggestions for processes for HOA requests which were set forth in a letter sent to the City. Kevin Self stated that Mr. Baxter's wife appeared last month under Citizen's Comments. He said a letter had been received from Mr. Baxter and this item was stemming in part from the stop sign incident in Crystal Lakes. No action was taken.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF FINAL PLAT OF WYNDEMERE, PHASE I

Todd Kennemer presented the recommendation of staff and Planning Commission to approve the Final Plat of Wyndemere, Phase I, with drainage easements to be first recorded as separate documents and with temporary turn-arounds for construction which do not show on the plat. Gordon Harness appeared and responded to council member questions. Phil Hagan of Crafton Tull engineering also appeared and answered questions from council members. Motion was made by Karl Nail and seconded by Mike Fullerton to approve Item 6. Council polled: Jimmy Gurley, no; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF FINAL PLAT OF WYNDEMERE, PHASE II

Todd Kennemer presented the recommendation of staff and Planning Commission to approve the Final Plat of Wyndemere, Phase II. Phil Hagan of Crafton Tull also appeared. Motion was made by Karl Nail and seconded by Mike Fullerton to approve Item 7. Council polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, no; Gene Reid, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF FINAL PLAT OF WYNDEMERE, PHASE III

Todd Kennemer presented the recommendation of staff and Planning Commission to approve the Final Plat of Wyndemere, Phase III, with drainage easements to be first recorded as separate documents outside of the plat. Phil Hagan of Crafton Tull also appeared. Motion was made by Karl Nail and seconded by

Mike Fullerton to approve Item 8. Council polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, no; Karl Nail, yes; Gene Reid, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON BALLOT FOR THE 2018 ELECTION OF TWO (2) TRUSTEES TO SERVE ON THE OKLAHOMA MUNICIPAL ASSURANCE GROUP BOARD OF TRUSTEES

Motion was made by Gene Reid and seconded by Mike Fullerton to vote for Justin Battles, Assistant City Manager, City of Mustang; and Kimberly Meek, City Manager, City of Duncan; for positions on the OMAG Board of Trustees. 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 APPROVAL OF PARTICIPATION IN OKLAHOMA MUNICIPAL ASSURANCE GROUP (OMAG) RECOGNITION PROGRAM AND SCHEDULING DATE FOR CALLING A SPECIAL MEETING FOR COUNCIL MEMBER TRAINING

Motion was made by Mike Fullerton and seconded by Jimmy Gurley to approve participation in the OMAG Recognition Program under Item 10 and schedule a Special City Council Meeting for OMAG training. 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 APPROVAL OF 2018-2019 OML SERVICE FEES

Motion was made by Mike Fullerton and seconded by Jimmy Gurley to approve Item 11. 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 ON ADOPTION OF RESOLUTION NO. 2018-01 APPROVING MAINTENANCE AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PEDESTRIAN SIGNALS ALONG US-62 AT STAN PATTY BLVD. AND APPROVAL OF 10% COST SHARE BY THE CITY OF NEWCASTLE [PROJECT HSIP-244B(061)TR, JP# 33606(04)]

Motion was made by Karl Nail and seconded by Gene Reid to adopt Resolution No. 2018-01 with the modification that the pedestrian crossing at US-62 and SH-130 be included together with the project at Stan Patty Blvd. 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 APPROVAL OF COST ESTIMATES FOR 2-IN. ASPHALT OVERLAY WITH SHOULDERS FOR NORTH COUNTRY CLUB ROAD BETWEEN NW 24TH AND HWY 37

Motion was made by Karl Nail and seconded by Mike Fullerton to approve Item 13. Council polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

(At this time Mayor Gene Reid re-opened Item 3, Citizens Comments.) Manuel Gomez, 633 SW 69th St., Apt. 2, Oklahoma City, appeared. He requested refund of \$300 for impound charges and fees. Ted Haxel stated Mr. Gomez's case has been re-set on the municipal court docket.

ITEM 14: DISCUSSION AND POSSIBLE ACTION ON ESTABLISHMENT OF TRAFFIC IMPACT FEE FOR NEW DEVELOPMENTS

No action was taken. Staff was directed to present a proposal at the next meeting.

ITEM 15: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF PROPOSED “USE POLICY” FOR THE NEWCASTLE COMMUNITY STORM SHELTER

Kevin Self presented a proposed Newcastle Community Storm Shelter Use Policy. Farah Payton-Snider appeared on behalf of Friends of the Shelter, requesting use of the storm shelter for a spay and neuter event. Motion was made by Mike Fullerton to approve the proposed “use policy” as presented, excepting the fourth bullet point under “Inappropriate Uses” regarding events associated with animals, and amending the last bullet point under “General Storm Shelter Rules and Regulations” to add language that “during storms” pets are strictly prohibited from entering the shelter. The Motion died for lack of a second and no vote was taken. Motion was made by Joe Covey and seconded by Karl Nail to approve the Use Policy for the Newcastle Community Storm Shelter as presented by Kevin Self. Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, no; Gene Reid, yes. Motion carried.

ITEM 16: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF BUDGET FOR CITY INDEPENDENCE DAY CELEBRATION

Motion was made by Karl Nail and seconded by Joe Covey to approve a budget under Item 16 not to exceed \$15,500.00. Council polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

ITEM 17: ASSISTANT CITY MANAGER’S COMMENTS

None

ITEM 18: COUNCIL MEMBERS COMMENTS

Joe Covey commented that outsourcing building inspections may be costing the City more than revenues received. He stated that until Newcastle’s census reaches 10,000 in population, a certified inspector is not required. He commented that the available salary offered for the code inspector position should be examined. Kevin Self reported on the status of code inspector interviews and hiring.

Councilor Covey also commented on the City paying for the upgrade to a 12” waterline along Country Club Road under the agreement with Meek Development, LLC. He stated a 12” waterline is already required under the subdivision regulations. Ted Haxel said the upgrade expense to the City was a provision in the contract negotiated with the developer.

Mike Fullerton commented on widening streets where subdivisions are being built. He also commented that documents for the storm shelter and other documents need to be scanned before disposal. He stated that the ODOT project above covers the Stan Patty and Fox Lane.

Gene Reid commented that he has attempted to hear each of the council member’s views at the meetings and wants to establish a process to make sure this continues.

{ITEM 19:} A. 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)

Motion was made by Mike Fullerton and seconded by Joe Covey to convene the meeting of the Newcastle City Council into executive session under the above item to include the City Attorney and City Council Members. Council polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes, Gene Reid, yes. The motion carried and the Council convened into executive session at 10:15 p.m.

Motion was made by Joe Covey and seconded by Mike Fullerton to reconvene the open meeting of the Newcastle City Council. Council polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried and the open meeting of the Newcastle City Council was reconvened at 10:43 p.m.

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

At 10:44 p.m. motion was made by Gene Reid and seconded by Joe Covey to terminate City Manager Nick Nazar's contract effective April 15, 2018, and that he be placed on administrative leave through April 15, 2018. All personal items are to be removed from city property by April 15, 2018 and all property in his possession is to be returned by April 15, 2018. Kevin Self is named Interim City Manager. Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

{ITEM 20;} ADJOURNMENT

Motion was made by Joe Covey and seconded by Mike Fullerton to adjourn. The motion unanimously passed and the meeting was adjourned at 10:47 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