

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

**DATE:** December 10, 2018  
**TIME:** 6:00 P.M.  
**PLACE:** NEWCASTLE MULTI-PURPOSE CENTER  
705 NW 10<sup>TH</sup> STREET

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

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

Motion was made by Mike Fullerton and seconded by Karl Nail 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: November 7, 2018  
November 13, 2018**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendments**
- F. Approval of Contracts**
- G. Approval of Claims in excess of \$25,000.00**

Motion was made by Karl Nail and seconded by Mike Fullerton 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 APPROVAL OF LETTER  
REQUEST TO ODEQ FOR REVISION TO THE WATER QUALITY  
MANAGEMENT PLAN FOR LOCATION AND FLOW FROM WASTEWATER  
TREATMENT FACILITY**

Kenny Sullivan presented to the Council Members the letter request to ODEQ with the modeling results, with a 1.5 mgd proposed discharge limit. Jimmy Gurley objected to the plant location and discharge route. Motion was made by Karl Nail and seconded by Mike Fullerton to approve Item 5. Board polled: Jimmy Gurley, no; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

**ITEM 6: DISCUSSION AND POSSIBLE ACTION ON SETTING A DATE FOR A SPECIAL MEETING RELATING SOLELY TO THE NEW WASTEWATER TREATMENT PLANT**

Kenny Sullivan recommended a special meeting and reported that Ruekert & Mielke agreed to be present. Kevin Self proposed Thursday, January 10, 2019, at 6:00 p.m., for a special meeting to be called. Motion was made by Gene Reid and seconded by Karl Nail to schedule January 10, 2019, at 6:00 p.m. for a special meeting, the primary purpose of which to discuss the new wastewater treatment facility. Board polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

**ITEM 7: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF RECOUPMENT AGREEMENT PROPOSAL FOR EXTENSION OF 12 IN. WATERLINE FOR DEVELOPMENT AT INTERSECTION OF US-62 AND SH-9**

Kevin Self reported this request was made by Daniel Remington. Discussion was held and no action was taken.

**ITEM 8: DISCUSSION AND POSSIBLE ACTION ON ESTABLISHING REGULAR MEETING DATES FOR CALENDAR YEAR 2019 FOR THE NEWCASTLE PUBLIC WORKS AUTHORITY**

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

**ITEM 9: MONTHLY TREASURER'S REPORT**

Jeanie Skeen presented the monthly Treasurer's report.

**ITEM 10: GENERAL MANAGER'S COMMENTS**

Kevin Self reported an 18" waterline had a 20 ft. joint split causing a leak on Portland south of Fox Lane. He also reported a 1-ton Ford truck and a 3/4-ton Ford truck have been ordered on state contract for the water department. Chevrolet trucks were not available from the dealer due to oil company purchases.

**ITEM 11: TRUSTEES' COMMENTS**

None

**ITEM 12: ADJOURNMENT**

Motion was made by Karl Nail and seconded by Mike Fullerton to adjourn. The motion unanimously passed and the meeting was adjourned at 6:30 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.

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Chair

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Vice Chair

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Trustee

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Trustee

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Trustee

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

**DATE:** December 10, 2018  
**TIME:** 6:00 P.M.  
**PLACE:** NEWCASTLE MULTI-PURPOSE CENTER  
705 NW 10<sup>TH</sup> STREET

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

Gene Reid called the meeting to order at 6:31 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, City Manager; Dinah Alizadeh, Executive Administrative Assistant; Camille Dowers, City Clerk; Jeanie Skeen, City Treasurer; Todd Kennemer, Community Development Director; Gordon Harness, Planning Commission Chair; Kenny Sullivan, P.E., City Engineer; Ted Haxel, City Attorney

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

Gene Reid announced the Executive Session under Item 10 would be removed from the agenda and would appear on the agenda of another meeting. Motion was made by Karl Nail and seconded by Mike Fullerton to approve the agenda as amended. 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: November 7, 2018  
November 13, 2018**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendments**
- F. Approval of Contracts**
- G. Approval of Claims in excess of \$25,000.00**
- H. Dedication and acceptance of sidewalk easement along the north side of Comfort Inn & Suites property running east and west along NW 24<sup>th</sup> St.**
- I. Dedication and acceptance of 50 ft. easement along the east side of the SE/4 of the NE/4 of Sec. 7-T8N-R3W.I.M, McClain County, Oklahoma, from James and Carolyn Mitchell**

- J. Dedication and acceptance of off-site public utility easement from Newcastle Duplexes, LLC, in the NW/4 of Sec. 15-T9N-R4W.I.M., McClain County, Oklahoma**
- K. Dedication and acceptance of public off-site drainage system easement from Newcastle Duplexes, LLC in the NW/4 of Sec. 15-T9N-R4W.I.M., McClain County, Oklahoma**
- L. Approval of Correction of Plat for Wyndemere, Phase II, to correct scrivener's error from 1276.73 ft. to 1216.73 ft. in surveyor's annotation in legal description on Pg. 1**

Gene Reid announced that Item H was stricken from the consent agenda and requested a motion to remove Item K for separate discussion. Motion was made by Karl Nail and seconded by Mike Fullerton to remove Item K from the consent agenda for separate consideration. Council 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 to approve the consent agenda, excepting Items H and K. Motion was made by Joe Covey and seconded by Mike Fullerton to remove Item J from the consent agenda for separate discussion. Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried. Motion was made by Karl Nail and seconded by Mike Fullerton to approve the consent agenda, removing Items H, J and K. Council polled: Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

Gene Reid called Item 4(J). Joe Covey objected to acceptance of the easement because it was recorded before acceptance by the council. Motion was made by Joe Covey and seconded by Mike Fullerton to accept the easement under Item 4(J), striking the word "construct" and re-recording the easement. Kevin Self reported the sewer line has been installed. Council polled: Joe Covey, yes; Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Gene Reid, yes. Motion carried.

Gene Reid called Item 4(K). Kevin Self stated the issue on the drainage easement under Item 4(K) is that it is common area which is supposed to be maintained by the developer and HOA pursuant to the PUD document. However, the easement has conflicting language requiring the City to maintain the drainage easement. He recommended the easement be re-written. Motion was made by Joe Covey to release the easement under Item 4(K). Ted Haxel recommended no action on Item 4(K), with a release of easement to be placed on the agenda for the next regular meeting. No action was taken on Item 4(K).

Kevin Self commented that Item 4(H) was removed from the consent agenda because the hotel property has recently changed ownership and a new easement for the new owners to sign is being prepared.

**ITEM 5: DISCUSSION AND POSSIBLE ACTION ON PLANNING COMMISSION RECOMMENDATIONS:**

**A. DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF PRELIMINARY PLAT OF NE 19<sup>TH</sup> PLACE DUPLEXES**

Todd Kennemer presented Item 5(A), stating that plat revisions have been made and approved by staff and he recommended approval. Appearance was made by Jason Spencer, P.E. of Crafton Tull. He agreed to make revisions to give adequate access to the common lot as recommended by Joe Covey. Joe Covey also recommended using Main Street (the west line of Sec. 15) as the baseline to use as the basis of bearings. Motion was made by Joe Covey and seconded by Mike Fullerton to approve the Preliminary Plat under Item 5(A) based on giving enough access to the common lot, to get access to the common lot,

and using the west line of Sec. 15 as the baseline for the basis of bearings on the plat. Council polled: Mike Fullerton, yes; Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Gene Reid, yes. Motion carried.

**B. PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF PLANNING COMMISSION RECOMMENDATION TO APPROVE AN APPLICATION FOR REZONING FOR TRUMAN YOUNG FROM A (AGRICULTURE) TO E-2 (URBAN ESTATE RESIDENTIAL) OF PROPERTY SITUATED IN THE SE/4 OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA, AND FOR ADOPTION OF ORDINANCE 827; PROPERTY LOCATION: 2724 N. YOUNG AVENUE, NEWCASTLE, OKLAHOMA (R2018-014)**

Todd Kennemer presented the recommendation of the Planning Commission to approve Item 5(B). Gene Reid called for public comment and there was none. Motion was made by Jimmy Gurley and seconded by Karl Nail to approve the recommendation of the Planning Commission and adopt Ordinance No. 827. Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, absent (having left the council chambers); Mike Fullerton, yes; Gene Reid, yes. Motion carried.

**C. DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF THE EMERGENCY CLAUSE OF ORDINANCE NO. 827**

Motion was made by Jimmy Gurley and seconded by Karl Nail to approve the Emergency Clause of Ordinance No. 827. Council polled: Karl Nail, yes; Joe Covey, absent; Mike Fullerton, yes; Jimmy Gurley, yes; Gene Reid, yes. Motion carried.

(Joe Covey returned to the meeting at this time.)

**ITEM 6: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF RESOLUTION NO. 2018-11 FOR A NON-PARTISAN GENERAL ELECTION TO BE HELD ON TUESDAY, APRIL 2, 2019, FOR ELECTION AT-LARGE OF COUNCIL MEMBERS RESIDING IN WARD 1 AND WARD 2**

Motion was made by Karl Nail and seconded by Mike Fullerton to approve Resolution No. 2018-11 under Item 6. Council 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 DEMOLITION AND ABATEMENT OF PROPERTY LOCATED AT 1732 HICKORY LANE, TOGETHER WITH ACCESSORY BUILDING AND ABANDONED VEHICLES (MICHAEL AND KATHRYN SMALL)**

Kevin Self reported that code inspector Ken Bradley spoke with the insurance adjuster regarding the burned residence. He proposed extending the abatement period for an additional 30 days. Motion was made by Karl Nail and seconded by Mike Fullerton to extend the abatement period 30 days. Council 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 DEMOLITION AND ABATEMENT OF PROPERTY LOCATED AT 3220 SW 16<sup>TH</sup> (SOULS OF THE LIGHT CHRISTIAN CENTER)**

Kevin Self reported the structure has been taken down. No action was taken.

**ITEM 9: DISCUSSION AND POSSIBLE ACTION ON ESTABLISHING REGULAR MEETING DATES FOR CALENDAR YEAR 2019 FOR THE NEWCASTLE CITY COUNCIL**

Motion was made by Karl Nail and seconded by Mike Fullerton to approve the meeting dates as proposed under Item 9. Council polled: Jimmy Gurley, yes; Karl Nail, yes; Joe Covey, yes; Mike Fullerton, yes; Gene Reid, yes. Motion carried.

**ITEM 10: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. 307(B)(4) DISCUSSING CONFIDENTIAL COMMUNICATIONS BETWEEN A PUBLIC BODY AND ITS ATTORNEY CONCERNING A PENDING INVESTIGATION, CLAIM, OR ACTION IF THE PUBLIC BODY, WITH THE ADVICE OF ITS ATTORNEY, DETERMINES THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE PUBLIC BODY TO PROCESS THE CLAIM OR CONDUCT A PENDING INVESTIGATION, LITIGATION, OR PROCEEDING IN THE PUBLIC INTEREST (OPIOID MANUFACTURERS)**

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

(Item 10 was stricken from the agenda under Item 2.)

**ITEM 11: CITY MANAGER'S COMMENTS**

Kevin Self reported the new police cars have been ordered as approved at the last council meeting. He also reminded the council members that Wednesday is the employee Christmas luncheon, with council members serving the employees. Mr. Self recognized Dinah Alizadeh for planning the luncheon.

**ITEM 12: COUNCIL MEMBERS' COMMENTS**

Joe Covey commented on the increasing problem of banner signs and requested code enforcement.

**ITEM 13: ADJOURNMENT**

Motion was made by Joe Covey and seconded by Mike Fullerton 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.

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Mayor

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Vice Mayor

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Council Member

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Council Member

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Council Member