

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

DATE: September 12, 2011

TIME: 6:00 P.M.

PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH STREET

ITEM 1: CALL TO ORDER/ROLL CALL

Chairman Karl Nail called the meeting to order at 6:05 p.m.

PRESENT: Chairman Karl Nail
Trustee Wayne McDoulett
Trustee Linda Molsbee
Trustee Chris Turner
(Ward 3 position—vacant)

OTHERS PRESENT: Kevin Self, Assistant General Manager; Sharon Ferguson, City Treasurer; Camille Dowers, NPWA Secretary; Ian Crittenden, City Planner; Ted Haxel, City Attorney; Kenny Sullivan, P.E., City Engineer; Jon Tankersley, Deputy Emergency Manager; and former City Council/NPWA member Cindy Frizzell

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

Motion was made by Linda Molsbee and seconded by Chris Turner to approve the agenda. Board polled: Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 3: ACKNOWLEDGMENT OF APPOINTMENT OF COUNCIL MEMBER
FOR WARD 3 TO SERVE AS NPWA TRUSTEE

No action was taken.

ITEM 4: CITIZENS' COMMENTS

None

ITEM 5: CONSENT AGENDA

- A. Minutes:**
 - August 8, 2011
 - August 25, 2011
- B. Claims**
- C. Transfer of funds**
- D. Appropriation of funds**
- E. Budget Amendments**

F. OKC Connection claims
G. Approval of claims in excess of \$25,000.00

Motion was made by Chris Turner and seconded by Linda Molsbee to approve the consent agenda. Board polled: Linda Molsbee, yes; Chris Turner, yes; Wayne McDoulett, yes; Karl Nail, yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON ADJUSTMENT OF UTILITY ACCOUNT NO. 11507-2507 AT SERVICE ADDRESS OF 1740 ELMWOOD LANE (BOB & SHERRI WILLIAMS)

No action was taken.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON UTILITY RATE STUDY

No action was taken.

ITEM 8: DISCUSSION AND POSSIBLE ACTION AUTHORIZING AMENDMENTS TO OKC CONNECTION, PHASE II, BUDGET AMOUNTS AND ENGINEERING REPORT FOR REHABILITATION OF LAKEVIEW BOOSTER STATION, RICHLAND PARK BOOSTER STATION, AND IMPROVEMENTS TO THE SCADA SYSTEM UNDER EXISTING OWRB LOAN AND APPLICATIONS FOR ODEQ APPROVAL AND PERMITS

City Engineer Kenny Sullivan appeared and presented the engineering proposals for rehabilitation and modernization of the Lakeview and Richland Park Booster Stations, and improvements to the SCADA system. Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 8. Board polled: Chris Turner, yes; Wayne McDoulett, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION FOR APPROVAL TO PURCHASE TWO (2) USED KANSAS HIGHWAY PATROL CARS AND AUTHORIZATION TO SOLICIT QUOTES FOR FINANCING IN THE AMOUNT OF \$32,400.00

Motion was made by Chris Turner and seconded by Linda Molsbee to approve Item 9. Board polled: Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION FOR AUTHORIZATION TO ADVERTISE FOR BIDS FOR PURCHASE OF TRACTOR AND BOOM MOWER AND APPROVAL TO SOLICIT QUOTES FOR FINANCING

Motion was made by Wayne McDoulett and seconded by Linda Molsbee to approve Item 10. Board polled: Linda Molsbee, yes; Chris Turner, yes; Wayne McDoulett, yes; Karl Nail, yes. Motion carried.

ITEM 11: GENERAL MANAGER'S COMMENTS

None

ITEM 12: TRUSTEES' COMMENTS

None

ITEM 13: ADJOURNMENT

Motion was made by Linda Molsbee and seconded by Chris Turner 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.

Chairman

Vice Chair

Trustee

Trustee

Trustee

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

DATE: September 12, 2011

TIME: 6:00 P.M.

PLACE: NEWCASTLE MULTI-PURPOSE CENTER
705 NW 10TH STREET

ITEM 1: CALL TO ORDER/ROLL CALL

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

PRESENT: Mayor Karl Nail
Council Member Wayne McDoulett
Council Member Linda Molsbee
Council Member Chris Turner

Also present was Cindy Frizzell, who was appointed to serve as Council Member for Ward 3 under agenda Item 3, below.

OTHERS PRESENT: Kevin Self, Assistant City Attorney; Sharon Ferguson, City Treasurer; Camille Dowers, City Clerk; Ian Crittenden, City Planner; Gordon Harness, Planning Commission Chairman; Ted Haxel, City Attorney; Kenny Sullivan, P.E., City Engineer; and Jon Tankersley, Deputy Emergency Manager

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

Motion was made by Linda Molsbee and seconded by Chris Turner to approve the agenda. Council polled: Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 3: DISCUSSION AND POSSIBLE ACTION REGARDING NOMINATION AND APPOINTMENT OF COUNCIL MEMBER FOR WARD 3

Cindy Frizzell was nominated by Linda Molsbee to fill the vacant council position for Ward 3. Chris Turner seconded the nomination. Council polled: Linda Molsbee, yes; Chris Turner, yes; Wayne McDoulett, yes; Karl Nail, yes. Cindy Frizzell was appointed to fill the Ward 3 Council position until the next regular election.

Mayor Karl Nail administered the Oath of Office to Cindy Frizzell as Council Member, Ward 3, and .

ITEM 4: DISCUSSION AND POSSIBLE ACTION REGARDING NOMINATION AND ELECTION OF VICE MAYOR

Nomination was made by Chris Turner and seconded by Wayne McDoulett to elect Linda Molsbee as Vice Mayor. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Linda Molsbee, yes; Karl Nail, yes. Linda Molsbee was elected to serve as Vice

Mayor.

ITEM 5: CITIZENS' COMMENTS

Jim Gurley appeared regarding traffic safety concerns on Hwy. 130, and requested "No Parking Anytime" traffic signs be placed on both sides of Hwy. 130 west of Hwy. 62 for one-half mile.

ITEM 6: CONSENT AGENDA

- A. Minutes:**
 - August 8, 2011
 - August 25, 2011
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendments**
- F. OKC Connection Claims**
- G. Approval of claims in excess of \$25,000.00**
- H. Declare as surplus: Sharp AR-337 copy machine (Ser. #16501311)**

Motion was made by Wayne McDoulett and seconded by Chris Turner to approve the consent agenda. Council polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS OF PLANNING AND ZONING COMMISSION

Planning Commission Agenda Item 10 (August 29, 2011 Meeting):
A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR H9 PROPERTY, LLC FOR THE USE OF PLACING A BILLBOARD LOCATED IN A PART OF THE NW/4 OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 3 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA. PROPERTY ADDRESS: 4845 SE 44TH STREET, NEWCASTLE, OK (UPOR 2011-006) – continued

- A. The Planning and Zoning Commission recommends approval of the UPOR for the proposed structure as a single monument accessory sign for all future retail lots to be located on the property, and temporary approval as a billboard for advertising businesses within the overlay district as provided in Zoning Code Section 155.36(b)**

Planning Commission Chairman Gordon Harness appeared and presented the recommendation of the Planning Commission. Mayor Nail called for public comment under Item 7(A). There were no public comments. Motion was made by Wayne McDoulett and seconded by Linda Molsbee to approve UPOR 2011-006. Council polled: Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, no; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

Planning Commission Agenda Item 11 (August 29, 2011 Meeting):
A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR REZONING FROM A (AGRICULTURE) TO C-C-2 (COMMUNITY

**COMMERCIAL DISTRICT) FOR MCCLAIN-GRADY COUNTY
EMS DISTRICT #1 LOCATED IN THE SW/4 OF SECTION 26,
TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN
COUNTY, OKLAHOMA. PROPERTY ADDRESS: 2000 S. MAIN
STREET, NEWCASTLE, OK (R2011-006)**

**B. The Planning Commission recommends approval of Ordinance No. 667
rezoning property from A to C-C-2 for McClain-Grady County EMS**

Planning Commission Chairman Gordon Harness appeared and presented the recommendation of the Planning Commission. Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve Ordinance No. 667. Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Karl Nail, yes. Motion carried.

C. Adoption of the Emergency Clause for Ordinance No. 667

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve the Emergency Clause for Ordinance No. 667. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**Planning Commission Agenda Item 12 (August 29, 2011 Meeting):
A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR
USE PERMITTED ON REVIEW FOR A CONDITIONAL USE
PERMIT FOR JUANITA GRIFFITH, TRUSTEE OF THE
JUANITA GRIFFITH FAMILY TRUST/CHARTER OAK
PRODUCTION FOR THE USE OF PLACING AN OIL AND GAS
PRODUCTION/WELL SITE LOCATED IN THE S/2 OF SECTION
27, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN
COUNTY, OKLAHOMA. PROPERTY ADDRESS: FROM THE
JUNCTION OF SH#9 EAST AND US#62 GO 2.5 MILES NORTH**

**D. The Planning and Zoning Commission recommends approval of
the UPOR for Charter Oak Production/Juanita Griffith Family Trust
subject to:**

- 1. Entrance gate on 24th Street to be sufficiently set back to allow semi-truck/trailers to be fully off the roadway while entering and exiting the gate**
- 2. Consideration to be given to the East entrance road fencing to match the existing cemetery fencing**
- 3. Tank placement at sight to be placed to the South of the well site barring any conditions that make it prohibitive**
- 4. Sight-proof fencing using slatted chain link in brown or green color**

Planning Commission Chairman Gordon Harness appeared and presented the recommendations of the Planning Commission. Motion was made by Karl Nail and seconded by Cindy Frizzell to approve UPOR 2011-007 with the exception of Item 7(D)(3), substituting language similar to that in Item 7(D)(2) that rather than a requirement, consideration be given to placement of the tank battery. Council polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION OF LOCAL EMERGENCY PLANNING COMMITTEE

**LEPC Agenda Item 4 (September 12, 2011 Meeting):
DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE CITY OF NEWCASTLE EMERGENCY OPERATIONS PLAN**

A. Report and possible action on recommendation of Local Emergency Planning Committee

Mayor Karl Nail reported the LEPC Committee met and recommended approval of the Newcastle Emergency Operations Plan. Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 8(A). Council polled: Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION AUTHORIZING AMENDMENTS TO OKC CONNECTION, PHASE II, BUDGET AMOUNTS AND ENGINEERING REPORT FOR REHABILITATION OF LAKEVIEW BOOSTER STATION, RICHLAND PARK BOOSTER STATION, AND IMPROVEMENTS TO THE SCADA SYSTEM UNDER EXISTING OWRB LOAN AND APPLICATIONS FOR ODEQ APPROVAL AND PERMITS

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 9. Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Karl Nail, yes. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION FOR APPROVAL TO PURCHASE TWO (2) USED KANSAS HIGHWAY PATROL CARS AND AUTHORIZATION TO SOLICIT QUOTES FOR FINANCING IN THE AMOUNT OF \$32,400.00

Motion was made by Wayne McDoulett and seconded by Linda Molsbee to approve Item 10. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 11: DISCUSSION AND POSSIBLE ACTION FOR AUTHORIZATION TO ADVERTISE FOR BIDS FOR PURCHASE OF TRACTOR AND BOOM MOWER AND APPROVAL TO SOLICIT QUOTES FOR FINANCING

Motion was made by Linda Molsbee and seconded by Cindy Frizzell to approve Item 11. Council polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

ITEM 12: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF AGREEMENT FOR PLANNING SERVICES WITH FLANAGAN & ASSOCIATES, LLC, FOR MULTI-HAZARD MITIGATION PLAN UPDATE

No action was taken.

ITEM 13: DISCUSSION AND POSSIBLE ACTION ON MAYOR'S PROCLAMATION TO PROCLAIM THE WEEK OF SEPTEMBER 17TH THROUGH SEPTEMBER 23RD AS "CONSTITUTION WEEK" IN THE CITY OF NEWCASTLE

Mayor Karl Nail proclaimed the week of September 17th through September 23rd, 2011, as Constitution Week in the City of Newcastle, commemorating the 224th anniversary of the drafting of the Constitution of the United States of America. Mayor Karl Nail reported this Proclamation was made at the request of the Daughters of the American Revolution.

ITEM 14: DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF CEMETERY MANAGER FOR NEWCASTLE MEMORIAL GARDENS

No action was taken.

ITEM 15: DISCUSSION AND POSSIBLE ACTION ON THE CHARGE FOR OPENING AND CLOSING CEMETERY GRAVES

Motion was made by Linda Molsbee and seconded by Cindy Frizzell that the municipal fee for opening and closing a grave be set at \$100 above the contractor's cost for opening and closing the grave. Council polled: Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 16: DISCUSSION AND POSSIBLE ACTION SETTING DATE AND TIMES FOR HALLOWEEN TRICK-OR-TREAT NIGHT IN THE CITY OF NEWCASTLE

Assistant City Manager Kevin Self reported Nick Nazar recommended October 29th as Halloween Trick-or-Treat Night. Motion was made by Karl Nail and seconded by Linda Molsbee to set the official Halloween Trick-or-Treat Night in the City of Newcastle on October 29th. Council polled: Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Wayne McDoulett, yes; Karl Nail, yes. Motion carried.

ITEM 17: CITY MANAGER'S COMMENTS

Assistant City Manager reported on the completion of numerous street projects.

ITEM 18: COUNCIL MEMBERS' COMMENTS

Cindy Frizzell was welcomed by Mayor Karl Nail on her return to the Council.

ITEM 19: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. 307(B)(1) FOR DISCUSSING THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE (SHARON FERGUSON, CITY TREASURER)

Motion was made at 7:12 by Linda Molsbee and seconded by Cindy Frizzell to enter into executive session under Item 19(A), to include the Assistant City Manager, City Attorney and City Treasurer as requested. Council polled: Chris Turner, yes; Cindy Frizzell, yes; Wayne

McDoulett, yes; Linda Molsbee, yes; Karl Nail yes. Motion carried and the Council convened into executive session at 7:17 p.m. following a five-minute recess. Sharon Ferguson was called to join the executive session at 7:25 p.m.

At 7:30 p.m. motion was made by Linda Molsbee and seconded by Cindy Frizzell to adjourn the executive session and reconvene the open meeting of the Newcastle City Council. Council polled: Cindy Frizzell, yes; Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail yes. Motion carried.

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

Motion was made by Linda Molsbee and seconded by Chris Turner that the pay for City Treasurer Sharon Ferguson be increased by \$1.50 per hour. Council polled: Wayne McDoulett, yes; Linda Molsbee, yes; Chris Turner, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 20: ADJOURNMENT

Motion was made by Linda Molsbee and seconded by Chris Turner to adjourn. The motion unanimously passed and the meeting was adjourned at 7:31 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