

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

DATE: June 8, 2009
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 regular meeting of the Newcastle Public Works Authority to order at 6:00 p.m.

PRESENT: Chairman Karl Nail
Vice-Chairman James Inskip
Trustee Cindy Frizzell
Trustee Linda Molsbee
Trustee Chris Turner

OTHERS PRESENT: Nick Nazar-City Manager, Shirley Guffey-City Clerk, Ted Haxel-City Attorney, Sharon Ferguson-City Treasurer

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

James Inskip made the motion to approve the agenda and Cindy Frizzell seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 3: CITIZEN'S COMMENTS

None

ITEM 4: CONSENT DOCKET
a. Minutes
May 11, 2009
May 18, 2009
b. Claims
c. Transfer of Funds
d. Appropriation of Funds

James Inskip made the motion to approve the consent docket and Chris Turner seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 5 DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF EMPLOYEE HEALTH INSURANCE FOR 2009-2010

Linda Molsbee made the motion to renew health insurance with United Health Care and Cindy

Frizzell seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF EMPLOYEE DENTAL INSURANCE FOR 2009-2010

Cindy Frizzell made the motion to renew dental insurance with Delta Dental and Linda Molsbee seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF EMPLOYEE LIFE INSURANCE FOR 2009-2010

Linda Molsbee made the motion to renew employee life insurance for 2009-2010 and Chris Turner seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON 2009-2010 WORKERS' COMPENSATION PLAN RENEWAL

No action.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON 2009-2010 RENEWAL FOR GENERAL LIABILITY, PUBLIC OFFICIALS, LAW ENFORCEMENT, AUTO LIABILITY, AUTO PHYSICAL DAMAGE, PROPERTY AND EQUIPMENT

No action.

ITEM 10: DISCUSSION ON PROPOSAL FROM UNITED SYSTEMS TECHNOLOGY, INC. FOR UTILITY BILLING SOFTWARE

James Inskeep made the motion to purchase United Systems Technology, Inc. for utility billing software to \$8,000.00 and Linda Molsbee seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes.

ITEM 11: DISCUSSION AND POSSIBLE ACTION ON ADVERTISING FOR BIDS ON PHASE II OF THE OKLAHOMA CITY CONNECTION WATER LINE PROJECT SUBJECT TO ODEQ APPROVAL

Cindy Frizzell made the motion to advertise for bids on Phase II of the Oklahoma City connection water line project subject to ODEQ approval and Chris Turner seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 12: DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2009-008 AUTHORIZING THE CITY MANAGER TO MAKE DRAWS WITHOUT LIMIT ON THE CREDIT LINE AT FIRST NATIONAL BANK, CHICKASHA, OKLAHOMA FOR THE PURPOSE OF PAYMENT OF ITEMS RELATED TO THE OKLAHOMA CITY WATER PROJECT WITH ALL SUCH DRAWS TO BE APPROVED BY THE COUNCIL AT THE NEXT SCHEDULED MONTHLY OR SPECIAL MEETING

Cindy Frizzell made the motion to approve Resolution 2009-008 and Chris Turner seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 13: DISCUSSION AND POSSIBLE ACTION ON AMENDMENT TO THE CITY OF NEWCASTLE/NEWCASTLE PUBLIC WORKS AUTHORITY PERSONNEL MANUAL, SECTION 205, STATUS CHANGES; HIRING, PROMOTIONS, LAYOFFS

No action.

ITEM 14: CITY MANAGER'S COMMENTS

Mr. Nazar said the city is pushing hard on the water project. Mr. Nazar is continuing to find out requirements for stimulus money.

ITEM 15: TRUSTEE'S COMMENTS

Cindy Frizzell noted recycle bin is full and Newcastle is really working hard.

ITEM 16: OLD BUSINESS

None

ITEM 17: NEW BUSINESS

None

ITEM 18: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED ON O.S. 307 B. 1 FOR DISCUSSION THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE (ANNUAL REVIEW OF SHARON FERGUSON, TREASURER)

James Inskip made the motion to suspend the Newcastle Public Works Authority meeting at 7:00 p.m. and address this concurrently with the executive session for the City Council meeting and Cindy Frizzell seconded the motion. Board polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner yes, Nail-yes. Motion carried.

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

ITEM 19: ADJOURNMENT

Except for motions, the minutes only constitute an outline of discussion made by the Council/NPWA and legal advice by the City Attorney.

Chairman

Trustee

Vice-Chairman

Trustee

Trustee

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**MINUTES OF A
MEETING OF THE NEWCASTLE CITY COUNCIL
(Opening Prayer and Flag Salute)**

DATE: June 8, 2009

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 regular meeting of the Newcastle City Council to order at 7:00 p.m.

PRESENT: Mayor Karl Nail
Vice Mayor James Inskip
Council Member Cindy Frizzell
Council Member Linda Molsbee
Council Member Chris Turner

OTHERS PRESENT: Nick Nazar-City Manager, Shirley Guffey-City Clerk, Ted Haxel-City Attorney, Sharon Ferguson-City Treasurer

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

James Inskip made the motion to approve the agenda and Linda Molsbee seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 3: CITIZEN'S COMMENTS

Orvis McMahan talked about the Youth Council Project. He discussed the possibility of them giving the city the land. They have had a meeting and discussed this. They would like to know who is going to manage this if this happens.

Request was made for potholes on May Avenue to be repaired.

ITEM 4: CONSENT DOCKET

- a. Minutes
May 11, 2009
April 18, 2009
- b. Claims
- c. Transfer of Funds
- d. Appropriation of Funds
- e. Lot Split/Deed Approvals

Cindy Frizzell asked for a correction of the May 11th minutes because she was absent and it was recorded that she voted seven times.

Cindy Frizzell questioned 417 on the consent docket, Chief Fire & Safety for \$14,617. Sharon Ferguson replied that was on the fire engine that got damaged by fire and we got that money back from insurance.

Cindy Frizzell wanted to know what the Chance for Change Foundation employee benefit was. Nick Nazar explained it was a counseling service we provide. Shirley Guffey explained it was a benefit to employees and their families.

Cindy Frizzell questioned the payment for jail laundry. Sharon Ferguson explained that is a monthly bill.

Cindy Frizzell questioned, Parks & Recreation page 9 of 17, if the deposit for fireworks was part of their budget. Sharon Ferguson answered yes and it was appropriated last month.

Sharon Ferguson stated we needed to add the judge's retainer which would increase the general government to \$152,281.18.

James Inskip made the motion to approve the consent docket and strike Cindy out for voting on May 11th and adjust Judge Saunders pay to make our general government total \$152,281.18 and Linda Molsbee seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 5: DISCUSSION AND POSSIBLE ACTION ON APPROVING THE ESTIMATE FROM AMERICAL LEGAL PUBLISHING CORPORATION FOR UPDATING THE CODE OF ORDINANCES

Cindy Frizzell made the motion to approve recodification and Linda Molsbee seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF EMPLOYEE HEALTH INSURANCE FOR 2009-2010

Linda Molsbee made the motion to approve renewal of employee health insurance for 2009-2010 and James Inskip seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF EMPLOYEE DENTAL INSURANCE FOR 2009-2010

Cindy Frizzell made the motion to approve Delta Dental for 2009-2010 and Linda Molsbee seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON RENEWAL OF EMPLOYEE LIFE INSURANCE FOR 2009-2010

Linda Molsbee made the motion to approve renewal of employee life insurance for 2009-2010 and James Inskip seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskip-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON 2009-2010 WORKERS' COMPENSATION PLAN RENEWAL

No action.

ITEM 10: DISCUSSION AND POSSIBLE ACTION ON 2009-2010 RENEWAL FOR GENERAL LIABILITY, PUBLIC OFFICIALS, LAW ENFORCEMENT, AUTO LIABILITY, AUTO PHYSICAL DAMAGE, PROPERTY AND EQUIPMENT

No action.

ITEM 11: DISCUSSION AND POSSIBLE ACTION ON AMENDMENT TO THE CITY OF NEWCASTLE/NEWCASTLE PUBLIC WORKS AUTHORITY PERSONNEL MANUAL, SECTION 205, STATUS CHANGES; HIRING, PROMOTIONS, LAYOFFS

No action.

ITEM 12: DISCUSSION AND POSSIBLE ACTION ON AUTHORIZING AN ENVIRONMENTAL STUDY FOR THE LOT LOCATED AT 802 N. MAIN AND TO APPLY FOR ASSISTANCE TO FIREFIGHTERS/FIRE STATION CONSTRUCTION GRANT

Chris Turner made the motion to approve environmental study and make application for the firefighters/fire station construction grant and Linda Molsbee seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskoop-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 13: DISCUSSION AND POSSIBLE ACTION ON PLANNING COMMISSION RECOMMENDATIONS

Planning Commission Item 8, May 18, 2009 meeting
A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR THERESA MONNARD/ROCKYSPOT RESCUE, INC. FOR THE USE OF A NON-PROFIT ANIMAL RESCUE LOCATED IN A PART OF THE NE/4 NW/4 NW/4 OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA.
PROPERTY ADDRESS: 1838 SE 32ND STREET, NEWCASTLE, OKLAHOMA
(Case No. UPOR2998-002)

- a. The Planning and Zoning Commission recommends approval of the Use Permitted On Review for Rocky Spot Rescue, Inc. subject to terms in the permit to be issued.

Karl Nail stated the applicant has requested a continuance of this item.

Orvis McMahan wanted to commend the Planning Commission for their efforts in this and thinks they are on the right track. He said they have made some positive steps and would like to see it come to fruition soon and the sooner the better. He would like to see her move her dogs somewhere else.

Discuss in executive session at next meeting, June 22, 2009.

Karl Nail made the motion to continue Planning Commission item UPOR2998-002 to the July 13th regularly scheduled meeting and also that we provide Rockyspot, Ms. Monnard, with a notification that her kennel license or the Rockyspot kennel license is continued on a month to month basis only and James Inskeep seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 14: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS FROM THE PARKS, RECREATION AND BEAUTIFICATION BOARD

1. Appointment of Fay Moore as an alternate member.

Karl Nail appointed Fay Moore as an alternate member to the Parks, Recreation and Beautification Board.

ITEM 15: a. DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 643 AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEWCASTLE BY AMENDING TITLE XIII (GENERAL OFFENSES); CHAPTER 134, (OFFENCES AGAINST PROPERTY); SECTION 134.12, (BURNING); REPEALING THE EXISTING SECTION 134.12 AND SUBSTITUTING THE LANGUAGE IN THIS ORDINANCE IN ITS PLACE; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

No action.

- a. ADOPTION OF THE EMERGENCY PROVISION FOR ORDINANCE 643

ITEM 16: DISCUSSION AND POSSIBLE ACTION ON ADVERTISING FOR BIDS ON PHASE II OF THE OKLAHOMA CITY CONNECTION WATER LINE PROJECT SUBJECT TO ODEQ APPROVAL

James Inskeep made the motion to approve advertising for bids on Phase II of the Oklahoma City Connection Water Line project and Linda Molsbee seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 17: DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2009-008 AUTHORIZING THE CITY MANAGER TO MAKE DRAWS WITHOUT LIMIT ON THE CREDIT LINE AT FIRST NATIONAL BANK, CHICKASHA, OKLAHOMA FOR THE PURPOSE OF PAYMENT OF ITEMS RELATED TO THE OKLAHOMA CITY WATER PROJECT WITH ALL SUCH DRAWS TO BE APPROVED BY THE COUNCIL AT THE NEXT SCHEDULED MONTHLY OR SPECIAL MEETING

James Inskeep made the motion to approve Resolution No. 2009-008 and Linda Molsbee seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

ITEM 18: DISCUSSION AND POSSIBLE ACTION ON ORDINANCE TO RESTRICT THE USE OF COMPRESSION RELEASE TYPE BRAKING SYSTEMS, COMMONLY KNOWN AS "JAKE BRAKES"

No action.

ITEM 19: DISCUSSION ON NOMINATION OF NEWCASTLE ECONOMIC DEVELOPMENT AUTHORITY MEMBER TO REPLACE TRACY BURRIS

No action.

ITEM 20: CITY MANAGER'S COMMENTS

Mr. Nazar reported we are working on the water project right now. He reported today our playground equipment was delivered to be installed in the park. We have been finishing up cleaning up the brush at Hwy. 130 and Country Club with the house that was built with Delta Community Action. We are doing a lot of patching. We have six miles of oil and chip that we are going to be able to get done next week. The street department is working on the pedestal for the plaque we are planning for the park. We are working on trying to get the project together for the Safe Routes to School grant. We are hoping to have an agreement for Thursday to be able to have you approve and hopefully have a contract by the next special meeting. We are still trying to get the comprehensive plan. We are working on Lions Park to try and bring it into compliance. We are down about \$19,000.00 from last year's revenue.

ITEM 21: COUNCIL MEMBER'S COMMENTS

Cindy Frizzell asked if we have all the trees and Mr. Nazar replied we are eight trees short and they recommended waiting until fall.

Cindy Frizzell asked if it would help if the firefighters wrote letters on the condition of the building with the firefighters/fire station grant and Mr. Nazar replied it wouldn't hurt the application any.

Cindy Frizzell asked if the lattice on the bridge at Leesa Cornett Park will be replaced and Mr. Nazar replied he has had some suggestions we not do lattice work but we need to either replace it or figure out a good alternative. Cindy suggested buying it in the plastic instead of the wood because it stays nicer and looks nicer longer.

James Inskeep said he would like to commend Dinah Alizadeh, Nick Nazar, Cindy Frizzell, Linda Molsbee and Karl Nail for Memorial Day.

ITEM 22: OLD BUSINESS

None

ITEM 23: NEW BUSINESS

None

ITEM 24: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER O.S. 307.B.2 DISCUSSING NEGOTIATIONS CONCERNING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEES GROUPS (POLICE AND FIRE CONTRACTS)

James Inskeep made the motion to enter into executive session with the City Attorney and the City Manager at 8:02 p.m. and to call Sharon Ferguson, City Treasurer in at the appropriate time and Cindy Frizzell seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

James Inskeep made the motion to come out of executive session at 9:10 p.m. and Linda Molsbee seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

No action.

- B. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER O.S. 307.B.4. FOR 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 (CARL BOND VS. NEWCASTLE)**

No action.

- C. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED ON O.S. 307 B. 1 FOR DISCUSSION THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE (ANNUAL REVIEW OF SHARON FERGUSON, TREASURER)**

Status quo concerning Crawford and Associates and Sharon Ferguson, City Treasurer.

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

ITEM 25: ADJOURNMENT

James Inskeep made the motion to adjourn at 9:11 p.m. and Cindy Frizzell seconded the motion. Council polled: Frizzell-yes, Molsbee-yes, Inskeep-yes, Turner-yes, Nail-yes. Motion carried.

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

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