

**MINUTES OF A MEETING OF THE NEWCASTLE PUBLIC WORKS AUTHORITY  
(OPENING PRAYER & FLAG SALUTE)**

**DATE:** December 8, 2008

**TIME:** 6:00 P.M.

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

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

Chairman Karl Nail called the regular meeting of the Newcastle Public Works Authority to order 15 6:06 p.m.

**PRESENT:** Karl Nail-Chairman  
James Inskeep-Vice Chairman  
Richard Holland-Trustee  
Cindy Frizzell-Trustee

**ABSENT:** Linda Molsbee-Trustee

**OTHERS PRESENT:** Nick Nazar-City Manager, Rhonda OConnor-Deputy Clerk

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

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

**ITEM 3:** CITIZEN'S COMMENTS

None

**ITEM 4:** CONSENT DOCKET

- a. Minutes
  - November 10, 2008
  - November 13, 2008
- b. Claims
- c. Transfer of Funds
- d. Appropriation of Funds

James Inskeep made the motion to approve the consent docket and Cindy Frizzell seconded the motion. Board polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.

**ITEM 5:** PRESENTATION OF AWARDS FROM THE OKLAHOMA WATER  
POLLUTION CONTROL ASSOCIATION FOR NORMAN OWENS,  
MICHAEL BOSTWICK AND CHRIS LUKER

**Roger Gilchrist presented awards to Norman Owens from the Oklahoma Water Pollution Control Association to Norman Owens for worker of the year, Chris Luker for newcomer of the year and Michael Bostwick for Supervisor of the year.**

**ITEM 6: DISCUSSION AND POSSIBLE ACTION ON REQUESTING A VARIANCE FROM ODEQ ON THE DESIGN OF THE STATE HIGHWAY 62 AND FOX LANE WATER LINE EXTENSION**

**James Inskeep made the motion to request the variance from the Oklahoma Department of Environmental Quality on the design of the State Highway 62 and Fox Lane water line extension. Richard Holland seconded the motion. Board polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 7: DISCUSSION AND POSSIBLE ACTION ON REGULAR AND SPECIAL MEETING DATES FOR 2009**

**There were no conflicts of holidays for the 2009 meeting dates.**

**James Inskeep made the motion to go with the seconded Monday of each month at 6:00 p.m. for regular Newcastle Public Works Authority meetings and special meetings on the fourth Monday of each month at 6:00 p.m. with the exception of May, November and December and was seconded by Cindy Frizzell. Board polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 8: DISCUSSION AND POSSIBLE ACTION ON CHANGING CHRISTMAS HOLIDAY FROM DECEMBER 24 AND 25 TO DECEMBER 25 AND 26**

**James Inskeep made the motion to change the Christmas Holiday from December 24 and 25 to December 25 and 26 and was seconded by Cindy Frizzell. Board polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 9: DISCUSSION AND POSSIBLE ACTION ON PLANS FOR THE CEMETERY**

**There was discussion on how to approach concerns. The board needs to Council to approve the entrance on Highway 62 going back and starting on the Northwest Corner and use gate on 24<sup>th</sup> Street as a back entrance.**

**A special permit for zoning to be the next step.**

**The Council asked the board to prepare a sketch of the entrance.**

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

**Mr. Nazar said he commends the crew on their accomplishments as the 16<sup>th</sup> street water line is being completed and the generator has been installed at the Pond Creek Lift Station.**

**ITEM 11: TRUSTEE'S COMMENTS**

**James Inskeep commented that the Christmas decorations look good and purchase of discount lights be placed on the January agenda.**

**ITEM 12: OLD BUSINESS**

**None**

**ITEM 13: NEW BUSINESS**

**None**

**ITEM 14: ADJOURNMENT**

**James Inskeep made the motion to adjourn at 6:35 p.m. and Cindy Frizzell seconded the motion. Board polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, 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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Vice Chairman

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

**MINUTES OF A MEETING  
OF THE NEWCASTLE CITY COUNCIL  
(OPENING PRAYER AND FLAG SALUTE)**

**DATE:** December 8, 2008

**TIME:** 6:00 P.M.

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

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

Mayor Karl Nail called the regular meeting of the Newcastle City Council to order at 6:35 p.m.

**PRESENT:** Karl Nail-Mayor  
James Inskeep-Vice Mayor  
Richard Holland-Council Member  
Cindy Frizzell-Council Member

**ABSENT:** Linda Molsbee-Council Member

**OTHERS PRESENT:** Nick Nazar-City Manager, Rhonda OConnor-Deputy Clerk

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

James Inskeep made the motion to approve the agenda and Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.

**ITEM 3:** CITIZEN'S COMMENTS

None

**ITEM 4:** CONSENT DOCKET

- a. Minutes
  - November 10, 2008
  - November 13, 2008
- b. Claims
- c. Transfer of Funds
- d. Appropriation of Funds
- e. Lot Split/Deed Approvals

James Inskeep made the motion to approve the consent docket with a claim to USA Mobility of \$757.10. Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.

**ITEM 5:** UPDATE FROM JAMES LIEFFLER ON THE NEWCASTLE BOY SCOUTS

**James Lieffler, District Executive for the Newcastle District spoke to the Council reporting that there are 2100 kids in this district and they have been hit hard by the economy.**

**Mayor Nail said that the City had money set-aside for youth programs and he felt this would be a good opportunity to offer assistance.**

**Richard Holland made the motion to provide \$2000.00 from the one-half cent sales tax fund to the boy scouts and Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 6: DISCUSSION AND POSSIBLE ACTION ON REGULAR AND SPECIAL MEETING DATES FOR 2009**

**James Inskeep made the motion to go with the seconded Monday of each month at 6:00 p.m. for regular Newcastle Public Works Authority meetings and special meetings on the fourth Monday of each month at 6:00 p.m. with the exception of May, November and December and was seconded by Cindy Frizzell. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 7: DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2008-010 CONCERNING BRIDGE INSPECTION RESPONSIBILITY BY LOCAL GOVERNMENT FOR COMPLIANCE WITH NATIONAL BRIDGE INSPECTION STANDARDS**

**James Inskeep made the motion to adopt Resolution 2008-010 choosing Mehlburger Brawley as bridge inspectors and Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 8: DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2008-011 EXPRESSING GRATITUDE TO SENATOR ANTHONY SYKES FOR HIS ASSISTANCE TO THE CITY OF NEWCASTLE**

**James Inskeep made the motion to adopt Resolution 2008-011 expressing gratitude to Senator Anthony Sykes for his assistance to the City of Newcastle and Richard Holland seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 9: DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2008-012 SUPPORTING THE CITY OF NEWCASTLE APPLYING TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FUNDING FOR THE TRANSPORTATION ENHANCEMENT PROGRAM**

**Richard Holland made the motion to approve Resolution 2008-012 supporting the City of Newcastle applying to the Oklahoma Department of Transportation for funding for the Transportation Enhancement Program. Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 10: DISCUSSION AND POSSIBLE ACTION ON PLANNING AND ZONING COMMISSION RECOMMENDATIONS**

**PLANNING COMMISSION ITEM 8 (11-17-08 MEETING)  
A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR REZONING FROM A (AGRICULTURE) TO E-1 (SUBURBAN ESTATE RESIDENTIAL DISTRICT) FOR TED WHITNAH LOCATED IN THE N/2 NE/4 OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 3 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA. PROPERTY LOCATION 4188 SE 24<sup>TH</sup> STREET, NEWCASTLE, OKLAHOMA (Case No. R2008-017)**

**A. The Planning Commission recommends approval of Ordinance 635 Rezoning from Agriculture to Suburban Estate Residential for Ted Whitnah**

**James Inskeep made the motion to approve Ordinance 635 rezoning from Agriculture to Suburban Estate Residential for Ted Whitnah in the NE/4 of Section 31, Township 9 North, Range 3 West and was seconded by Cindy Frizzell. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**B. Adoption of the emergency provision for Ordinance 635**

**James Inskeep made the motion to adopt the emergency provision for Ordinance 635 and Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**PLANNING COMMISSION ITEM 10 (10-27-08 MEETING)  
A PUBLIC HEARING TO CONSIDER ORDINANCE 636 ON HIGHWAY 62 OVERLAY DISTRICT, SEGMENT A, COVERING THAT PORTION OF HIGHWAY 62 FROM THE NORTH NEWCASTLE CITY LIMITS TO NORTH 16<sup>TH</sup> STREET AND BEING APPROXIMATELY 660 FEET EAST AND WEST OF THE 62/I44 ACCESS ROADS**

**A. The Planning Commission recommends approval of Ordinance 636 Highway 62 Overlay District with corrections to the language in Section IV. Landscaping (4) – removing inside the curb/ and Section V. Increased Building Height Allowance – should read “Fire Code as currently adopted by the City of Newcastle**

**James Inskeep made the motion to adopt Ordinance 636 on Highway 62 Overlay District and Richard Holland seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**B. Adoption of the emergency provision for Ordinance 636**

**James Inskeep made the motion to approve the emergency provision for Ordinance 636 and Richard Holland seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 11: DISCUSSION AND POSSIBLE ACTION ON REPORT FROM CHAMBER DIRECTOR ON ECONOMIC DEVELOPMENT ACTIVITIES**

**Kim Brown reported that development is moving slow and financial institutions are being more conservative. Mrs. Brown asked the Council to be patient and focus on 2009.**

**A grocery store for Main Street would be nice and Crest is a popular store.**

**ITEM 12: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS FROM THE PARKS, RECREATION AND BEAUTIFICATION BOARD**

- 1. Appointment of Karl Evans to the Parks, Recreation and Beautification Board**

**Mayor Karl Nail appointed Karl Evans to the Parks, Recreation and Beautification Board.**

- 2. Purchase of playground equipment for Veterans Park at an estimated \$31,000.00 and \$500.00 for concrete**

**Richard Holland made the motion to continue this to the March meeting and James Inskeep seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 13: DISCUSSION AND POSSIBLE ACTION ON PLANS FOR THE CEMETERY**

**There was no action on this item.**

**James Inskeep left at 7:25 p.m.**

**ITEM 14: DISCUSSION AND POSSIBLE ACTION ON REQUESTING A VARIANCE FROM ODEQ ON THE DESIGN OF THE STATE HIGHWAY 62 AND FOX LANE WATER LINE EXTENSION**

**Richard Holland made the motion to request a variance from ODEQ on the design of the Highway 62 and Fox Lane water line extension and was seconded by Cindy Frizzell. Council polled: Holland-yes, Frizzell-yes, Inskeep-absent, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 15: DISCUSSION AND POSSIBLE ACTION ON CHANGING CHRISTMAS HOLIDAY FROM DECEMBER 24 AND 25 TO DECEMBER 25 AND 26**

**Richard Holland made the motion to change the Christmas Holiday to December 25 and 26 and Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskeep-yes, Molsbee-absent, Nail-yes. Motion carried.**

**ITEM 16: CITY MANAGER'S COMMENTS**

Mr. Nazar reported that after Christmas the City should be in good shape and are being conservative and cautious at this point.

**ITEM 17: COUNCIL MEMBER'S COMMENTS**

Richard Holland asked about the plans for the Police Station and Mr. Nazar said the Chief had met with the architect, Mr. Freels.

Cindy Frizzell asked about the NE 16<sup>th</sup> Street bridge and Mr. Nazar said the city is waiting on three easements.

Richard Holland asked about a sign to post zoning issues and Mr. Nazar said he would look into the issue.

**ITEM 18: OLD BUSINESS**

None

**ITEM 19: NEW BUSINESS**

None

**ITEM 20: A. 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; NOTICE OF A CLAIM AGAINST THE CITY OF NEWCASTLE BY WANDA RUBY**

**Richard Holland made the motion to enter into executive session at 7:30 p.m. with the City Manager and City Attorney and Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskip-absent, Molsbee-absent, Nail-yes. Motion carried.**

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

**There was no action on any items discussed in executive session.**

**ITEM 21: ADJOURNMENT**

**Richard Holland made the motion to adjourn at 7:50 p.m. and Cindy Frizzell seconded the motion. Council polled: Holland-yes, Frizzell-yes, Inskip-absent, Molsbee-absent, 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

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Council Member

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Council Member

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Council Member