

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

DATE: November 9, 2009

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 at 6:00 p.m.

PRESENT: Chairman Karl Nail
Trustee Cindy Frizzell
Trustee Linda Molsbee
Trustee Chris Turner

ABSENT: Vice Chairman James Inskeep

OTHERS PRESENT: Nick Nazar, City Manager; Ted Haxel, City Attorney; Sharon Ferguson, City Treasurer; Camille Dowers, City Clerk; Ian Crittenden, City Planner; Kevin Self, Fire Chief; Kenny Sullivan, P.E., of Glenn Sullivan and Associates, Inc.

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: Frizzell, yes; Molsbee, yes; Turner, yes; Inskeep, absent; Nail, yes. Motion carried.

ITEM 3: CITIZENS' COMMENTS

Ralph Pierce, 205 NW 22nd Pl., appeared and requested adjustment of his water bill. Mayor Nail asked that this matter be placed on the agenda for the next regularly scheduled meeting on December 14, 2009.

ITEM 4: CONSENT AGENDA

- A. Minutes:**
 - October 12, 2009
 - October 26, 2009
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**

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

ITEM 5: DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE OF BID RECEIVED FOR MATERIALS FOR OKC CONNECTION WATERLINE PROJECT, PHASE II

City engineer Kenny Sullivan appeared and recommended acceptance of bid received from Ferguson Waterworks of Oklahoma City in the amount of \$642,903.41 for materials for the OKC Connection Waterline Project, Phase II, contingent upon DEQ approval. Motion was made by City Frizzell and seconded by Chris Turner to accept the bid from Ferguson Waterworks in the amount of \$642,903.41, contingent upon DEQ approval. Board polled: Turner, yes; Inskeep, absent; Frizzell, yes; Molsbee, yes; Nail, yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION REGARDING ESTABLISHMENT OF NON-INTEREST BEARING CHECKING ACCOUNT AT FIRST NATIONAL BANK & TRUST CO., CHICKASHA, OKLAHOMA (NEWCASTLE BRANCH) AND DESIGNATION OF AUTHORIZED SIGNATURES FOR OKC CONNECTION WATER LINE PROJECT, PHASE II

Motion was made by Linda Molsbee and seconded by Cindy Frizzell to authorize opening a non-interest bearing checking account at First National Bank & Trust Co. of Chickasha in Newcastle, naming Mayor Karl Nail, Vice Mayor Jim Inskeep, Treasurer Sharon Ferguson, and City Clerk Camille Dowers as authorized signatories on the account, earmarked for funds received from the Drinking Water State Revolving Loan Fund and for use in payment of construction costs related to the OKC Connection Waterline Project, Phase II. Board polled: Inskeep, absent; Frizzell, yes; Molsbee, yes; Turner, yes; Nail, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION REGARDING POLICY FOR COLLECTION OF DELINQUENT UTILITY ACCOUNTS

No action was taken.

ITEM 8: DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION ESTABLISHING RE-SET FEE FOR "TRASH ONLY" UTILITY ACCOUNTS

Motion was made by Linda Molsbee and seconded by Cindy Frizzell to approve a re-set fee in the amount of \$35.00 to be charged "trash only" utility customers who have had their trash service terminated for non-payment. Board polled: Frizzell, yes; Molsbee, yes; Turner, yes; Inskeep, absent; Nail, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION ON PROPOSED MEETING DATES FOR CALENDAR YEAR 2010

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to schedule regular meetings of the Newcastle Public Works Authority for the second Monday of each month during the calendar year 2010. Board polled: Molsbee, yes; Turner, yes; Inskeep, absent; Frizzell, yes; Nail, yes. Motion carried.

ITEM 10: DISCUSSION REGARDING VEHICLE TAKE-HOME POLICY

City Manager Nick Nazar distributed IRS rules received from Crawford and Associates regarding take-home vehicle income. He requested Item 10 be placed on the agenda for the next regular meeting.

ITEM 11: CITY MANAGER'S COMMENTS

City Manager Nick Nazar reported the city is working to get ready to receive materials for the water line project, and trying to complete other projects before the water line project starts. The six acres next to the wastewater plant have been graveled. Part of the materials will be stored at the Allied Waste property north of the landfill. Phase I plans for the waterline will be completed soon.

ITEM 12: TRUSTEES' COMMENTS

None

ITEM 13: OLD BUSINESS

None

ITEM 14: NEW BUSINESS

None

ITEM 15: ADJOURNMENT

Motion was made by Cindy Frizzell and seconded by Chris Turner to adjourn. Board polled: Turner, yes; Inskip, absent; Frizzell, yes; Molsbee, yes; Nail, yes. Motion carried and the meeting was adjourned at 6:40 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.

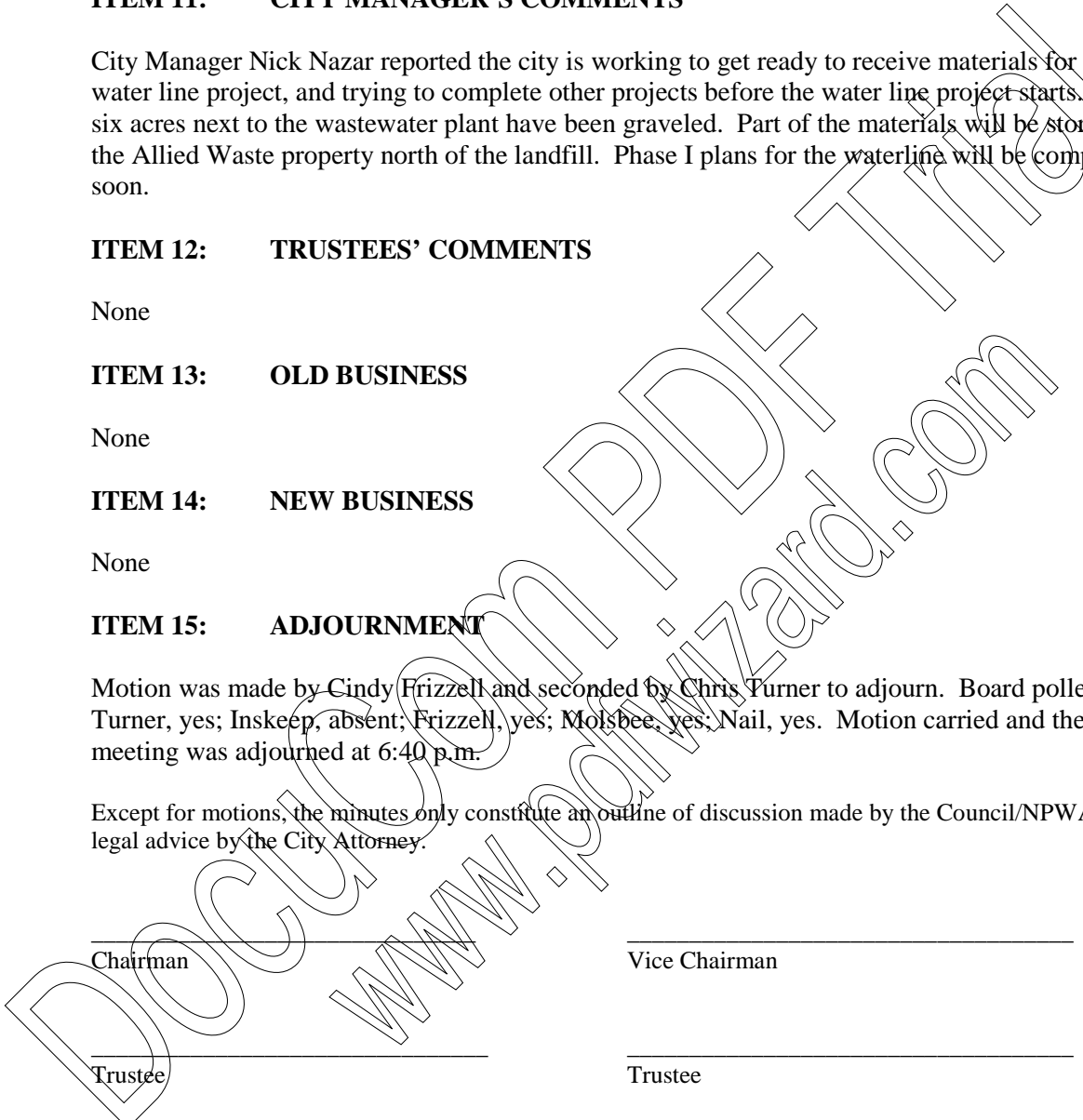
Chairman

Vice Chairman

Trustee

Trustee

Trustee



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

DATE: November 9, 2009
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 6:41 p.m.

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

ABSENT: Vice Mayor James Inskeep

OTHERS PRESENT: Nick Nazar, City Manager; Ted Haxel, City Attorney; Sharon Ferguson, City Treasurer; Camille Dowers, City Clerk; Ian Crittenden, City Planner; Kevin Self, Fire Chief; Kenny Sullivan, P.E., of Glenn Sullivan and Associates, Inc.

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

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve the agenda. Council polled: Frizzell, yes; Molsbee, yes; Turner, yes; Inskeep, absent; Nail, yes. Motion carried.

ITEM 3: CITIZENS' COMMENTS

Gary Thompson appeared and requested action be taken following executive session on Rocky Spot Rescue.

ITEM 4: CONSENT AGENDA

- A. Minutes**
 - October 12, 2009**
 - October 26, 2009**
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve the consent agenda as amended, correcting Item 12 of the minutes of the October 26, 2009, special meeting to "Gary Norman" instead of "Gary Boggess". Council polled: Molsbee, yes; Turner, yes; Inskeep, absent; Frizzell, yes; Nail, yes. Motion carried.

ITEM 5: DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE OF BID RECEIVED FOR MATERIALS FOR OKC CONNECTION WATERLINE PROJECT, PHASE II

Motion was made by City Frizzell and seconded by Chris Turner to accept the bid from Ferguson Waterworks in the amount of \$642,903.41, contingent upon DEQ approval. Council polled: Turner, yes; Inskeep, absent; Frizzell, yes; Molsbee, yes; Nail, yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION REGARDING AGREEMENT WITH PENSION RESOURCES CORPORATION AS THIRD-PARTY ADMINISTRATOR FOR THE HARTFORD EMPLOYEE RETIREMENT 401(K) PLAN

Motion was made by Linda Molsbee and seconded by Cindy Frizzell approve and enter into agreement with Frank Mario, Pension Resources Corporation, as third-party administrator for The Hartford Employee Retirement 401(k) Plan. Council polled: Inskeep, absent; Frizzell, yes; Molsbee, yes; Turner, yes; Nail, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON GOING OUT TO BID FOR PURCHASE OF NEW FIRE ENGINE

Fire Chief Kevin Self appeared and requested approval of the council to go out to bid for purchase of a new fire rescue pumper to replace the department's 1973 Mack (Engine 3) and 1979 LaFrance (Engine 4). Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 7. Council polled: Frizzell, yes; Molsbee, yes; Turner, yes; Inskeep, absent; Nail, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION REGARDING PLACEMENT OF STOP SIGNS AT INTERSECTION OF SW 16TH STREET AND COUNTRY CLUB ROAD

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve placement of stop signs at the intersection of NW 16th Street (correcting scrivener's error) and Country Club Road. Council polled: Molsbee, yes; Turner, yes; Inskeep, absent; Frizzell, yes; Nail, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION REGARDING PLACEMENT OF STOP SIGNS AT INTERSECTION OF SW 24TH STREET AND COUNTRY CLUB ROAD

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve placement of stop signs at the intersection of NW 24th Street (correcting scrivener's error) and Country Club Road. Council polled: Turner, yes; Inskeep, absent; Frizzell, yes; Molsbee, yes; Nail, yes. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION REGARDING PLACEMENT OF STOP OR YIELD SIGN AT WRIGHT STREET AND STAN PATTY BLVD.

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve placement of a yield sign off Wright Street entering onto Stan Patty Blvd. Council polled: Inskip, absent; Frizzell, yes; Molsbee, yes; Turner, yes; Nail, yes. Motion carried.

ITEM 11: DISCUSSION AND POSSIBLE ACTION ON SOLICITING BIDS FOR FINANCING FOR PURCHASE OF TWO (2) 2008 KANSAS PATROL CARS

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

ITEM 12: DISCUSSION AND POSSIBLE ACTION ON PLANNING COMMISSION RECOMMENDATIONS

**Planning Commission Item #10, October 26, 2009 Meeting:
DISCUSSION AND POSSIBLE ACTION ON FINAL PLAT OF PRAIRIE HILL (FORMERLY McVEY ACRES)**

- A. The Planning Commission recommends approval of the final plat of Prairie Hill subject to the following:**
- 1. Easement dedications need to be private.**
 - 2. 15 ft. perimeter utility easement along the boundary**

City Planner Ian Crittenden reported the corrected Final Plat had not been received for approval. No action was taken.

**Planning Commission Item #11, October 26, 2009 Meeting:
DISCUSSION AND REVIEW ON PROPOSED ORDINANCE REGARDING E-3 RESIDENTIAL ESTATES DISTRICT DELETING PARAGRAPH M. MINIMUM RAVING REQUIREMENTS**

- A. The Planning Commission recommends approval of deleting Paragraph M, in the E-3 Zoning District**

No action was taken.

ITEM 13: A. DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 652 REGARDING E-3 RESIDENTIAL ESTATES DISTRICT, DELETING PARAGRAPH "M"

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve Item 13A adopting Ordinance No. 652. Council polled: Molsbee, yes; Turner, yes; Inskip, absent; Frizzell, yes; Nail, yes. Motion carried.

B. DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF EMERGENCY CLAUSE FOR ORDINANCE NO. 652

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve Item 13B adopting the emergency clause of Ordinance No. 652. Council polled: Turner, yes; Inskip, absent; Frizzell, yes; Molsbee, yes; Nail, yes. Motion carried.

ITEM 14: DISCUSSION AND POSSIBLE ACTION ON DECLARING COMPUTER AND OFFICE EQUIPMENT STORED IN OLD CITY HALL AT 5 N. MAIN AS SURPLUS

Motion was made by Cindy Frizzell and seconded by Chris Turner to approve Item 14 declaring nine computer monitors, four electric typewriters, the old phone system, several computer keyboards, and miscellaneous office and computer accessories as surplus property. Council polled: Inskip, absent; Frizzell, yes; Molsbee, yes; Turner, yes; Nail, yes. Motion carried.

ITEM 15: DISCUSSION AND POSSIBLE ACTION ON PROPOSED MEETING DATES FOR CALENDAR YEAR 2010

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to schedule regular meetings of the Newcastle City Council for the second Monday of each month during the calendar year 2010. Council polled: Molsbee, yes; Turner, yes; Inskip, absent; Frizzell, yes; Nail, yes. Motion carried.

ITEM 16: DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF REVISED POLICE PURSUIT POLICY

No action was taken.

ITEM 17: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF EXTENSION OF LISTING AGREEMENT WITH MARY PETTY, KELLER WILLIAMS REALTY, FOR SALE OF REAL ESTATE AT 5 N. MAIN STREET

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to extend listing agreement for sale of 5 N. Main Street property with realtor Mary Petty to November 28, 2009. Council polled: Turner, yes; Inskip, absent; Frizzell, yes; Molsbee, yes; Nail, yes. Motion carried.

ITEM 18: DISCUSSION REGARDING VEHICLE TAKE-HOME POLICY

No action was taken.

ITEM 19: CITY MANAGER'S COMMENTS

City crews have been working on the entrance for the new cemetery. Cost estimates for gravel will be presented at the next meeting. Bids have been received for proposals for the cemetery Master Plan.

The ICSC Deal-Making Conference in San Antonio was productive. Potential locations for a Dollar Tree store are being examined. Family Dollar and Hibbets Sporting Goods are among businesses which may be interested in locating in Newcastle.

Paving and patching has been completed in The Oaks.

ITEM 20: COUNCIL MEMBER'S COMMENTS

None

ITEM 21: OLD BUSINESS

None

ITEM 22: NEW BUSINESS

None

ITEM 23: A. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. SECTION 307B.2 DISCUSSING NEGOTIATIONS CONCERNING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEE GROUPS (TWIN CITIES LODGE #135 AND IAFF LOCAL #3910)

B. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. 307.B.3 DISCUSSING THE PURCHASE OR APPRAISAL OF REAL PROPERTY (5 N. MAIN ST.—OLD CITY HALL)

C. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. SECTION 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 (ROCKY SPOT RESCUE)

D. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. SECTION 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 (PADDYAKER)

E. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. SECTION 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 (SHIRLEY GUFFEY)

Motion was made by Linda Molsbee and seconded by Cindy Frizzell at 7:53 p.m. to enter into executive session, including the city manager and the city attorney, for discussion of Items 23A, 23B, 23C, 23D and 23E. Council polled: Inskeep, absent; Frizzell, yes; Molsbee, yes; Turner, yes; Nail, yes. Motion carried. Mayor Nail declared a five-minute recess. The council convened into executive session at 8:00 p.m.

Motion was made by Linda Molsbee and seconded by Chris Turner to come out of executive session at 8:43 p.m. Council polled: Frizzell, yes; Molsbee, yes; Turner, yes; Inskeep, absent; Nail, yes. Motion carried.

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

Regarding Item 23B, motion was made by Cindy Frizzell and seconded by Linda Molsbee to enter into a contract for sale of property at 5 N. Main St. for the amount reflected in Letter of Intent received from Summit Church. Council polled: Molsbee, yes; Turner, yes; Inskeep, absent; Frizzell, yes; Nail, yes. Motion carried.

ITEM 24: ADJOURNMENT

Motion was made by Linda Molsbee and seconded by Chris Turner to adjourn. Council polled: Turner, yes; Inskeep, absent; Frizzell, yes; Molsbee, yes; Nail, yes. Motion carried and the meeting was adjourned at 8:45 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