

**MINUTES OF A MEETING OF THE  
NEWCASTLE PUBLIC WORKS AUTHORITY**

**DATE:** February 14, 2011  
**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 meeting to order at 6:02 p.m.

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

**ABSENT:** None

**OTHERS PRESENT:** Nick Nazar, General Manager; Kevin Self, Assistant General Manager; Ted Haxel, City Attorney; Camille Dowers, City Clerk/NPWA Secretary; Sharon Ferguson, City Treasurer; Ian Crittenden, City Planner; Dinah Alizadeh, Administrative Assistant; Gordon Harness, Planning Commission Chairman; Kenny Sullivan, P.E., City Engineer

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

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

**ITEM 3: CITIZENS' COMMENTS**

None

**ITEM 4: CONSENT AGENDA**

- A. Minutes:**
  - January 10, 2011
  - January 28, 2011
- B. Claims**
- C. Transfer of funds**
- D. Appropriation of funds**
- F. DWSRF Payment Request No. 12**
- G. OKC Connection claims**
- H. Approval of claims in excess of \$25,000.00**

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

**ITEM 5: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF ADDITIONAL CLAIMS:**

**A. Glenn Sullivan & Associates, Inc., in the amount of \$13,050.00 for Professional Services for OKC Connection, Phase I, Waterline Project**

Motion was made by Jim Inskeep and seconded by Linda Molsbee to approve Item 5(A). Board polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

**B. TransAmerican Underground, Ltd., in the amount of \$259,174.49 for materials, OKC Connection, Phase I, Canadian River Crossing**

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Item 5(B). Board polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**C. Cartographic Co. in the amount of \$3,375.00 for setting pins and stakes at cemetery block corners**

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Item 5(C). Board polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**ITEM 6: ACKNOWLEDGMENT OF AWARD PRESENTED TO CITY OF NEWCASTLE FOR 2010 OWPCA "SMALL WASTEWATER TREATMENT PLANT OF THE YEAR"**

No action was taken.

**ITEM 7: DISCUSSION AND POSSIBLE ACTION REGARDING BULK WASTE PICKUP PROPOSAL BY ALLIED WASTE COMPANY**

A residential bulk waste program proposal was made to the Council by Traci Crawford, Municipal Services Manager for Allied Waste Company. Motion was made by Cindy Frizzell and seconded by Jim Inskeep to approve Item 7 for initiation of a bulk waste pick up program. Board polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried. A Resolution will be presented at the next regular meeting.

**ITEM 8: DISCUSSION AND POSSIBLE ACTION REGARDING ADJUSTMENT OF UTILITY ACCOUNTS:**

**A. NO. 13546-3926; SERVICE ADDRESS: 1544 W. HWY. 9 (TOWN OF GOLDSBY)**

Motion was made by Jim Inskeep to waive the outstanding balance in the amount of \$24,671.25 on Account No. 13546-3926. Board polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

**B. NO. 10131-1131; SERVICE ADDRESS: 3818 N. COUNTRY CLUB RD. (RICHARD SAUMUR)**

No action was taken.

**C. NO. 10265-4309; SERVICE ADDRESS: 1801 MACY LANE (RON HAMETT)**

Motion was made by Jim Inskeep and seconded by Linda Molsbee to adjust the amount owed on Account No. 10265-4309 to not exceed \$250.00 per month for the period of May 4, 2010, to September 10, 2010. Board polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**D. NO. 10640-4326; SERVICE ADDRESS: 1825 MACY LANE (WAYNE HAMETT)**

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to adjust the amounts owed on Account No. 10976-3672 to \$60.00 per month for the months of July, August and September, 2010, to appear as a credit on the account. Board polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**E. NO. 10976-3672; SERVICE ADDRESS: 4335 SE 44<sup>TH</sup> ST. (TG FARMS)**

No action was taken.

**ITEM 9: DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF SOLICITED QUOTE AND APPROVAL OF UTILITY BILLING MAIL SERVICES AGREEMENT**

Several quotes were presented for utility billing mail services. Motion was made by Cindy Frizzell and seconded by Chris Turner to approve quote received from Arista Information Systems. Board polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

**ITEM 10: DISCUSSION AND POSSIBLE ACTION ON AGREEMENT WITH PIONEER SECURITY SYSTEMS FOR UPGRADE OF CITY HALL SECURITY EQUIPMENT AND SERVICES**

Motion was made by Chris Turner and seconded by Linda Molsbee to approve contract for a term of 36 months at \$22.00 per month with Pioneer Security Systems for upgraded security system for City Hall. Board polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

**ITEM 11: DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION NO. 2011-01 FOR ADOPTION OF NATIONWIDE RETIREMENT SOLUTIONS DEFERRED COMPENSATION PROGRAM,**

**ESTABLISHMENT OF PLAN DOCUMENT UNDER IRC SECTION 457(B), AND DESIGNATION OF PLAN ADMINISTRATOR**

Motion was made by Linda Molsbee and seconded by Jim Inskeep to approve Resolution No. 2011-01 for establishment of 457(b) Plan, approval of Plan Document and designation of the City Treasurer as Plan Administrator. City Treasurer Sharon Ferguson stated she would decline to serve. The motion was amended by Linda Molsbee and seconded by Jim Inskeep to name the City Clerk position as Plan Administrator. Board polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**ITEM 12: DISCUSSION AND POSSIBLE ACTION TO ACCEPT COMPLETION OF SMC UTILITY CONSTRUCTION BORING AND DIRECTIONAL DRILLING FOR OKC CONNECTION, PHASE II, ACKNOWLEDGE BEGINNING OF ONE-YEAR MAINTENANCE PERIOD, AND APPROVE PAYMENT OF FINAL INVOICE OF SMC UTILITY CONSTRUCTION IN THE AMOUNT OF \$12,040.00**

Appearance and recommendation was made by City Engineer Kenny Sullivan, P.E., for approval of Item 12. Motion was made by Jim Inskeep and seconded by Chris Turner to approve Item 12. Board polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**ITEM 13: DISCUSSION AND POSSIBLE ACTION REGARDING CHANGE ORDER NO. 3 FOR SMC UTILITY CONSTRUCTION, OKC CONNECTION PHASE II, CONTRACT 2, REDUCING PREVIOUS CONTRACT AMOUNT OF \$262,120.00 BY \$21,320.00, AND APPROVING FINAL CONTRACT AMOUNT OF \$240,800.00**

Appearance and recommendation was made by City Engineer Kenny Sullivan, P.E., for approval of Item 13. Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve Item 13. Board polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

**ITEM 14: DISCUSSION AND POSSIBLE ACTION REGARDING WARREN CAT LEASE PURCHASE AGREEMENT FOR BACKHOE LOADER**

No action was taken. Item 14 will be advertised for bids.

**ITEM 15: ASSISTANT GENERAL MANAGER'S COMMENTS**

None

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

General Manager Nick Nazar reported approximately 650 ft. of waterline remains to be installed for Phase II of the OKC Connection project. Clean-up work and driveway repair is now being done.

**ITEM 17: TRUSTEES' COMMENTS**

The Trustees commented it was nice to see Nick Nazar again following his absence and welcomed his return.

**ITEM 18: ADJOURNMENT**

Motion was made by Linda Molsbee and seconded by Chris Turner to adjourn. Chairman Karl Nail declared the meeting adjourned at 6:50 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:** February 14, 2011

**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 meeting to order at 6:51 p.m.

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

**ABSENT:** None

**OTHERS PRESENT:** Nick Nazar, City Manager; Kevin Self, Assistant City Manager; Ted Haxel, City Attorney; Camille Dowers, City Clerk; Sharon Ferguson, City Treasurer; Ian Crittenden, City Planner; Dinah Alizadeh, Administrative Assistant; Gordon Harness, Planning Commission Chairman; Kenny Sullivan, P.E., City Engineer

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

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

**ITEM 3:** CITIZENS' COMMENTS

Gary Thompson, 2101 SE 32<sup>nd</sup> St., appeared and requested action be taken regarding Rocky Spot Kennels.

**ITEM 4:** CONSENT AGENDA

- A. Minutes:**
  - January 10, 2011
  - January 28, 2011
- B. Claims**
- C. Transfer of funds**
- D. Appropriation of funds**
- F. DWSRF Payment Request No. 12**
- G. OKC Connection claims**
- H. Adjustments to utility accounts**
- I. Approval of claims in excess of \$25,000.00**

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

**ITEM 5: DISCUSSION AND POSSIBLE ACTION REGARDING WARREN CAT LEASE PURCHASE AGREEMENT FOR BACKHOE LOADER**

No action was taken.

**ITEM 6: DISCUSSION AND POSSIBLE ACTION ON CLAIM OF ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS FOR CANADIAN RIVER WASTELOAD STUDY, PHASE II, INVOICE #5980 IN THE AMOUNT OF \$4,811.18, AND INVOICE #5989 IN THE AMOUNT OF \$253.02**

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

**ITEM 7: DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DENY CLAIM OF THOMAS DUTY FOR DAMAGES TO 2004 FORD EXPEDITION AND RENTAL CAR EXPENSE**

Appearance and presentation of tort claim was made by Thomas Duty. Motion was made by Cindy Frizzell and seconded by Jim Inskeep to approve tort claim estimate in the amount of \$3,605.61 submitted from Darren's Paint and Body together with an assignment of insurance proceeds received from Risk Management, with the claim to remain open as to reasonable rental car expenses. Council polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**ITEM 8: DISCUSSION AND POSSIBLE ACTION ON PURCHASE OF REAL ESTATE TRACT SITUATED IN SECTION 35, TOWNSHIP 10 NORTH, RANGE 4 WEST OF THE INDIAN MERIDIAN, McCLAIN COUNTY, OKLAHOMA (GURLEY FAMILY TRUST)**

Item 8 was declared tabled to follow executive session.

**ITEM 9: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS OF PLANNING AND ZONING COMMISSION:**

**Planning Commission Agenda Item 8 (February 28, 2011 Meeting):**  
**A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR A CONDITIONAL USE PERMIT FOR JUANITA GRIFFITH/TRUSTEE, SHERRELL GRIFFITH, MABEL ELAINE GRIFFITH, AND DEBRA JEAN SCROGGINS/TOKLAN OIL & GAS CORPORATION FOR THE USE OF DRILLING AN OIL WELL LOCATED IN THE S/2 OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., McCLAIN COUNTY, OKLAHOMA. PROPERTY ADDRESS: SW CORNER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 4 WEST (UPOR2010-007)**

**A. The Planning and Zoning Commission recommends approval of conditional UPOR permit #2010-007 for Juanita Griffith/Trustee, Sherrell Griffith, Mabel Elaine Griffith, and Debra Jean Scroggins/Toklan Oil & Gas Corporation**

Planning Commission Chairman Gordon Harness appeared and presented the recommendation of the Planning Commission for approval of UPOR permit under Item 9(A), subject to the following conditions:

1. East/west dimension of tank distance be reduced as much as reasonably possible.
2. The west end of well site and production tanks be lined up evenly.
3. Fencing shall be a minimum height of 8 ft. with 2 ft. kicker using green or brown slats for shielding.
4. Gate to be placed deep enough to allow full pull-off space for semi-trucks when opening and closing gate.

Mayor Nail asked for public comment and there was none. Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Conditional UPOR Permit #2010-007. Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, abstain. Motion carried.

**Planning Commission Agenda Item 9 (February 28, 2011 Meeting):  
A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR USE PERMITTED ON REVIEW FOR A CONDITIONAL USE PERMIT FOR JIMMY R. B. JONES/CARL E. GUNGOLL EXPLORATION, LLC FOR THE USE OF A DRILL SITE LOCATION AND CONTINUED OPERATIONS, MAINTENANCE AND PRODUCTION FACILITIES LOCATED IN THE SW/4 OF THE NE/4 OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 3 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA. PROPERTY ADDRESS: 3645 SE 44<sup>TH</sup> (UPOR2011-001)**

**B. The Planning and Zoning Commission recommends approval of Conditional UPOR permit #2011-001 for Jimmy R. B. Jones/Carl E. Gungoll Exploration, LLC**

Planning Commission Chairman Gordon Harness appeared and presented the recommendation of the Planning Commission for approval of UPOR permit under Item 9(B), subject to the following conditions:

1. The applicant will address drainage issues to prevent runoff damage to the softball fields or excessive drainage to the front roadway ditching. Carl Gungoll Exploration will coordinate these drainage issues with Jim Gasso, property owner, as well as with City Planner, Ian Crittenden.
2. Site and safety fence be installed that is slatted and either brown or green in color.
3. Gating to allow transports to pull off road for opening and closing of gate.

Mayor Nail asked for public comment and there was none. Motion was made by Jim Inskeep and

seconded by Linda Molsbee to approve Conditional UPOR Permit #2011-001. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

**Planning Commission Agenda Item 10 (February 28, 2011 Meeting):**  
**A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR REZONING FOR NEWCASTLE AFFORDABLE HOUSING FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT)/RED CEDAR VILLAGE OF NEWCASTLE LOCATED IN A PART OF THE N/2 OF THE SW/4 OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN COUNTY, OKLAHOMA, PROPERTY ADDRESS: NORTH OF NW CORNER OF E. FOX LANE AND N. WALKER DRIVE (R2011-001)**

**C. The Planning and Zoning Commission recommends approval of rezoning Ordinance No. 664 for Newcastle Affordable Housing from PUD to PUD for Red Cedar Village of Newcastle (R2011-001)**

Planning Commission Chairman Gordon Harness appeared and presented the recommendation of the Planning Commission for approval of rezoning Ordinance No. 664 under Item 9(C), **subject to the following conditions:**

1. Walker Drive Easement setback corrections be made due to the 40 ft. standard road right-of-way;
2. Provide a report from the City Street Staff indicating the additional water runoff provision is acceptable on Walker Drive drainage;
3. Parking provisions be added of at least 4 spaces in each the market value cul-de-sac section and in the West ½ of the Red Cedar Drive portion of Lot 1;

Mayor Nail asked for public comment. Mr. John Files appeared and objected to the proposed drainage design for additional water runoff. Planning Commission Chairman Gordon Harness proposed the following **additional condition:**

4. Condition #2 above is clarified to provide that the report from the City Street Dept. staff regarding the additional water runoff provision must be acceptable to City Staff and the City Engineer.

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Ordinance No. 664 with conditions 1 through 4 under Item 9(C). Council polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

City Manager Nick Nazar inquired about location of fire hydrants on the plans. City Planner Ian Crittenden stated he had conferred with Kevin Self and fire hydrants are in appropriate locations. Also, there should be no parking on the right hand side of the street in the entry direction, and no parking in the cul-de-sac, with "No Parking" signage posted.

**D. Adoption of the Emergency Clause for Ordinance No. 664**

Motion was made by Jim Inskeep and seconded by Linda Molsbee to approve the Emergency Clause of Ordinance No. 664 under Item 9(D). Council polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**Planning Commission Agenda Item 11 (February 28, 2011 Meeting):**  
**DISCUSSION AND POSSIBLE ACTION ON PRELIMINARY PLAT OF**  
**RED CEDAR VILLAGE OF NEWCASTLE**

**E. The Planning and Zoning Commission recommends conditional approval of the Preliminary Plat of Red Cedar Village of Newcastle**

City Planner Ian Crittenden and Planning Commission Chairman Gordon Harness appeared and presented the recommendation of the Planning Commission for approval of Preliminary Plat of Red Cedar Village of Newcastle under Item 9(E), **subject to the same conditions** as listed in the new PUD (R2011-001, above) as follows:

1. Walker Drive Easement setback corrections be made due to the 40 ft. standard road right-of-way;
2. Provide a report from the City Street Staff indicating the additional water runoff provision is acceptable on Walker Drive drainage;
3. Parking provisions be added of at least 4 spaces in each the market value cul-de-sac section and in the West ½ of the Red Cedar Drive portion of Lot 1.

**with additional conditions** recommended by Planning Commission Chairman Gordon Harness as follows:

4. Condition #2 above is clarified to provide that the report from the City Street Dept. staff regarding the additional water runoff provision must be acceptable to City Staff and the City Engineer;
5. No parking on the right hand side of the street in the entry direction, and no parking in the cul-de-sac, with signage posted.

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve the Preliminary Plat of Red Cedar Village with conditions 1 through 5 under Item 9(E). Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**Planning Commission Agenda Item 12 (February 28, 2011 Meeting):**  
**A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR**  
**REZONING FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD**  
**(PLANNED UNIT DEVELOPMENT) FOR LL DEVELOPMENT, LLC,**  
**(BRADFORD PLACE SECTION 4) LOCATED IN THE NW/4 OF**  
**SECTION 11, TOWNSHIP 9 NORTH, RANGE 4 WEST, I.M., MCCLAIN**  
**COUNTY, OKLAHOMA. PROPERTY ADDRESS: SOUTH 24<sup>TH</sup>**  
**STREET AND EAST OF HIGHWAY 62, NEWCASTLE, OKLAHOMA.**  
**(R2011-002)**

Planning Commission Agenda Item should read North 24<sup>th</sup> Street and is noted as a scrivener's error.

**F. The Planning and Zoning Commission recommends approval of rezoning Ordinance No. 665 for LL Development, LLC, from PUD to PUD for Bradford Place Section 4 (R2011-002)**

Planning Commission Chairman Gordon Harness appeared and presented recommendations of the Planning Commission for approval of Item 9(F), **subject to the following conditions:**

1. The inclusion of “No Parking” on the west side of Bradford Circle if consistent with the requirement made of Phase 1;
2. If the retaining wall is not being built as a continuous build, then it shall be built at least one (1) lot past any lot being sold. If washout occurs, it will be on developer’s lot and not a sold lot.

City Planner Ian Crittenden reported on a number of additional conditions which need to be satisfied prior to approval of the Final Plat. David Todd, P.E. also appeared. **Additional conditions** required for Bradford Place Section 4 include:

3. Finish channel work including redressing of north portion, sodding, seeding, rock, and dams;
4. Clean the wood out of the detention basin—cut up and burn or haul away;
5. Finish entire wall along the east side of the development—no partial or lot-at-a-time completion (supersedes any part of Condition No. 2 in conflict with this condition);
6. Clean up the lots in Bradford 3 with the dead trees that border the drainage channel—cut up and burn or haul away;
7. Get water lines relocated and ready for meters;
8. Finish sewer in second phase;
9. Water lines, hydrants, and meter boxes are set for fill—complete fill work.

Motion was made by Karl Nail and seconded by Jim Inskeep to adopt Ordinance No. 665, subject to satisfaction of any conditions of the Planning Commission, and also subject to satisfaction of any conditions discussed at this meeting by City Staff. Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**G. Adoption of the Emergency Clause for Ordinance No. 665**

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to adopt the Emergency Clause of Ordinance No. 665. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

**Planning Commission Agenda Item 13 (February 28, 2011 Meeting):  
DISCUSSION AND POSSIBLE ACTION ON FINAL PLAT OF  
BRADFORD PLACE SECTION 4, PHASE 2**

**H. The Planning and Zoning Commission recommends conditional approval of the Final Plat of Bradford Place Section 4, Phase 2**

Motion was made by Karl Nail and seconded by Jim Inskeep to approve the Final Plat of Bradford Place Section 4, Phase 2, subject to any conditions of the Planning Commission and subject to all conditions that were brought forth by City Staff at tonight's meeting, with the caveat that the Final Plat will only be signed upon satisfaction of all conditions. Council polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

**ITEM 10: DISCUSSION AND POSSIBLE ACTION TO SCHEDULE DATE FOR INDEPENDENCE DAY CELEBRATION AND FIREWORKS DISPLAY**

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to schedule Saturday, July 2, 2011 for the city-wide Independence Day Celebration. Council polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**ITEM 11: DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGE ORDERS FOR POLICE STATION CONSTRUCTION PROJECT:**

Pete Garcia of Clark Construction appeared and recommended approval of each of Items 11(A) through 11(G).

**A. All Commercial Openings: To supply (1) 10# Dry Chemical Fire Extinguisher and Semi-Recessed Cabinet in lieu of K-Type Fire Extinguisher and Cabinet. Change Order (Deduct) in amount of -\$251.00 to decrease previous contract amount of \$31,951.00 to \$31,700.00**

Motion was made by Chris Turner and seconded by Jim Inskeep to approve Item 11(A). Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**B. All Commercial Openings: To supply (2) Hollow Metal Doors and Frames with Hinges, Locks, and Kick Plates per plans and specifications. Door Schedule indications J3 and J4 door types. Change Order (Addition) in the amount of \$1,186.00 to increase previous contract amount of \$31,700.00 to \$32,886.00**

Motion was made by Chris Turner and seconded by Cindy Frizzell to approve Item 11(B). Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

**C. Hollowell Plumbing: Due to new Storage Area above Detention Area--remove and reconfigure plumbing lines to allow for storage space. Add = \$556.00; Correction to Change Order BP-8-3 dated 12-2-2010: The deletion of the SH-2 Shower in the Detention Area should have read, Shower – 2 (Type SH-2 Shower) will be completely deleted from the project (Shower Drop-in, Fixture, and Valves). A shower will be constructed by others. Shower fixture and controls to be determined at later date. Hollowell Plumbing will furnish labor and material to install the following items for shower SH-2 (Detention Shower) replacing the fixture and controls deleted**

**in Change Order BP-8-3: Bradley SafeCare Shower with Concealed Supplies; HDSR Valve (Equa-Flo HD Pressure Balancing Valve) and HSR10 Ligature-Resistant Shower with Concealed Supplies. Add = \$265.00; Change Order (Addition) BP-8-4 in the amount of \$821.00 to increase previous contract amount of \$61,270.00 to \$62,091.00**

Motion was made by Chris Turner and seconded by Cindy Frizzell to approve Item 11(C). Council polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, abstain; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

**D. Hutcheo Construction: To furnish and install metal stud framing at columns with structural studs, construct box headers for trusses to set on, install ½” Densglass at soffit, front fascia, and sides of box headers, and install Fry Reglet DCS-50-V300 for the soffit vent around the perimeter of the soffit 6” offset from outside as per plan A1 Revision 8 Changes for Canopy Framing dated 12/10/2010. Change Order (Addition) BP-12-2 in the amount of \$6,151.00 to increase previous contract amount of \$65,718.00 to \$71,869.00**

Motion was made by Chris Turner and seconded by Jim Inskeep to approve Item 11(D). Council polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**E. Bryan’s Flooring: To furnish labor and material to change ceramic tile to 18”x18” in lieu of 12”x12” in Lobby 102 and Vestibule 101. The flooring changes from Crossville Color Blox porcelain ceramic tile and all vinyl composite tile areas to the new porcelain ceramic tile selection of Master Tile Oriente, color “Nero”, for all areas will have no change to the contract amount. Change Order (Addition) BP-14-1 in the amount of \$337.00 to increase original contract amount of \$28,715.00 to \$29,052.00**

Motion was made by Chris Turner and seconded by Jim Inskeep to approve Item 11(E). Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**F. Oklahoma Cabinets, Inc.: To furnish and install (2) Maple Square Raised Panel Desks with plywood tops, stained to closely match interior door color (glass tops to be by others) and (1) plastic laminate 30-compartment mail cabinet. Change Order (Addition) BP-16-2 in the amount of \$1,875.00 to increase previous contract amount of \$33,671.00 to \$35,546.00**

Motion was made by Chris Turner and seconded by Jim Inskeep to approve Item 11(F). Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

**G. Williams Automatic Sprinkler: To furnish labor and material to reconfigure existing piping and install (8) required fire sprinkler heads (per Fire Protection Consulting, Inc.) in the new Storage Room above the Detention Area. Change Order (Addition) Fire Suppression – 01 in the amount of \$1,440.00 to increase original contract amount of \$14,900.00 to \$16,340.00**

Motion was made by Chris Turner and seconded by Jim Inskeep to approve Item 11(G). Council polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

**ITEM 12: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION OF CLARK CONSTRUCTION, INC., FOR ACCEPTANCE OF SOLICITED BID AND APPROVAL OF CONTRACT WITH PIONEER BUSINESS SOLUTIONS FOR VOICE DATA AND PHONE SYSTEM IN THE AMOUNT OF \$11,112.00 FOR POLICE STATION CONSTRUCTION PROJECT**

Pete Garcia of Clark Construction appeared and recommended approval of Item 12. Motion was made by Chris Turner and seconded by Linda Molsbee to approve Item 12. Council polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**ITEM 13: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION OF CLARK CONSTRUCTION, INC., FOR ACCEPTANCE OF SOLICITED BID AND APPROVAL OF CONTRACT WITH PIONEER BUSINESS SOLUTIONS FOR CCTV AND ACCESS CONTROL SYSTEMS IN THE AMOUNT OF \$37,531.00 FOR POLICE STATION CONSTRUCTION PROJECT**

Pete Garcia of Clark Construction appeared and recommended approval of Item 13. Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 13. Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**ITEM 14: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION OF CLARK CONSTRUCTION, INC., FOR ACCEPTANCE OF SOLICITED BID AND APPROVAL OF CONTRACT WITH L.B. MOSS PLASTERING, INC., FOR EIFS (EXTERIOR INSULATION AND FINISH SYSTEM) IN THE AMOUNT OF \$9,200.00 FOR POLICE STATION CONSTRUCTION PROJECT**

Pete Garcia of Clark Construction appeared and recommended approval of Item 14. Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 14. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

**ITEM 15: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF SOLICITED QUOTE OF PIONEER BUSINESS SOLUTIONS FOR PHONE WIRED RUNS AND NETWORK DATA RUNS IN THE AMOUNT OF \$2,080.00 FOR POLICE STATION CONSTRUCTION PROJECT**

Pete Garcia of Clark Construction appeared and recommended approval of Item 15. Motion was made by Linda Molsbee and seconded by Jim Inskeep to approve Item 15. Council polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

**ITEM 16: DISCUSSION AND POSSIBLE ACTION REGARDING DECLARING AS SURPLUS PROPERTY 1974 MACK PUMPER--FIRE ENGINE NO. 3**

Motion was made by Linda Molsbee and seconded by Chris Turner to approve Item 16, and declaring as surplus property 1974 Mack Pumper, VIN #CF686F1013. Council polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**ITEM 17: DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENTS TO OVERSIGHT COMMITTEE:**

**A. Re-appoint Rob Walker to serve 5-year term**

Motion was made by Jim Inskeep and seconded by Chris Turner to approve Item 17(A), reappointing Rob Walker for a 5-year term to the Oversight Committee. Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried.

**B. Appointment of 2 new members each to serve 5-year terms**

Item 17(B) was declared tabled to the next regular meeting.

**ITEM 18: DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION NO. 2011-01 FOR ADOPTION OF NATIONWIDE RETIREMENT SOLUTIONS DEFERRED COMPENSATION PROGRAM, ESTABLISHMENT OF PLAN DOCUMENT UNDER IRC SECTION 457(B), AND DESIGNATION OF PLAN ADMINISTRATOR**

Motion was made by Linda Molsbee and seconded by Cindy Frizzell to approve Resolution No. 2011-01 for establishment of 457 (b) plan, approval of Plan Document and designation of the City Clerk position as Plan Administrator. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

**ITEM 19: DISCUSSION AND POSSIBLE ACTION TO APPROVE CONTRACT FOR CEMETERY INFORMATION MANAGEMENT SYSTEM (CIMS) WITH RAYMAKER & ASSOCIATES**

Motion was made by Karl Nail and seconded by Cindy Frizzell to approve CIMS contract under Item 19, subject to approval by the City Attorney. Council polled: Linda Molsbee, yes; Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

**ITEM 20: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CLAIM FOR GREATER OKC PARTNERSHIP MEMBERSHIP IN THE AMOUNT OF \$1,892.00**

Motion was made by Jim Inskeep and seconded by Chris Turner for approval and authorization for payment of claim under Item 20. Council polled: Chris Turner, yes; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

**ITEM 21: ASSISTANT CITY MANAGER'S COMMENTS**

Assistant City Manager Kevin Self commented that everybody did a great job during the recent snow storms. He also reported that he and Ian Crittenden attended the OML Conference for Newly-Elected Officials.

**ITEM 22: CITY MANAGER'S COMMENTS**

City Manager Nick Nazar recognized Wayne McDoulet, who ran unopposed for Ward 1, and will be serving as a new councilmember beginning in April.

**ITEM 23: COUNCIL MEMBERS' COMMENTS**

Councilmember Cindy Frizzell commented on damages resulting from the recent snowstorm and freeze. Linda Molsbee reported it is Red Cross Awareness Month, and thanked the Street Department crews for their long hours of work around the clock during the recent storms.

- ITEM 24:**
- A. 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 (DAVID FLEENOR/FLEENOR ENTERPRISES)**
  
  - B. 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 (THERESA MONNARD/ROCKY SPOT KENNEL)**
  
  - C. DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO AN EXECUTIVE SESSION AS PERMITTED UNDER 25 O.S. 307.B(2) DISCUSSING NEGOTIATIONS CONCERNING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEES' GROUPS (TWIN CITIES FOP #135 & IAFF LOCAL 3910 CONTRACTS)**
  
  - D. 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 (GURLEY PROPERTY—S. CANADIAN RIVER)**

Motion was made at 8:35 p.m. by Jim Inskeep and seconded by Cindy Frizzell to enter into executive session under Items 24(A), (B), (C) and (D), to include the City Manager, Assistant City Manager, and City Attorney. Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail yes. Motion carried and the Council convened into executive session at 8:41 p.m.

Motion was made by Cindy Frizzell and seconded by Chris Turner to come out of executive session at 8:59 p.m. and reconvene the open special meeting of the Newcastle City Council. Council polled: Turner, yes; Inskeep, yes; Frizzell, yes; Molsbee, yes; Nail, yes. Motion carried.

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

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to direct the City Manager and City Attorney to negotiate with Jim Gurley for purchase of river property.

**ITEM 25: ADJOURNMENT**

Motion was made by Jim Inskeep and seconded by Chris Turner to adjourn. Council polled: Jim Inskeep, absent; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, yes; Karl Nail, yes. Motion carried and the meeting was adjourned at 9:02 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