

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

DATE: April 11, 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 James Inskip
Trustee Cindy Frizzell
Trustee Linda Molsbee

ABSENT: Trustee Chris Turner

OTHERS PRESENT: Kevin Self, Assistant General Manager; Ted Haxel, City Attorney;
Sharon Ferguson, City Treasurer; Ian Crittenden, City Planner

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

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

ITEM 3: CITIZENS' COMMENTS

None

ITEM 4: CONSENT AGENDA

- A. Minutes:**
 - March 14, 2011
 - March 28, 2011
- B. Claims**
- C. Transfer of funds**
- D. Appropriation of funds**
- E. Budget Amendments**
- F. DWSRF Payment Request No. 13**
- G. OKC Connection claims**
- H. Approval of claims in excess of \$25,000.00**
- I. Receipt of ODEQ permit for 293 linear ft. of 8 in. water line
(No. WL000044061576, Newcastle Bank)**

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

ITEM 5: DISCUSSION AND POSSIBLE ACTION REGARDING ADJUSTMENTS TO UTILITY ACCOUNTS

A. #15287-2309, Richard Zielinski & Catherine Griffin, 4721 Lake Front Drive

Catherine Griffin appeared and requested adjustment of her water account. Motion was made by Karl Nail and seconded by Cindy Frizzell to adjust account #15287-2309 to \$70.00 per billing period for water used for each of the two billings from 12/15 to 2/18, and credit the account for the difference. Board polled: Linda Molsbee, no; Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

B. #15087-3829, Pamela Birdsong, 3802 N. Country Club Rd.

Letter from Pamela Birdsong requesting adjustment was presented to the Board. Utility Department Adjustment Form account number is corrected to read 10130-1130 instead of 15087-3829 as presented; amounts, however, are correct for service address of 3802 N. Country Club Road. Motion was made by Jim Inskeep and seconded by Cindy Frizzell to adjust to one-half the amounts posted for water on 1/27 and 2/24. Board polled: Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

C. #10878-1878, Robert & April Schwab, 2716 NW 31st Place

Robert Schwab appeared and requested adjustment of water account due to leak in sprinkler system. Motion was made by Jim Inskeep and seconded by Cindy Frizzell to adjust water billing to the average bill for prior 12 months. Board polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, no; Chris Turner, absent; Karl Nail, yes. Motion carried.

D. #15043-2155, Richard Thornton, 19 Branderwood

Motion was made by Jim Inskeep and seconded by Linda Molsbee to adjust inexplicably high water meter reading amount billed to the average billing for prior 12 months. Board polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION FOR APPROVAL OF CHANGE ORDER NO. 1 TO TRANS AMERICAN UNDERGROUND, LTD., OKC CONNECTION, REDUCING CONTRACT AMOUNT BY NET DEDUCTION OF \$3,198.80, TO FINAL CONTRACT AMOUNT OF \$1,185,801.20

City Engineer Kenny Sullivan, P.E., appeared and recommended approval of Item 6. Motion was made by Jim Inskeep and seconded by Linda Molsbee to approve Change Order No. 1 for Trans American Underground, Ltd. in amounts stated under Item 6. Board polled: Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 7: DISCUSSION AND POSSIBLE ACTION FOR ACCEPTANCE OF COMPLETION OF CANADIAN RIVER CROSSING DIRECTIONAL DRILL FOR OKC CONNECTION AND ACKNOWLEDGMENT OF BEGINNING OF ONE-YEAR MAINTENANCE PERIOD

City Engineer Kenny Sullivan, P.E., appeared and recommended approval of Item 7, beginning the one-year period under the maintenance bond provided by TransAmerican Underground, Ltd. Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Item 7. Board polled: Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION FOR APPROVAL OF FINAL INVOICE OF TRANS AMERICAN UNDERGROUND, LTD., AND AUTHORIZATION FOR PAYMENT IN THE AMOUNT OF \$69,699.78

City Engineer Kenny Sullivan, P.E., appeared and recommended approval of Item 8. Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve invoice under Item 8 in the amount of \$69,699.78 as final payment to TransAmerican Underground, Ltd. Board polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Karl Nail, yes. Motion carried.

ITEM 9: GENERAL MANAGER’S COMMENTS

None

ITEM 10: TRUSTEES’ COMMENTS

None

ITEM 11: OLD BUSINESS

None

ITEM 12: NEW BUSINESS

None

ITEM 13: ADJOURNMENT

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to adjourn. Chairman Karl Nail declared the meeting adjourned at 6:24 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: April 11, 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 6:25 p.m.

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

ABSENT: Council Member Chris Turner

OTHERS PRESENT: Kevin Self, Assistant City Manager; Ted Haxel, City Attorney; Sharon Ferguson, City Treasurer; Ian Crittenden, City Planner; Gordon Harness, Planning and Zoning Commission Chairman

**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, absent;
Karl Nail, yes. Motion carried.

ITEM 3: CITIZENS' COMMENTS

None

ITEM 4: CONSENT AGENDA

- A. Minutes:**
 - March 14, 2011
 - March 28, 2011
- B. Claims**
- C. Transfer of Funds**
- D. Appropriation of Funds**
- E. Budget Amendments**
- F. DWSRF Payment Request No. 13**
- G. OKC Connection Claims**
- H. Approval of claims in excess of \$25,000.00**
- I. Receipt of ODEQ permit for 293 linear ft. of 8 in. water line
(No. WL000044061576, Newcastle Bank)**
- J. Declare as surplus: 2004 Ford Crown Victoria, VIN 04589
2004 Ford Crown Victoria, VIN 02883**

City Treasurer Sharon Ferguson reported a claim from Dell Computers for the Police Department in the amount of \$32,568.43, and the amount of \$610.00 for file cabinets, should be added to the claims list, changing the capital improvements amount to \$94,217.63. Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve the consent agenda as modified. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

ITEM 5: DISCUSSION AND POSSIBLE ACTION ON DELTA COMMUNITY ACTION TRANSIT PROGRAM—APPEARANCE BY SUSAN COLDWATER

Susan Coldwater, Transportation Director for Delta Community Action, appeared and distributed estimated costs of operation to the Council for consideration of an “on-demand” transportation service. Motion was made by Linda Molsbee and seconded by Jim Inskeep to approve Item 5 for one (1) full-day vehicle, to participate with an estimated local match of \$23,983.00, broken down as estimated local cost of \$16,000.00 plus projected fares and donations of \$7,983.00, beginning July 1. Council polled: Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 6: DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS OF PLANNING COMMISSION

**Planning Commission Agenda Item 8 (March 28, 2011 Meeting):
DISCUSSION AND POSSIBLE ACTION ON COMPREHENSIVE PLAN**

A. The Planning and Zoning Commission recommends adoption of Comprehensive Plan

Planning Commission Chairman Gordon Harness appeared and reported the Comprehensive Plan is being put into text and final form for approval. No action was taken.

ITEM 7: DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF AMENDMENTS TO CEMETERY BY-LAWS DATED JULY 12, 2010

City Planner Ian Crittenden reported on amendments allowing for second right of interment per lot for cremation remains and apportionment of costs. Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve amendments proposed under Item 7. Council polled: Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 8: DISCUSSION AND POSSIBLE ACTION ON CHANGE ORDERS FOR POLICE STATION CONSTRUCTION PROJECT:

Appearance and recommendation was made by Pete Garcia, Clark Construction Company, for approval of Change Orders under Items 8(A), 8(B) and 8(C).

**A. BP-10-1 Paving
JC Concrete will deduct Alternate No. 1 – Deduct for supplying gravel base as outlined in Addendum No. 5 dated August 10, 2010 from the Contract.**

Change Order (Deduction) BP-10-1 Paving in the amount of \$7,400.00. The Original Contract Amount of \$78,325.00 will decrease to \$70,925.00.

Motion was made by Jim Inskeep and seconded by Linda Molsbee to approve Item 8(A). Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Karl Nail, yes. Motion carried.

B. BP-15-1 Painting

Masterpiece Painting Co. will furnish and install Korogard Rigid Wall Vinyl (Standard colors and haircell texture will have a sheet thickness of .060”), with standard edge trim pieces and the recommend adhesive for application. Standard Gray colors: Medium-Gray or Graystone will have 7 to 10 business day shipping lead-time. Change Order (Addition) BP-15-1 Painting in the amount of \$960.00. The Original Contract Amount of \$49,951.00 will increase to \$50,911.00.

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Item 8(B). Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

C. BP-20-4 Electrical

Crown Electric will furnish and install (2) vandal resistant light fixtures in Sobriety/Testing 139 and Washer 140 in the cell area. Change Order (Addition) in the amount \$350.00. The previous Contract Amount \$153,256.00 will increase to \$153,606.00.

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Item 8(C). Council polled: Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 9: DISCUSSION AND POSSIBLE ACTION REGARDING APPLICATIONS FOR PERMITS FOR RETAIL SALES OF FIREWORKS

- A. Newcastle Cheerleaders (permits for 2 locations)**
- B. Newcastle 4-H Club**
- C. Newcastle FFA Parents Club**
- D. Newcastle Takedown Club**
- E. Newcastle Tri-City Worship Center**

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Items 9(A) through (E), subject to obtaining all approval signatures. Council polled: Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 10: DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DENY SUPPLEMENTAL TORT CLAIM OF RAY HIBDON IN THE AMOUNT OF \$650.00 FOR DAMAGES TO GATE KEYPAD AT 2700 NW 40TH

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

ITEM 11: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONTRACT WITH WESTERN ENTERPRISES, INC. FOR CITY FIREWORKS DISPLAY IN THE AMOUNT OF \$ _____

Motion was made by Linda Molsbee and seconded by Jim Inskeep to approve Item 11 in the amount of \$7,500.00. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

ITEM 12: DISCUSSION AND POSSIBLE ACTION FOR APPROVAL OF FAIR HOUSING RESOLUTION NO. 2011-06

Motion was made by Linda Molsbee and seconded by Jim Inskeep to approve Item 12. Council polled: Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 13: DISCUSSION AND POSSIBLE ACTION FOR APPROVAL OF RESOLUTION NO. 2011-07 IN RECOGNITION OF APRIL 10-16, 2011, AS NATIONAL 9-1-1 TELECOMMUNICATOR WEEK

Motion was made by Linda Molsbee and seconded by Jim Inskeep to approve Item 13. Council polled: Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 14: DISCUSSION AND POSSIBLE ACTION FOR ADOPTION OF ORDINANCE NO. ____ REGARDING GATHERINGS WHERE MINORS ARE CONSUMING ALCOHOLIC BEVERAGES

Gordon Harness appeared and stated the proposed Ordinance is not necessary. Tom Cloat, representative of the Blanchard Coalition which has as one of its causes the prevention of alcohol and drug abuse, appeared and urged adoption of the Ordinance. Motion was made by Jim Inskeep and seconded by Linda Molsbee to adopt Ordinance No. 666. Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Karl Nail, yes. Motion carried.

ITEM 15: DISCUSSION AND POSSIBLE ACTION TO ADOPT EMERGENCY CLAUSE OF ORDINANCE NO. _____

Motion was made by Jim Inskeep and seconded by Linda Molsbee to adopt the emergency clause for Ordinance No. 666. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Karl Nail, yes. Motion carried.

ITEM 16: DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENTS TO OVERSIGHT COMMITTEE FOR TWO (2) VACANCIES EACH TO SERVE 5-YEAR TERMS

No action was taken.

ITEM 17: DISCUSSION ON INFORMATION PRESENTED REGARDING CLAIMS FOR PROFESSIONAL SERVICES BY CRAWFORD AND ASSOCIATES, P.C.

Mayor Karl Nail declared Item 17 tabled to the next regular meeting. No action was taken.

ITEM 18: DISCUSSION AND POSSIBLE ACTION ON COUNCIL MEMBERS' CONFIRMATION OF MAYOR'S APPOINTMENT(S) TO LOCAL EMERGENCY PLANNING COMMISSION

No action was taken.

ITEM 19: DISCUSSION AND POSSIBLE ACTION TO SURPLUS 2,850 FEET OF 2 ½ INCH AND 600 FEET OF 1 ½ INCH USED FIRE HOSE

Motion was made by Cindy Frizzell and seconded by Linda Molsbee to approve Item 19. Council polled: Linda Molsbee, yes; Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Karl Nail, yes. Motion carried.

ITEM 20: DISCUSSION AND POSSIBLE ACTION OF ENTERING INTO A MUTUAL AID AGREEMENT WITH THE TOWN OF STUART, OKLAHOMA

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Item 20. Council polled: Chris Turner, absent; Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Karl Nail, yes. Motion carried.

ITEM 21: DISCUSSION AND POSSIBLE ACTION ON PROPOSED GURLEY REAL ESTATE RESTRICTION

Jim Gurley appeared requesting certain deed restrictions for municipal purposes and prohibiting conveyance to third parties. No action was taken. Mayor Karl Nail requested Mr. Gurley work with Ted Haxel to agree on the language of the deed.

ITEM 22: DISCUSSION AND POSSIBLE ACTION ON THE AUTHORIZATION OF STREETS IN EAGLE LAKES ESTATES I AND FLEENOR ESTATES

Motion was made by Jim Inskeep and seconded by Cindy Frizzell to approve Item 22 subject to outstanding legal actions. Council polled: Jim Inskeep, yes; Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Karl Nail, yes. Motion carried.

ITEM 23: CITY MANAGER'S COMMENTS

Assistant City Manager Kevin Self reported the new Fire Chief is making good progress in the Fire Department. He is working on the ISO issue with the Chicago office. The emergency siren locations are in an approval process with FEMA.

ITEM 24: COUNCIL MEMBERS' COMMENTS

Jim Inskeep commented he will miss Cindy Frizzell as her term expires, and expressed his appreciation for her years of service. Cindy Frizzell expressed appreciation to the Council in return. Mayor Nail stated he felt she always voted in consideration the best interests of the City of Newcastle and that he will miss the thoughts she brings to the council table. He stated the City has been very fortunate to have her serve in this capacity. Linda Molsbee expressed her

appreciation as well, recalling when they first filed for office. Formal recognition of Cindy Frizzell's service as Ward 1 Council Member will be scheduled at a future meeting.

ITEM 25: OLD BUSINESS

None

ITEM 26: NEW BUSINESS

None

ITEM 27: ADJOURNMENT

Motion was made by Jim Inskip and seconded by Linda Molsbee to adjourn. Council polled: Cindy Frizzell, yes; Linda Molsbee, yes; Chris Turner, absent; Jim Inskip, yes; Karl Nail, yes. Motion carried and the meeting was adjourned at 7:50 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.

Mayor

Vice Mayor

Council Member

Council Member

Council Member