

MINUTES
CITY COUNCIL OF DEL CITY
REGULAR MEETING
NOVEMBER 7, 2016 – 6:00 P.M.
3701 SE 15th Street – City Hall

(Agenda posted on the council bulletin board at 5:00 p.m. on November 4, 2016.)

1. CALL TO ORDER AT 6:00 P.M. BY MAYOR LINLEY

2. ROLL CALL

In Attendance: Council Members Floyd Eason, Ken Bartlett, Bill Giles, Michael Dean, Mayor Brian Linley, and Victor Price of Del City High School, Del Quest.

City Employees: City Manager Mark Edwards, City Clerk Carol Noble, and City Attorney Jack Fried.

3. INVOCATION – Given by Council Member Ken Bartlett.

PLEDGE OF ALLEGIANCE – Led by City Attorney Jack Fried.

PROCLMATIONS:

- Native American Indian Heritage Month – Read by Mayor Linley
- Veterans Day 2016 – Read by Mayor Linley

MOTION: TO DCMSA

MOVED BY: EASON SECOND: BARTLETT
AYES: EASON, BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

BACK AT 6:25PM – TO ITEM #8

4. PUBLIC AND COUNCIL INPUT

A. Public: None

B. Council: None

5. CITY MANAGER’S REPORT:

- Epperly resurfacing progressing.
- Fire Station construction in progress.
- Drainage on 29th in progress.

CITY CLERK’S REPORT:

- Audit field work in progress this week.

6. CONSENT DOCKET

Discussion, consideration, possible action to approve the following items by unanimous consent, with one motion:

- A. Approve minutes of special meeting of the Council of October 13, 2016. Requested by City Clerk Carol Noble
- B. Approve minutes of regular meeting of the Council of October 17, 2016. Requested by City Clerk Carol Noble
- C. Approve blanket purchase order for Fleet Maintenance Division for FY 2016-2017 under account 01-518-218. Requested by Public Works Director Bill Graham

01-0316	Advance	\$1,000.00
01-0750	AutoZone	750.00
01-0190	Howard Parts	750.00
01-0354	O'Reilly Auto Parts	<u>1,500.00</u>
	Total	\$4,000.00

MOTION: TO APPROVE CONSENT DOCKET

MOVED BY: BARTLETT SECOND: GILES
 AYES: BARTLETT, GILES, DEAN AND LINLEY
 NAYS: NONE

7. PRESENTATION FROM THE DELQUEST COMMITTEE

Discussion, consideration, possible action to receive a presentation from the DelQuest committee; authorize City Manager to expend up to \$3,800.00 in support of the DelQuest leadership program (a conjointly sponsored program between the City of Del City, Mid-Del School system, Rose State College, Del City Chamber of Commerce and local businesses); declare/ deny a public purpose.

MOTION: TO RECEIVE A PRESENTATION FROM THE DELQUEST COMMITTEE; AUTHORIZE CITY MANAGER TO EXPEND UP TO \$3,800.00 IN SUPPORT OF THE DELQUEST LEADERSHIP PROGRAM; DECLARE A PUBLIC PURPOSE.

Chris Neisen, Wendell Kluge, and Carol Goodwin with the DelQuest Committee explained program.

MOVED BY: BARTLETT SECOND: GILES
 AYES: BARTLETT, GILES, DEAN AND LINLEY
 NAYS: NONE

8. RESOLUTION

Discussion, consideration, possible action to approve Resolution No. 11-07-16A, a resolution of the City

of Del City, Oklahoma, approving action taken by the Del City Municipal Authority (DCMSA) authorizing issuance, sale and delivery of a promissory note of the DCMSA to the Oklahoma Water Resources Board; approving and authorizing the execution of a sales tax agreement; ratifying and confirming a lease agreement whereby the City of Del City leased its water, sanitary sewer, and garbage systems to the DCMSA; and containing other provisions related thereto; authorize Mayor to endorse resolution.

MOTION: TO APPROVE RESOLUTION NO. 11-07-16A, A RESOLUTION OF THE CITY OF DEL CITY, OKLAHOMA, APPROVING ACTION TAKEN BY THE DEL CITY MUNICIPAL AUTHORITY (DCMSA) AUTHORIZING ISSUANCE, SALE AND DELIVERY OF A PROMISSORY NOTE OF THE DCMSA TO THE OKLAHOMA WATER RESOURCES BOARD; APPROVING AND AUTHORIZING THE EXECUTION OF A SALES TAX AGREEMENT; RATIFYING AND CONFIRMING A LEASE AGREEMENT WHEREBY THE CITY OF DEL CITY LEASED ITS WATER, SANITARY SEWER, AND GARBAGE SYSTEMS TO THE DCMSA; AND CONTAINING OTHER PROVISIONS RELATED THERETO; AUTHORIZE MAYOR TO ENDORSE RESOLUTION.

Allen Brooks with Public Finance Law Group explained resolution.

MOVED BY: EASON SECOND: BARTLETT
AYES: EASON, BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

Council Member Eason left meeting after item #8 – back to item #4.

9. **RIGHT OF WAY AGREEMENT WITH OKLAHOMA NATURAL GAS COMPANY (ONG)
FOR THE WASTEWATER TREATMENT PLANT**

Discussion, consideration, possible action, to approve/deny a Right of Way Agreement with ONG to install a new gas line; authorize Mayor to endorse same. The right of way will be used by ONG to install a new natural gas line to service the Wastewater Treatment Plant in preparation for future improvements.

MOTION: TO APPROVE A RIGHT OF WAY AGREEMENT WITH ONG TO INSTALL A NEW GAS LINE; AUTHORIZE MAYOR TO ENDORSE SAME.

MOVED BY: BARTLETT SECOND: DEAN
AYES: BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

10. **ASSESS ABATEMENT COSTS TO PROPERTY OWNERS**

Discussion, consideration, possible action to approve and ratify assessment costs in the total amount of \$2,206.85 to property owners for cleanup of property previously abated, in accordance with Del City Code Sections 13-106 through 13-114.

- (1) 1401 Brookdale Drive (0 Previous Abatement)
Owner: Glen Harjo (Del City, OK)

Contractor Fee\$550.00
 Administrative Expenses\$353.54
 Mailings, photos, processing, copying, etc.....\$16.00
 Total Expenses.....\$919.54

(2) 3121 Delmar Road (1 Previous Abatement)

Owner: Kelly Mathieson (Glendora, CA)

Contractor Fee\$400.00
 Administrative Expenses\$176.77
 Mailings, photos, processing, copying, etc.....\$8.00
 Total Expenses.....\$592.77

(3) 1411 Hampton Drive (6 Previous Abatements)

Owner: James George Henwood (Edmond, OK)

Contractor Fee\$75.00
 Administrative Expenses\$176.77
 Mailings, photos, processing, copying, etc.....\$8.00
 Total Expenses.....\$259.77

(4) 3125 Longridge Road (11 Previous Abatements)

Owner: Rickey E. Krueger (Del City, OK)

Contractor Fee\$250.00
 Administrative Expenses\$176.77
 Mailings, photos, processing, copying, etc.....\$8.00
 Total Expenses.....\$434.77

MOTION: TO APPROVE AND RATIFY ASSESSMENT COSTS IN THE TOTAL AMOUNT OF \$2,206.85 TO PROPERTY OWNERS AT ADDRESSES BELOW:

(1) 1401 Brookdale Drive (0 Previous Abatement)

Total Expenses \$919.54

(2) 3121 Delmar Road (1 Previous Abatement)

Total Expenses \$592.77

(3) 1411 Hampton Drive (6 Previous Abatements)

Total Expenses \$259.77

(4) 3125 Longridge Road (11 Previous Abatements)

Total Expenses \$434.77

MOVED BY: GILES SECOND: DEAN
 AYES: BARTLETT, GILES, DEAN AND LINLEY
 NAYS: NONE

11. CONSTRUCTION BIDDING AND ENGINEERING OVERSIGHT OF THE WASTEWATER TREATMENT PLANT

Discussion, consideration and possible action to approve entering into a contract with Garver for environmental services, bidding, construction phase services, including management and observation, application engineering, and other services associated for the completion of the Wastewater Treatment Plant project for a fee of \$1,745,980, as reflected in Work Order No. 5 and Appendix A; authorize Mayor to endorse same; and direct staff accordingly.

MOTION: TO APPROVE ENTERING INTO A CONTRACT WITH GARVER FOR ENVIRONMENTAL SERVICES, BIDDING, CONSTRUCTION PHASE SERVICES, INCLUDING MANAGEMENT AND OBSERVATION, APPLICATION ENGINEERING, AND OTHER SERVICES ASSOCIATED FOR THE COMPLETION OF THE WASTEWATER TREATMENT PLANT PROJECT FOR A FEE OF \$1,745,980, AS REFLECTED IN WORK ORDER NO. 5 AND APPENDIX A; AUTHORIZE MAYOR TO ENDORSE SAME.

Mary Elizabeth Moch with Garver explained contract.

MOVED BY: BARTLETT SECOND: GILES
AYES: BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

12. EXECUTIVE SESSION

Discussion, consideration, possible action to approve recessing to executive session pursuant to the Oklahoma Open Meeting Act, 25 O.S. § 301 et seq., for the purpose of the following:

- A. Discussion concerning matters pertaining to economic development, including the transfer of property, financing or the creation of proposal to entice a business to locate within the City of Del City as provided in 25 O.S. § 307(C)(10).
- B. Discussion concerning the purchase or appraisal of real property pursuant to 25 O.S. § 307(B)(3).
- C. Discussion concerning pending investigations, claims, and actions pursuant to 25 O.S. § 307(B)(4).

City Attorney Jack Fried stated that in his opinion these matters qualify for Executive Session.

MOTION: TO RECESS TO EXECUTIVE SESSION AT 7:10PM

MOVED BY: BARTLETT SECOND: GILES
AYES: BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

RECONVENE FROM EXECUTIVE SESSION AT 8:40PM

13. ACTION FROM EXECUTIVE SESSION

- A. Discussion, consideration, possible action deemed appropriate, if any, arising from discussions held in executive session concerning matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to locate within the City of Del City.

MOTION: TO TAKE NO ACTION.

MOVED BY: BARTLETT SECOND: DEAN
AYES: BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

- B. Discussion, consideration, possible action deemed appropriate, if any, arising from discussions held in executive session concerning matters pertaining to the purchase or appraisal of real property.

MOTION: TO TAKE NO ACTION.

MOVED BY: BARTLETT SECOND: DEAN
AYES: BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

- C. Discussion, consideration, possible action deemed appropriate, if any, arising from discussions held in executive session concerning pending investigations, claims, and actions.

MOTION: TO TAKE NO ACTION.

MOVED BY: BARTLETT SECOND: DEAN
AYES: BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

14. COUNCIL INPUT: None

15. ADJOURNMENT

MOTION: TO ADJOURN AT 8:42PM

MOVED BY: DEAN SECOND: BARTLETT
AYES: BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

Approved this 21st day of November, 2016.

MINUTES
DEL CITY MUNICIPAL SERVICES AUTHORITY
REGULAR MEETING
NOVEMBER 7, 2016 – 6:00 P.M
3701 SE 15th Street – City Hall

(Agenda posted on the council bulletin board at 5:00 p.m. on November 4, 2016.)

1. CALL TO ORDER AT 6:10 P.M. BY CHAIRMAN LINLEY
2. ROLL CALL

In Attendance: Trustees Floyd Eason, Ken Bartlett, Bill Giles, Michael Dean and Chairman Brian Linley.

City Employees: City Manager Mark Edwards, City Clerk Carol Noble, and City Attorney Jack Fried.

3. PUBLIC AND TRUSTEE INPUT

A. Public: None

B. Trustees: None

4. MANAGER'S REPORT: None

5. CONSENT DOCKET

Discussion, consideration, possible action to approve the following items by unanimous consent, with one motion:

- A. Approve minutes of regular meeting of the DCMSA of October 17, 2016.
- B. Approve blanket purchase order for Fleet Maintenance Division for FY 2016-2017 under account 20-530-218.

01-0213	Cummings Southern Plains	\$750.00
01-0050	FleetPride	750.00
01-0578	Midwest Hose & Spec	1,000.00
01-0907	Rush Truck	<u>1,000.00</u>
	Total	\$3,500.00

- C. Approve blanket purchase order for Fleet Maintenance Division for FY 2016-2017 under account 20-534-218.

01-0750	AutoZone	\$750.00
01-0578	Midwest Hose & Spec	750.00

01-0634	NAPA Auto Parts	750.00
01-1443	Perfection Equip	<u>500.00</u>
	Total	\$2,750.00

MOTION: TO APPROVE CONSENT DOCKET

MOVED BY: EASON SECOND: BARTLETT
 AYES: EASON, BARTLETT, GILES DEAN AND LINLEY
 NAYS: NONE

7. RESOLUTION

Discussion, consideration, possible action to approve Resolution No. 11-07-16A of the Del City Municipal Services Authority (DCMSA), approving and authorizing a Clean Water SRF loan from the Oklahoma Water Resources Board in the total aggregate principal amount of \$21,000,000.00; approving the issuance of a promissory note in the total aggregate principal amount of \$21,000,000.00, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for Clean Water SRF loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; approving and authorizing execution of a sales tax agreement; ratifying and confirming a lease agreement whereby the City of Del City leased its water, sanitary sewer, and garbage systems to the DCMSA; approving various covenants; approving and authorizing the establishment of a project costs disbursement account; approving and authorizing payment of fees and expenses; and containing other provisions relating thereto; authorize Trust Chairman to endorse resolution.

Jon Wolff with Municipal Finance Services, Inc. and Allen Brooks with Public Finance Law Group explained resolution.

OWRB will meet for approval of loan November 15, 2016. Closing date November 18, 2016.

MOTION: TO APPROVE RESOLUTION NO. 11-07-16A OF THE DEL CITY MUNICIPAL SERVICES AUTHORITY (DCMSA), APPROVING AND AUTHORIZING A CLEAN WATER SRF LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$21,000,000.00; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$21,000,000.00, SECURED BY A PLEDGE OF REVENUES AND AUTHORIZING ITS EXECUTION; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT FOR CLEAN WATER SRF LOAN; DESIGNATING A LOCAL TRUSTEE AND APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A SECURITY AGREEMENT; APPROVING AND AUTHORIZING EXECUTION OF A SALES TAX AGREEMENT; RATIFYING AND CONFIRMING A LEASE AGREEMENT WHEREBY THE CITY OF DEL CITY LEASED ITS WATER, SANITARY SEWER, AND GARBAGE SYSTEMS TO THE DCMSA; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A PROJECT COSTS DISBURSEMENT ACCOUNT; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER

PROVISIONS RELATING THERETO; AUTHORIZE TRUST CHAIRMAN TO ENDORSE RESOLUTION.

MOVED BY: EASON SECOND: BARTLETT
AYES: EASON, BARTLETT, GILES DEAN AND LINLEY
NAYS: NONE

MOTION: TO RECESS AT 6:25PM

MOVED BY: EASON SECOND: BARTLETT
AYES: EASON, BARTLETT, GILES DEAN AND LINLEY
NAYS: NONE

MOTION: TO RECONVENE AT 8:42PM

MOVED BY: DEAN SECOND: BARTLETT
AYES: BARTLETT, GILES DEAN AND LINLEY
NAYS: NONE

6. CONSTRUCTION BIDDING AND ENGINEERING OVERSIGHT OF THE WASTEWATER TREATMENT PLANT

Discussion, consideration, possible action to approve entering into a contract with Garver for environmental services, bidding, construction phase services, including management and observation, application engineering, and other services associated for the completion of the Wastewater Treatment Plant project for a fee of \$1,745,980, as reflected in Work Order No. 5 and Appendix A; authorize Trust Chairman to endorse same; and direct staff accordingly.

MOTION: TO APPROVE ENTERING INTO A CONTRACT WITH GARVER FOR ENVIRONMENTAL SERVICES, BIDDING, CONSTRUCTION PHASE SERVICES, INCLUDING MANAGEMENT AND OBSERVATION, APPLICATION ENGINEERING, AND OTHER SERVICES ASSOCIATED FOR THE COMPLETION OF THE WASTEWATER TREATMENT PLANT PROJECT FOR A FEE OF \$1,745,980, AS REFLECTED IN WORK ORDER NO. 5 AND APPENDIX A; AUTHORIZE TRUST CHAIRMAN TO ENDORSE SAME.

MOVED BY: BARTLETT SECOND: GILES
AYES: BARTLETT, GILES DEAN AND LINLEY
NAYS: NONE

8. TRUST INPUT-

- Bartlett: Council Member Bartlett made statement of disagreement with sales tax ballot item 779.

9. ADJOURNMENT

MOTION: TO ADJOURN AT 8:45 P.M.

MOVED BY: BARTLETT SECOND: DEAN
AYES: BARTLETT, GILES, DEAN AND LINLEY
NAYS: NONE

Approved this 21st day of November, 2016.