

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD
AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY
OCTOBER 20, 2008 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on October 20, 2008 at 6:30 p.m. with Mayor Glenn Lewis presiding.

David Roberts
Councilman, Ward I

Robert Krows
Councilman, Ward I

Kathy McMillan
Councilwoman, Ward II

Janie Milum
Councilwoman, Ward II

Shelia Haworth
Councilwoman, Ward III

Terry Cavnar
Councilman, Ward III

PRESENT: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
ABSENT: McMillan

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; Fire Chief, Charles Stephens; Deputy Chief, Gary Bird; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Risk Manager, Gary Benefield; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Fire Chief Charles Stephens introduced Lacy Carpenter and Regional Executive John Bernity with Fireman's Fund Insurance Company. Mr. Bernity stated that Fireman's Fund Insurance Company is a property casualty insurance company located in the United States. He advised that they were excited to present a grant to the City of Moore in the amount of \$24,424.00. This grant was given in conjunction with trading partner Eric Acton of Acton Insurance out of Oklahoma City. Lacy Carpenter a native of Moore and an employee of Fireman's Fund Insurance nominated the Moore Fire Department and actively worked with Deputy Chief Gary Bird to help to City receive the award. Ms. Carpenter stated that she was honored to present the Moore Fire Department with the Heritage Grant which would allow the department to purchase much needed equipment. She advised that the money would be used to purchase a self-contained breathing fit testing machine and six complete sets of turnout gear that will make it safer for the firefighters to serve the community.

Eric Acton with Acton Insurance presented the Moore Fire Department with the grant check in the amount of \$24,424. He thanked the Fireman's Fund for the opportunity to participate in the Heritage Program and for allowing them to continue to support the Moore Fire Department as well other departments across the State of Oklahoma.

Ms. Carpenter advised that the Fireman's Fund, through the Heritage Program and agencies like Acton, has awarded more than \$20 million to local fire departments across the United States. She stated she was honored to present the check to the Moore Fire Department and thanked them for their selfless efforts in saving lives.

Mayor Lewis expressed his appreciation to the Fireman's Fund and Acton Insurance for the wonderful contribution made on behalf of the Moore Fire Department and the citizens of Moore.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 6, 2008.
- B) APPROVE OBSERVANCE OF FRIDAY, OCTOBER 31, 2008 AS HALLOWEEN TRICK OR TREAT NIGHT.
- C) APPROVE GRANT OF EASEMENT TO COXCOM, INC. FOR INSTALLATION OF CABLE TELEVISION SERVICE AT THE BRAND SENIOR CENTER.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$2,011,683.67.

Councilwoman Haworth moved to approve the consent docket in its entirety, second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
Nays: McMillan

Agenda Item Number 3 being:

CONSIDER A TRANSFER OF \$31,705.53 FROM THE G.O. BOND FUND TO THE SPECIAL REVENUE FUND/TRANSPORTATION IMPACT FEE ACCOUNT; AND SUPPLEMENT THE BUDGET.

Steve Eddy, City Manager, addressed the item on behalf of Jim Corbett, Finance Director, who was absent from the meeting due to the recent death of his mother. Mr. Eddy offered his condolences to him and his family. He advised that \$31,705.53 was left over from the 2002 G.O. Bond Fund after all the expenses for the street projects had been paid. Approval of the item would transfer these funds to the Transportation Impact Fee Account which is a designated account for transportation and street related improvements.

Councilwoman Haworth moved to transfer of \$31,705.53 from the G.O. Bond Fund to the Special Revenue Fund/Transportation Impact Fee Account; and supplement the budget, second by Councilman Roberts. Motion carried unanimously.

Ayes: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
Nays: McMillan

Agenda Item Number 4 being:

CONSIDER APPROVAL OF IDENTITY THEFT PREVENTION PROGRAM AKA "RED FLAG RULES".

Randy Brink, City Attorney, advised that the "Red Flag Rules" or Identify Theft Program is a new federal law that would become effective November 1, 2008. Mr. Brink stated that the Federal Trade Commission issued an order to private industry to formulate and institute a Red Flag Rule Program to assist in dealing with possible identify theft issues. The program did not originally involve cities; however, after several inquiries from municipalities around the United States, the Federal Trade Commission determined that cities must also comply with the new regulations.

Mr. Brink indicated that he and Finance Director Jim Corbett attended a seminar in September held by the Oklahoma Municipal League regarding the Red Flag Rules. OML provided guidelines on the implementation of a Red Flag Rules program. City staff reviewed the information and identified which of the 26 possible identify theft indicators that might apply to the City and formed a plan with information on how to handle each situation. Mr. Brink stated that this is a living document that must be reviewed every six months. Records must be kept on every red flag alert that occurs and compiled in a log book to be reviewed after six months. After that time review would likely occur on a yearly basis.

He advised that the primary use of the program would involve utility accounts, payment plans for court fines, and the sale of cemetery lots.

Councilman Roberts moved to approve an Identity Theft Prevention Program aka "Red Flag Rules", second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 5 being:

CONSIDER ORDINANCE NO. 632(08) AMENDING PART 4, CHAPTER 1, ARTICLE A, SECTION 4-103 OF THE MOORE MUNICIPAL CODE BY ADDING SUBPARAGRAPH FIVE, CREATING A VIOLATION FOR PERMITTING ANIMALS OR FOWLS TO DEFECATE ON SIDEWALKS, PUBLIC PARKS, ALLEYS, OR OTHER PLACES OPEN TO THE PUBLIC OR ON CERTAIN PRIVATE PROPERTY; PROVIDING FOR THE POSSESSION OF WASTE REMOVAL EQUIPMENT; PROHIBITION OF PUBLIC NUISANCE, PROVIDING FOR A REPEALER; AND PROVIDING FOR SEVERABILITY.

Steve Eddy, City Manager, advised that a discussion regarding the proposed implementation of an ordinance prohibiting animals or fowls from defecating on public or private property was held at the October 6, 2008 City Council meeting. Mr. Eddy indicated that the City has received numerous complaints regarding animal owners allowing their pets to defecate on neighboring properties. He added that equipment stations are now located at City parks to give owners an opportunity to clean up after their animals.

Councilman Cavnar asked what kind of fine would be assessed to someone who violates the ordinance. Randy Brink, City Attorney, indicated that a fine could be anywhere between zero to \$500.

Councilman Roberts moved to approve Ordinance No. 632(08), second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING CONVENED AT 6:50 P.M.

Agenda Item Number 6 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD OCTOBER 6, 2008.
- B) RATIFY ACTION OF CITY COUNCIL ON APPROVAL OF IDENTITY THEFT PREVENTION PROGRAM AKA "RED FLAG RULES".
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$940,578.42.

Trustee Haworth moved to approve the consent docket in its entirety, second by Trustee Krows. Motion carried unanimously.

Ayes: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 7 being:

APPROVE RESOLUTION NO. 222(08) A RESOLUTION AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD ("OWRB") FOR FINANCIAL ASSISTANCE THROUGH OWRB STATE REVOLVING FUND PROGRAM, WITH THE LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING WASTEWATER SYSTEM IMPROVEMENTS SERVING THE CITY OF MOORE; APPROVING PROFESSIONAL SERVICES AGREEMENTS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Steve Eddy, Trust Manager, advised that approval of Resolution No. 222(08) would be the Moore Public Works Authority's authorization to proceed forward with application to the Oklahoma Water Resources Board for financing of the wastewater treatment plan improvements, and to secure the services of financial advisor Paul Smith and bond attorney Terry Hawkins. Mr. Eddy stated that the City had been tentatively approved for the funding.

Trustee Krows moved to approve Resolution No. 222(08), second by Trustee Roberts. Motion carried unanimously.

Ayes: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:54 P.M.

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD OCTOBER 6, 2008.

- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 08-09 IN THE AMOUNT OF \$171,267.94.

Trustee Haworth moved to approve the consent docket in its entirety, second by Trustee Krows. Motion carried unanimously.

Ayes: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN DAVID ROBERTS PRESIDING AT 6:55 P.M.

Agenda Item Number 9 being:

ROLL CALL

PRESENT: Krows, Haworth, Lewis, Cavnar, Milum, Roberts
ABSENT: McMillan

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD SEPTEMBER 15, 2008.

Trustee Haworth moved to approve the consent docket in its entirety, second by Trustee Milum. Motion carried unanimously.

Ayes: Krows, Haworth, Lewis, Cavnar, Milum, Roberts
Nays: None
Absent: McMillan

Agenda Item Number 11 being:

DIRECTOR'S REPORT

Deidre Ebrey, Economic Development Director, advised of the following items:

- Best Buy opens on November 14, 2008 in The Shops at Moore.
- Toys R Us/Babies R Us are attempting to execute a lease in The Shops at Moore. The Ooh La La Boutique going in at The Shops at Moore. This location would be the second boutique to open in the State of Oklahoma.
- Chick-Fil-A is under construction and will be located south of Starbucks off Telephone Road.
- Business Spotlight will feature stories on Sephora and Vintage Stock to air on Channel 20.
- Will attend a Regional Workforce and Economic Development summit for a three day conference. Sharing pilot project of Southmoore High School where each junior and senior is tested and receives their career readiness certificate.

- Old Town continues to have exciting meetings attended by Councilmembers Milum and McMillan. Several new businesses moved into the old town area including a custom framing shop, Wood Creations by Rod, Peek-a-Bootique, Bodytech, and Chad Cobble Insurance Agency.
- Red Ribbon Parade will be held Saturday October 25, 2008. The route will take the parade through Old Town. October 31, 2008 the Old Town Merchants, which includes 45 businesses, will participate in Halloween festivities by handing out candy to kids between 4:00 p.m. and 5:45 p.m. Police officers will be patrolling the area. The Community Center will hold a Halloween Festival on October 25, 2008.
- Report to Citizen mailers was mailed out to each household. It is available on the City's website. It includes the City's progress over the past year with information on future events. A street map was printed on the backside of the mailer. A G.O. Bond election informational material was also prepared.

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:05 P.M.

Agenda Item Number 12 being:

NEW BUSINESS:

A) CITIZENS' FORUM FOR ITEMS NOT ON THE AGENDA.

There were no citizens to speak.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Cavnar commented that Cox Communications is putting cable into the Belmar Addition. The citizens of the addition have expressed their pleasure about being a part of Moore.

Has a new calendar for the Salvation Army bell ringing for the holiday season. He commented that he would be approaching people to volunteer. Steve Eddy, City Manager, advised that Rotary also participates in bell ringing. He encouraged people to volunteer adding that it is a wonderful experience.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Steve Eddy, City Manager, advised the City Council of the following items:

- Moore Beautiful Committee received a donation of trees and shrubs and will be holding a large tree sale Friday, October 24, 2008 at the Wastewater Treatment Plant. There are approximately 2,000 trees of various varieties that for sale at \$2.50 to \$10.
- Second public meeting on the G.O. Bond election will be held October 27, 2008 at 6:30 p.m. at the Moore Public Library. The first meeting was held October 16, 2008 and went very well.
- Financial statement is available and reflects a slight improvement over September. With the recent decline in the economy staff is watching internally to monitor any change. So far everything appears to be going well, particularly compared to what is going on nationally. A meeting was scheduled to meet with a few of the local large retail managers to get a better feel of how they are doing and what they anticipate might occur with holiday sales.
- Deputy Fire Chief Gary Bird's father and Finance Director Jim Corbett's mother passed away. He offered condolences to both employees on their loss.

Agenda Item Number 13 being:

ADJOURNMENT

Councilwoman Haworth moved to adjourn the City Council meeting, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Haworth, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:10 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

SHELIA HAWORTH, MPWA Secretary

FOR:

KATHY MCMILLAN, MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2008.

ATTEST:

JIM CORBETT, JR., City Clerk