

**MINUTES OF THE REGULAR MEETING OF  
OF THE MOORE CITY COUNCIL  
THE MOORE PUBLIC WORKS AUTHORITY  
THE MOORE RISK MANAGEMENT BOARD  
JANUARY 5, 2009 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on January 5, 2009 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, McMillan, Haworth, Cavnar, Roberts, Milum, Lewis  
ABSENT: None

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; Fire Chief, Charles Stephens; Economic Development Director, Deidre Ebrey; Community Development Director, Elizabeth Jones; Risk Manager, Gary Benefield; Finance Director/City Clerk, Jim Corbett; Parks and Recreation Director, Carson Lynch; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Mayor Lewis presented the Oklahoma Municipal League service pins and certificates to Lonnie Sparks, Mark Carter, Ken Pontius, Dennis Polk, Linda Stewart, and Jeff Owen for 25-years of service. Linda Stewart and Mark Carter were in attendance at the meeting to accept their awards. Mayor Lewis expressed his appreciation for each employee's years of service to the City of Moore.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 15, 2008.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL PLANNING COMMISSION MEETING HELD OCTOBER 14, 2008.
- C) RECEIVE AND APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD SEPTEMBER 9, 2008.
- D) ACCEPT A GRANT FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE IN THE AMOUNT OF \$50,000; AND SUPPLEMENT THE BUDGET ACCORDINGLY.
- E) ACCEPT A UTILITY EASEMENT FOR A SANITARY SEWER LINE LOCATED IN THE NW/4 OF SECTION 22, T10N, R3W, BEING LOCATED SOUTH OF 4<sup>TH</sup> STREET AND EAST OF SANTA FE AVENUE.

- F) ACCEPT A ROADWAY AND UTILITY EASEMENT LOCATED IN THE NW/4 OF SECTION 22, T10N, R3W, BEING LOCATED SOUTH OF 4<sup>TH</sup> STREET ON THE EAST SIDE OF SANTA FE AVENUE.
- G) ACCEPT A UTILITY EASEMENT FOR A SANITARY SEWER LINE LOCATED IN THE SE/4 OF SECTION 23, T10N, R3W, BEING LOCATED NORTH OF SW 19<sup>TH</sup> STREET AND WEST OF TOWER DRIVE.
- H) ACCEPT A UTILITY EASEMENT FOR A WATER LINE LOCATED IN THE SE/4 OF SECTION 23, T10N, R3W, BEING LOCATED NORTH OF SW 19<sup>TH</sup> STREET AND WEST OF TOWER DRIVE.
- I) APPROVE BUDGET SUPPLEMENT TO THE SPECIAL REVENUE FUND IN THE AMOUNT OF \$7,380,800 FOR THE 2009 STREET GENERAL OBLIGATION BONDS.
- J) APPROVE BUDGET SUPPLEMENT IN THE AMOUNT OF \$702,000 FOR PURCHASE OF LAND AT MAIN AND BROADWAY.
- K) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$1,726,369.88.

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

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

**Agenda Item Number 3 being:**

CONSIDER REZONING APPLICATION NO. RZ-833 TO REZONE A PART OF THE SE/4 OF SECTION 3, T10N, R3W, BEING NORTH OF NW 27<sup>TH</sup> STREET AND EAST OF SHIELDS BOULEVARD, FROM C-5 AUTOMOTIVE AND COMMERCIAL RECREATIONAL DISTRICT TO C-5/PU AUTOMOTIVE AND COMMERCIAL RECREATIONAL DISTRICT WITH A PERMISSIVE USE FOR AUTO SALES; AND APPROVE ORDINANCE NO. 639(08). APPLICATION BY WARREN "MACK" JAMES, II.

Elizabeth Jones, Community Development Director, advised that the applicant was proposing to change the zoning of 2820 Shields Blvd. from C-5 to C-5 with Permissive Use for used car sales. Ms. Jones stated that the property was located north of NW 27<sup>th</sup> Street and east of Shields Avenue, where the applicant currently operates a car repair business and rents the lot to the north for car sales. The applicant now wishes to utilize his own property for the car sales and repair.

Ms. Jones stated that Application No. RZ-833 was in compliance with the Comprehensive Plan and is compatible with the businesses in the area; therefore, staff recommended approval of the item. She noted that the applicant was aware that approval of the application would not allow for any type of auto salvage business.

Mayor Lewis asked if there had been any objections to the proposed rezoning application. Ms. Jones indicated that there had not been any opposition to the item.

**Councilman Krows moved to approve Rezoning Application No. RZ-833 and Ordinance No. 639(08), second by Councilman Roberts. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER REZONING APPLICATION NO. RZ-834 TO REZONE A PART OF THE SW/4 OF SECTION 22, T10N, R3W, BEING NORTH OF SW 19<sup>TH</sup> STREET AND WEST OF EAGLE DRIVE, FROM C-2 NEIGHBORHOOD COMMERCIAL DISTRICT TO C-2/SUP NEIGHBORHOOD COMMERCIAL DISTRICT WITH A SPECIAL USE PERMIT FOR COMMUNICATION TOWERS; AND APPROVE ORDINANCE NO. 640(08). APPLICATION BY T-MOBILE CENTRAL/GREGORY FERRIS.

Elizabeth Jones, Community Development Director, advised that the applicant proposed to construct a cell phone tower located west of the Moore Business Park and the A+ Storage Units, and utilize an existing storage unit to house the equipment. Ms. Jones stated that cell phone towers are only allowed with a Special Use Permit if certain conditions are met. A Special Use Permit would not require a change in the zoning but would only be good for a specific use at a specific location.

Ms. Jones noted that the cell tower site has access from SW 19<sup>th</sup> Street through a private access agreement with the owner of the A+ Mini Storage business. The tower would be located approximately 250 feet from the Plaza South Addition, which would meet the City Code requirements. The site would be required to have a six-foot security fence surrounding the tower and any other outside equipment. She added that the base of the tower and the equipment would be hidden from the residential properties within the area.

Ms. Jones stated that the application meets all zoning requirements and is in accordance with the PUD design statement.

**Councilman Krows moved to approve Rezoning Application No. RZ-834 and Ordinance No. 640(08), second by Councilwoman Haworth. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER AWARDING BID NO. 089-006 "PURCHASE OF AN ESTIMATED AMOUNT OF 8,000 TO 9,000 FEET OF THREE RAIL VINYL FENCING AND ASSOCIATED MATERIALS FOR SELF-INSTALLATION" TO LOWE'S IN THE AMOUNT OF \$29,232.81.

Richard Sandefur, Public Works Director, stated that Bid No. 089-006 was for vinyl fencing installed from the Post Office along the west I-35 service road south to Wal-Mart at S. 19<sup>th</sup> Street. It would continue south from 19<sup>th</sup> halfway to SW 34<sup>th</sup>. Along the east side of I-35 the fencing would start at Ricky's Mexican Restaurant and continues south.

Mr. Sandefur indicated that the fencing specifications were submitted to ODOT for their engineer's approval and would be followed by a confirmation sent by ODOT.

**Councilman Krows moved to award Bid No. 089-006 "Purchase of an Estimated Amount of 8,000 to 9,000 Feet of Three Rail Vinyl Fencing and Associated Materials for Self-Installation" to Lowe's in the amount of \$29,232.81, second by Councilwoman McMillan. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING CONVENED AT 6:48 P.M.**

**Agenda Item Number 6 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD DECEMBER 15, 2008.
- B) APPROVE RESIDUAL EQUITY TRANSFER OF \$702,000 TO THE CITY GENERAL FUND FOR PURCHASE OF LAND AT MAIN AND BROADWAY.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$760,078.53.

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

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

**THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:49 P.M.**

**Agenda Item Number 7 being:**

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD DECEMBER 15, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$168,974.78.

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

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

**THE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:50 P.M.**

**Agenda Item Number 8 being:**

NEW BUSINESS:

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

There were no items from citizens.

- B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Krows commented that during the viewing of Moore's video celebrating the Centennial he sat next a member of the Dreessen family and heard a lot about their family history. He wondered if an area in the Little River Park could be named after the family or a monument erected in their honor. He stated that the Dreessen's original homestead was in the vicinity of the park. Steve Eddy, City Manager, stated that it was possible and staff would research the item and report back to Council.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- The necessary paperwork on the street bonds is at the Attorney General's office for approval. It is anticipated that the mandatory 30-day waiting period will expire toward the end of January 2009 followed by a closing date in late January or early February. He added that the surveying and engineering on the first G.O. Bond project on SW 19<sup>th</sup> is underway. Staff submitted RFQs on the second project at NE 12th. Mr. Eddy commented that the City received 18 responses from engineering firms. He requested that Councilmembers Roberts and Milum assist him with review of the Request for Qualifications along with other staff members.
- Council approved funding for the purchase of the downtown property which is scheduled for closing on January 20, 2009. John Robison, who is the architect hired on the design of the police and communication buildings, was contacted about the design of the property.
- Will be contacting the library roofing contractor to determine whether they can complete the project in a timely manner.
- Will receive sales tax information within the next day or two, which will include Thanksgiving sales. Preliminary discussions from the big retailers indicate they had very good holidays sales figures.

**Agenda Item Number 9 being:**

ADJOURNMENT

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

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

**The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 6:55 p.m.**

TRANSCRIBED BY:

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RHONDA BAXTER, Executive Assistant

RECORDED BY:

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CAROL FOLSOM, Purchasing Agent

FOR:

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SHELIA HAWORTH, MPWA Secretary

FOR:

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KATHY MCMILLAN, MEDA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

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JIM CORBETT, JR., City Clerk