

**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
NOVEMBER 17, 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 November 17, 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, McMillan, Haworth, Cavnar, Roberts, Milum, Lewis
ABSENT: None

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

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 3, 2008.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL WORK STUDY SESSIONS HELD OCTOBER 16, 2008 AND OCTOBER 27, 2008.
- C) CONSIDER PAYMENT OF \$17,544 TO ROSEBROOK NURSERY, LLC FOR THE PURCHASE OF TREES.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$1,380,517.68.

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 ADOPTION OF RESOLUTION NO. 662(08) PERTAINING TO THE GENERAL OBLIGATION BONDS OF 2009, APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS AT AN ELECTION HELD ON NOVEMBER 4, 2008, FIXING THE AMOUNT OF BONDS TO MATURE EACH YEAR, FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD AND AUTHORIZING THE CITY CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW.

Steve Eddy, City Manager, advised that the adoption of Resolution No. 662(08) was the first step in issuing a portion of the \$18 million general obligation bonds approved at the November 4, 2008 election. Mr. Eddy stated that the amount to be issued in the first phase of the three year program was \$7.4 million. The money would be used to widen 19th and Telephone Road to the W. I-35 Service Road, and to reconstruct and widen NE 12th Street from Eastern to Bryant. Mr. Eddy noted that both projects were scheduled for 2009. He added that Bond Counsel Terry Hawkins and Financial Advisor Paul Smith were in attendance at the meeting to answer questions.

Terry Hawkins advised that following approval of a General Obligation Bond, a sale date must be determined and a Notice of Sale published for a two week period. The bonds are then sold and a transcript prepared and delivered to the Attorney General's office. An approval date is generally issued upon delivery; however, there is a 30 day waiting period before the bond sale can be closed. Mr. Hawkins indicated that if the market looked okay then the bonds would be sold on December 1, 2008 with an expectation to close in January 2009. Resolution No. 662(08) sets the sale date and authorizes the execution of the Notice of Sale and its publication. The Notice would be published in the Norman paper on November 19, 2008 and November 26, 2008.

Mayor Lewis asked when the rest of the money would be issued. Mr. Eddy indicated that \$7.4 million would be issued in 2009, \$6.7 million would be issued in 2010, and \$3.6 million would be issued in 2011. Mr. Hawkins indicated that under Oklahoma law the bonds would not mature sooner than two years from date of issuance so the first date of maturity would be July 1, 2010 and the new property tax rate would go into effect at that time.

Paul Smith stated that the market has had an impact on bond issues. However, Standard & Poors reviewed the general credit profile of the City and upgraded its credit rating from A+ to AA-. The AA category is the second highest rating that a City can receive. Mr. Smith felt that the City might have one or two bidders. He added that a lot of people are consolidating their risk and bidding jointly. Mr. Smith indicated that if there were no bidders or the City doesn't like the rate due to market conditions the bonds could be held and sold at a later date. He added that these types of securities have the strongest credit profiles and the prospect of default is non-existent. Mr. Smith also commented that the plan to issue bonds over a three-year period would help keep the mill levy flat. Typically paper bids or facsimile bids are obtained; now different bidders can bid on the bonds maturity by maturity electronically and, as a group, the bid would be available for consideration.

Councilman Roberts moved to adopt Resolution No. 662(08), second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A PIPELINE LOWERING AND/OR RELOCATION AGREEMENT WITH ENOGEX FOR LOWERING AND RELOCATION OF AN ENCROACHING NATURAL GAS PIPELINE IN THE AMOUNT OF \$128,300.05, FOR THE S. SANTA FE ROAD WIDENING PROJECT, FROM SW 4TH STREET TO SW 19TH STREET.

Elizabeth Jones, Community Development Director, advised that Enogex owned a pipeline located within in the right-of-way of Santa Fe Avenue. The City discussed with Enogex the necessity of relocating the line due to a future street widening project that would occur at this location. Ms. Jones stated that right-of-way clearance would have to be obtained before the start of the project. Enogex anticipates being able to begin the relocation early 2009.

Councilman Roberts moved to approve the Pipeline Lowering and/or Relocation Agreement with Enogex for lowering and relocation of an encroaching natural gas pipeline in the amount of \$128,300.05, for the S. Santa Fe Road Widening Project, from SW 4th Street to SW 19th Street, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A LEASE WITH T-MOBILE CENTRAL, LLC FOR PLACEMENT OF A CELLULAR TELEPHONE TOWER ON CITY-OWNED PARK LAND LOCATED AT APPROXIMATELY 1200 S. BRYANT AVENUE, AT THE SOUTH END OF VETERANS MEMORIAL PARK.

Steve Eddy, City Manager, advised that a property owner, Carroll Matthesen, called with concerns regarding the proximity of the proposed cell tower to his property. Mr. Eddy contacted Con Beats with T-Mobile Central to ask about the possibility of tabling the item for one month to allow an opportunity to find another location suitable for their purposes. Mr. Eddy advised that Mr. Beats was agreeable to a postponement.

Councilman Krows moved to table Agenda Item No. 5, second by Councilwoman Haworth. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER NAMING UNDEVELOPED PARK LAND AT NW 12TH & JANEWAY THE "VIVIAN BEATRICE PARMELE PARK" IN HONOR OF THE PARMELE FAMILY WHO DONATED A PORTION OF THE PARK TO THE CITY.

Steve Eddy, City Manager, advised that the City purchased property at NW 12th and Janeway from the Parmele family for a percentage of the appraised value. The family also donated another portion of the property at the appraised value. Mr. Eddy stated that the Parmele family asked that the City consider naming the park to be constructed at this location in honor of a deceased family member by naming the park the "Vivian Beatrice Parmele Park."

Mr. Eddy stated that the donated property and the existing fire department property would be reconfigured. The Parks Board would make a recommendation regarding the development of the Park; however, a neighborhood meeting would be held to obtain citizen input.

Councilwoman Haworth moved to name undeveloped park land at NW 12th & Janeway "The Vivian Beatrice Parmele Park" in honor of the Parmele family who donated a portion of the park land to the City, second by Councilman Krows. 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 6:50 P.M.

Agenda Item Number 7 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD NOVEMBER 3, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$155,350.15.

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

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

Agenda Item Number 8 being:

CONSIDER RENEWAL OF EXISTING ADMINISTRATIVE SERVICE AGREEMENT WITH C.L. FRATES AND COMPANY FOR A THREE-YEAR PERIOD, TO PROVIDE THIRD-PARTY ADMINISTRATIVE SERVICES FOR THE CITY'S HEALTH BENEFITS PROGRAM.

Gary Benefield, Risk Manager, stated that C.L. Frates and Company had performed third-party administrative services for the City for over five years. Mr. Benefield felt they had done a good job processing claims, shopping for excess insurance, collecting reimbursements from excess insurance companies, and managing large cases. He noted that C.L. Frates also participated in the Employee Health Benefit committee meetings, assisted in keeping the Plan Document current, and negotiated agreements such as the one with Norman Regional Hospital. Staff recommended renewal of the existing Third Party Administrative Services Agreement for a three-year period under Option One at a set price of \$24.60 per employee per month.

Trustee Roberts moved to renew the existing Administrative Service Agreement with C.L. Frates and Company to provide third-party administrative services for the City's health benefits program under Option One, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER RENEWAL OF EXISTING AGREEMENT WITH DELTA DENTAL OF OKLAHOMA FOR A THREE YEAR PERIOD, TO PROVIDE DENTAL NETWORK SERVICES THROUGH C.L. FRATES AND COMPANY, AND APPROVE TWO BENEFIT ENHANCEMENTS TO THE DENTAL PLAN.

Gary Benefield, Risk Manager, advised that Delta Dental of Oklahoma offered to renew the current agreement to provide dental network services for a three-year period along with two plan enhancements. The enhancements should have little impact on the overall costs but would be very beneficial to the participants of the plan. The first enhancement would exempt oral exams and cleaning from the annual maximum benefit. The second enhancement would add composite fillings to the plan because some dentists do not offer the older style fillings. Staff recommended approval of the agreement for a three-year period with the two proposed plan enhancements.

Mr. Benefield advised that Steve Danielson with Delta Dental was in attendance at the meeting to answer any questions. He added that Delta offers an extensive network with more specialists.

Trustee Roberts moved to renew the existing agreement with Delta Dental of Oklahoma to provide dental network services through C.L. Frates and Company, and approve two benefit enhancements to the dental plan, second by Trustee Krows. 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 6:57 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD NOVEMBER 3, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 08-09 IN THE AMOUNT OF \$189,237.53.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN DAVID ROBERTS PRESIDING AT 6:58 P.M.

Agenda Item Number 11 being:

ROLL CALL

PRESENT: Krows, McMillan, Haworth, Lewis, Cavnar, Milum, Roberts
ABSENT: None

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD OCTOBER 20, 2008.

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

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

Agenda Item Number 13 being:

DIRECTOR'S REPORT

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

- Community Events such as Red Ribbon Day, the first Red Ribbon Jam, and Halloween Festival in Old Town were well attended.
- Best Buy grand opening was also well attended.
- Met with retail managers who offered insight on the economy based on their retail sales experience. They appeared off in September but came back strong in October.
- Convergys is hiring 150 positions due to their client, Direct TV's, expansion.
- Warren Theatre received top sales over the weekend and is the number one grossing theater in the Oklahoma City metro area.
- The Oklahoma Center for Rural Development and the Oklahoma State of Higher Regents through Northeastern State University in collaboration together implemented a program called the "Moore Market View" that has the most up to date and comprehensive data about Moore that the City has ever received. Also included are date aerial photographs that the City hasn't had access to.

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING.

Agenda Item Number 14 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.

Mayor Lewis commented that the Chamber Banquet was great and encouraged everyone's attendance next year.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- The Oklahoma Recreation and Park Society presented the City with an Award of Excellence for improvements made to Veterans Memorial Park.
- Thanked the voters who voted for the bond issue.
- Channel 9 aired a story November 13, 2008 and incorporated the ribbon cutting for Best Buy.
- Proposed a study session regarding the Police/EOC building project. Mayor Lewis suggested meeting following the December 1, 2008 City Council meeting.
- Financial statement for October 2008 looked good.

Agenda Item Number 15 being:

EXECUTIVE SESSION

- A) DISCUSS ACQUISITION OF CERTAIN REAL PROPERTIES AND AUTHORIZE STAFF TO PROCEED AS APPROPRIATE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(3).
- B) CONVENE INTO EXECUTIVE SESSION

Councilman Krows moved to convene to executive session, second by Councilwoman McMillan. Motion carried unanimously.

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

- C) RECONVENE FROM EXECUTIVE SESSION

PRESENT: Krows, McMillan, Haworth, Cavnar, Roberts, Milum, Lewis
ABSENT: None

The City Council reconvened from executive session at 7:46 p.m.

- D) ACTION.
- A) DISCUSS ACQUISITION OF CERTAIN REAL PROPERTIES AND AUTHORIZE STAFF TO PROCEED AS APPROPRIATE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(3).

Councilman Krows moved to authorize staff to proceed as directed in executive session, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 16 being:

ADJOURNMENT

Councilwoman Haworth moved to adjourn the City Council meeting, second by Councilman Cavnar. 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 7:51 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