

**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
JANUARY 20, 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 20, 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 Clerk, Jim Corbett; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Fire Chief, Charles Stephens; Economic Development Director, Deidre Ebrey; Parks and Recreation Director, Carson Lynch; Risk Manager, Gary Benefield; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; 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 JANUARY 5, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$932,075.93.

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

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

Agenda Item Number 3 being:

DISCUSS UPDATING THE CITY OF MOORE SIGN REGULATIONS, INCLUDING THOSE PERTAINING TO POLITICAL SIGNS, AND DIRECT STAFF AS DEEMED APPROPRIATE.

Elizabeth Jones, Community Development Director, advised that she was asked to review the sign code as it pertained to political signs due to three issues that were experienced during the last election. Signs were set out very early or left well beyond the election date. Numerous campaigners placed their signs everywhere. The placement of the signs on the street rights-of-way caused maintenance problems for the City and private citizens. Ms. Jones advised that after reviewing the sign code it was apparent that there was not any specific requirements regarding the placement of political signs other than that they are prohibited in the right-of-way. Ms. Jones stated that she reviewed Oklahoma City, Norman, Midwest City, Edmond, Yukon and Mustang's sign regulations. She commented that some have strict regulations while others are much more lenient. However, some of the common restrictions state that political signs may not be placed in any right-of-way other than those in which the property owner has given their permission. It is also a common restriction that no political signs can be placed in arterial rights-of-way because they hinder the cities' ability to maintain the right-of-way. Another common issue was in reference to the removal of the signs. Ms. Jones stated that many cities have a certain time frame for political signs to be on display. Some allow signs to be erected 30 days prior to any election with a removal date of seven days following the election. Some cities have a maximum display area. She stated that some cities also have a storage fee or disposal process for those signs that are not picked up prior to the allotted time or are placed illegally. She noted that Oklahoma City has a storage fee of \$1 per sign that must be paid before the signs are returned. Ms. Jones determined that direction from the City Council would be necessary given the differences each city has within their ordinance.

Mayor Lewis felt that there have been very few signs out during City Council elections. The City has had more problems with state candidates' signs. He asked if it would be in the best interest of the City to insult the people on whom we depend for state and federal funding. Councilman Krows commented that rules are made for everyone. Councilman Roberts noticed that the last election signs were literally everywhere and in inappropriate places. He felt if the sign ordinance was enforced equally and everyone was aware of it that it would be acceptable. Councilman Krows felt that the ordinance should at least include a time frame for the erection and removal of political signs and prohibiting signs in right-of-ways or at least limiting the size. He added that large signs placed near intersections are impeding the ability of the drivers to see oncoming traffic. Steve Eddy, City Manager, commented that many of the responsible candidates are willing to move signs if the City notifies them. He advised that most of the currently elected state senators and representatives have called in to see if the location is okay for their signs. Mr. Eddy felt the real issue has been the number of signs and the length of time they were out during the recent election. He felt that totally prohibiting political signs in the right-of-way would be difficult to enforce. Councilman Roberts expressed his concern with campaign signs damaging the streetscape. He agreed that setting dates for erection and removal of the signs should be strictly enforced and didn't feel anyone would be very offended over it if it was equally enforced. He felt the size of the signs should be limited on the right-of-way.

Mr. Eddy asked Richard Sandefur, Public Works Director, to estimate the amount of time his workers spent picking up political signs. Mr. Sandefur estimated six people spent most of three days removing signs. He added that the real problem for his department was mowing and weed eating around the signs from July through the election.

Mayor Lewis stated that the time political signs are allowed, limits on the size, and distance requirements from intersections should be addressed in the amendments to the sign ordinance.

Councilwoman Haworth stated that she receives numerous complaints each year about the number of political signs at Buck Thomas Park during the July 4th celebration. Mayor Lewis suggested prohibiting political signs at City parks. Mr. Eddy indicated that the provision could prohibit political signs on any municipally owned property. It was generally agreed that the signs would be removed within seven calendar days.

Mr. Eddy indicated that an ordinance proposal incorporating the suggested changes would be presented to Council for consideration.

There was no action taken on the item.

Agenda Item Number 4 being:

CONSIDER RESCINDING PREVIOUS BID AWARDED TO APOLLO BUILDING SYSTEMS, INC. AND RE-AWARD BID NO. 089-004 "CITY OF MOORE MAIN FIRE STATION NO. 1" BID PACKAGE NO. 14 TO OVERHEAD DOOR COMPANY OF OKLAHOMA CITY IN THE AMOUNT OF \$97,000.

Steve Eddy, City Manager, stated the bid for overhead doors included under Bid Package No. 14 for the City of Moore Main Fire Station No. 1 was originally awarded to Apollo Building Systems, Inc. with a local supplier. It was later determined that the bid award was not proper under the City charter; therefore, staff would request that the bid be rescinded and re-awarded to the second lowest bidder Overhead Door Company of Oklahoma City in the amount of \$97,000.

Councilwoman McMillan moved to rescind the previous bid awarded to Apollo Building Systems, Inc. and re-award Bid No. 089-004 "City of Moore Main Fire Station No. 1" Bid Package No. 14 to Overhead Door Company of Oklahoma City in the amount of \$97,000.00, second by Councilman Roberts. Motion carried by majority vote.

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

Agenda Item Number 5 being:

CONSIDER RESOLUTION NO. 668(09) ADOPTING THE 2008 SUPPLEMENT TO THE MOORE CODE OF ORDINANCES.

Jim Corbett, City Clerk, stated approval of Resolution No. 668(09) would codify all of the ordinances approved during the past year in order to update the Code of Ordinances.

Councilman Krows moved to adopt Resolution No. 668(09) adopting the 2008 supplement to the Moore Code of Ordinances, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER RESOLUTION NO. 669(09) ADOPTING THE 2008 SUPPLEMENT TO THE LAND DEVELOPMENT CODE.

Jim Corbett, City Clerk, stated that Agenda Item No. 6 was similar to Agenda Item No. 5 in that it would adopt the 2008 Supplement to the Land Development Code which contains all ordinances approved during the past year.

Councilman Krows moved to adopt Resolution No. 669(09), second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER A CONTRACT FOR ENGINEERING SERVICES WITH EST, INC. FOR 2009 G.O. BOND PROJECT NO. 1 LOCATED AT SW 19TH AND TELEPHONE ROAD.

Steve Eddy, City Manager, indicated that the proposed contract with EST, Inc. for engineering services was e-mailed or faxed earlier in the day to the City Council for their review. Under the contract EST would provide engineering services for the first 2009 G.O. Bond Project, the street widening of 19th Street between Telephone Road and I-35, to six lanes with dual left and right turn lanes at the intersection. Mr. Eddy advised that the latest cost estimated for the project was \$1.95 million. He noted that EST had completed the surveying following Council authorization. He added that staff would like to have the project engineered as soon as possible in order to get it bid and let for construction while the ODOT project on the 19th Street Bridge was under construction, in order to have all of the projects completed before the next shopping season later this year. Mr. Eddy also indicated a need to get the projects bid and awarded to a contractor before the potential economic stimulus projects hit. He added that the proposed contract had a not to exceed amount of \$144,755.

Councilman Roberts moved to approve a contract for engineering services with EST, Inc. for the 2009 G.O. Bond Project No. 1 located at SW 19th and Telephone Road with a Not to Exceed amount of \$144,755.00, 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 6:54 P.M.

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JANUARY 5, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$129,633.07.

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 MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:55 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JANUARY 5, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 08-09 IN THE AMOUNT OF \$293,155.99.

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 6:56 P.M.

Agenda Item Number 10 being:

ROLL CALL

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

Agenda Item Number 11 being:

CONSENT DOCKET:

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

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

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

Agenda Item Number 12 being:

DIRECTOR'S REPORT

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

- Chick-Fil-A's grand opening scheduled for February 5, 2009.
- What-A-Burger started construction at The Shops at Moore. The developer estimates a three month process for construction.
- New retailers to complete The Shops at Moore will be announced the first of summer.
- Pet Smart and Bed Bath & Beyond have their openings scheduled for the first of March 2009.
- The Business Spotlight will air a story regarding Ricky's Cafe Mexican restaurant and Rec. Room Home Audio and Video Company.
- Retail stores going in between Alfredo's and Russell Stover along with Jimmy's Egg.
- Old Town Merchants meeting scheduled for January 22, 2009 at 6:00 p.m. at First United Methodist.
- Assisted writing a grant with the Pioneer Library System.
- Working on career fairs and job readiness events to assist in matching job seekers with potential employers.
- 2009 Economic Profile ready for printers and available at the next Moore Economic Development Authority meeting.
- Todd Jenson will be attending a business retention tracking program January 24, 2009. Currently use E-Pulse free and the City enters data from businesses.
- Assisting Moore Public Schools with a community Safe Schools grant.

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:02 P.M.

Agenda Item Number 13 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.

There were no items from the City Council.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- The economic stimulus package being proposed in Congress is beginning to be more definitive but still not in terms of available dollars. Ms. Jones attended several meetings with ACOG and discussions occurred with the Oklahoma Department of Transportation in an attempt to obtain additional information about the stimulus monies. Mr. Eddy indicated that a list of projects was submitted for consideration. He felt there would be far less money available than what the projects would total. At the recommendation of ACOG and consultant Mike Borelli. The Santa Fe street widening project between 4th and 19th Streets that would be let within the next two to three months should be turned into a stimulus project. He noted that the stimulus projects would be 100% federally funded. The 20% share on the Santa Fe project would be in the neighborhood of \$700,000. Staff was informed that another project should be prepared for consideration. The first on the list was the reconstruction of Telephone Road between S. 4th and N. 5th, and the second project was NW 27th between Santa Fe and Janeway. However, these projects must be engineered without an absolute guarantee that they will become 100% funded through the

stimulus package. Mayor Lewis noted that the City would not receive anything if we do not have an engineered project. Mr. Eddy estimated the cost of engineering to be around \$50,000 for each project. Councilman Roberts asked if the money would be recouped at some point. Mr. Eddy agreed that eventually the money would be recouped if the projects are built. He commented an engineer could be chosen from those interviewed by the transportation committee, on which Council Members Roberts and Milum set, and indicate that the engineering needs to be complete within 30 days. He added that the contracts would be brought back for Council's approval.

- The closing on the Main and Broadway property was held January 20, 2009.
- Contractor on the library roof has filed bankruptcy; however, they indicate that the job would still be completed.
- Construction on the football field expansion at Buck Thomas Park has begun.
- Announced that retired police officer, Leighton Stanley, had passed away.

Agenda Item Number 14 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 7:13 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 _____, 2009.

ATTEST:

JIM CORBETT, JR., City Clerk