

**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
DECEMBER 15, 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 December 15, 2008 at 6:30 p.m. with Vice-Mayor Robert Krows 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: McMillan, Haworth, Cavnar, Roberts, Milum, Krows
ABSENT: Lewis

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; Economic Development Director, Deidre Ebrey; Risk Manager, Gary Benefield; Police Chief, Ted Williams; Major, Gary Tipps; 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 DECEMBER 1, 2008.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL WORK STUDY SESSION HELD DECEMBER 1, 2008.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$2,056,468.52.

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

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

Agenda Item Number 3 being:

CONSIDER ORDINANCE NO. 633(08) AMENDING PART 5, CHAPTER 1, ARTICLE A, SECTION 5-204, BY ADOPTING THE 2006 INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS.

Elizabeth Jones, Community Development Director, advised that Agenda Items No. 3 through 8 were companion items relating to updates to the City's building codes. Ms. Jones stated that the City adopts the updates approximately three years behind the various international and national codes, giving other municipalities the opportunity to work out potential problems before the City adopts them. Passage of Ordinance No. 633(08) would adopt the 2006 International Residential Code with amendments. Ms. Jones stated that most every code includes amendments which refer primarily to fee schedules or other parts of the City Code. She added that Building Official John Barnett worked on the ordinances with the help of the appropriate board which is comprised of the specific tradesmen.

Councilman Roberts moved to adopt Ordinance No. 633(08), second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER ORDINANCE NO. 634(08) AMENDING PART 5, CHAPTER 4, ARTICLE A, SECTION 5-401, BY ADOPTING THE 2005 NATIONAL ELECTRIC CODE WITH AMENDMENTS.

Councilwoman Haworth moved to approve Ordinance 634(08), second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER ORDINANCE NO. 635(08) AMENDING PART 5, CHAPTER 1, ARTICLE A, SECTIONS 5-201 AND 5-202, BY ADOPTING THE 2006 INTERNATIONAL BUILDING CODE WITH AMENDMENTS.

Councilwoman McMillan moved to approve Ordinance No. 635(08), second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER ORDINANCE NO. 636(08) AMENDING PART 5, CHAPTER 5, ARTICLE A, SECTIONS 5-501, 5-502 AND 5-504 BY ADOPTING THE 2006 INTERNATIONAL MECHANICAL CODE WITH AMENDMENTS.

Councilwoman Haworth moved to approve Ordinance No. 636(08), second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER ORDINANCE NO. 637(08) AMENDING PART 5, CHAPTER 3, ARTICLE A, SECTIONS 5-301 AND 5-302 BY ADOPTING THE 2006 INTERNATIONAL PLUMBING CODE WITH AMENDMENTS.

Councilwoman McMillan moved to approve Ordinance No. 637(08), second by Councilwoman Haworth. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER ORDINANCE NO. 638(08) AMENDING PART 5, CHAPTER 8, SECTIONS 5-801 AND 5-802 BY ADOPTING THE 2006 INTERNATIONAL FUEL GAS CODE, WITH AMENDMENTS.

Councilman Roberts moved to approve Ordinance No. 638(08), second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 9 being:

APPROVE AN AGREEMENT OF SERVICES BETWEEN THE CITY OF MOORE AND TRAFFIC ENGINEERING CONSULTANTS (TEC) FOR PERFORMING ANNUAL TRAFFIC COUNTS IN THE AMOUNT OF \$6,000.00.

Elizabeth Jones, Community Development Director, advised that the proposed agreement of services with Traffic Engineering Consultants provides for traffic counts to be conducted at 40 different locations on an annual basis for \$6,000.

Councilwoman Haworth moved to approve an agreement with Traffic Engineering Consultants for performing annual traffic counts in the amount of \$6,000.00, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 10 being:

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

Vice-Mayor Krows indicated that the City Manager requested that the item be tabled until Mayor Lewis was in attendance at the meeting.

Councilman Roberts moved to table Agenda Item No. 10, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AWARDED BID NO. 089-005 "2007-2008 HIGHWAY TREE PLANTING PROGRAM" TO TOTAL ENVIRONMENTAL WHOLESALE NURSERY IN THE AMOUNT OF \$17,660.98.

Elizabeth Jones, Community Development Director, advised that Bid No. 089-005 included two years of the Highway Tree Planting Program available through the Oklahoma Department of Transportation. Ms. Jones stated that all of the trees must be planted by April 15, 2009. Trees will be planted this winter and spring along the interchanges of 27th and I-35 and 12th and I-35. She added that it would also include plantings around Broadway and NE 18th Street, and along the Service Road and the New City Shopping Center. Ms. Jones noted that both grants require a local match which would be provided by installing irrigation systems and through labor and maintenance on the project. Ms. Jones advised that the low bidder on the project was Total Environmental Wholesale Nursery in the amount of \$17,660.98.

Councilwoman McMillan moved to award Bid No. 089-005 "2007-2008 Highway Tree Planting Program" to Total Environmental Wholesale Nursery in the amount of \$17,660.98, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER APPROVAL OF A PROJECT AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR PROJECT NO. BRF-114C(152)AG, STATE JOB NO. 22518(0)4, BEING THE S.E. 34TH STREET BRIDGE PROJECT, BETWEEN SUNNYLANE & BRYANT, IN THE AMOUNT OF \$131,700; AND SUPPLEMENT THE BUDGET ACCORDINGLY.

Steve Eddy, City Manager, advised that the proposed agreement was the standard contract that the City enters into with ODOT. Mr. Eddy indicated that the proposed bridge project is currently one lane and is located on SE 34th Street between Sunnyslane and Bryant. The bridge would be reconstructed as a new two lane bridge. Federal funds would be used along with \$131,700 in matching funds. Mr. Eddy anticipated that the project would take approximately 120 days with a start date of April 9, 2009.

Councilman Roberts moved to approve a Project Agreement with the Oklahoma Department of Transportation for Project No. BRF-114C(152)AG, State Job No. 22518(0)4, being the S.E. 34th Street Bridge Project, between Sunnyslane & Bryant, in the amount of \$131,700; and supplement the budget accordingly, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER AWARDING BID NO. 089-004 "CITY OF MOORE MAIN FIRE STATION NO. 1" TO THE FOLLOWING BIDDERS IN THE TOTAL AMOUNT OF ~~\$3,938,564~~ \$3,959,774:

- A. BID PACKAGE NO. 2 FOR SITE CONSTRUCTION TO TOTAL INVESTMENT COMPANY IN THE AMOUNT OF \$94,460.
- B. BID PACKAGE NO. 3 FOR CONCRETE TO CANTERA CONCRETE COMPANY IN THE AMOUNT OF \$397,500.
- C. BID PACKAGE NO. 4 FOR MASONRY TO MCR MASONRY IN THE AMOUNT OF \$585,000.
- D. BID PACKAGE NO. 5 FOR METALS TO KUSTOM BUILDING INC. IN THE AMOUNT OF \$138,000.
- E. BID PACKAGE NO. 6 FOR STRUCTURAL & PRE-ENGINEERED STEEL BUILDING ERECTION TO APOLLO BUILDING SYSTEMS, INC. IN THE AMOUNT OF \$107,900.
- F. BID PACKAGE NO. 7A FOR CUSTOM CABINETS AND COUNTERTOPS TO COMMERCIAL CONCEPTS, INC. IN THE AMOUNT OF \$156,000.
- G. BID PACKAGE NO. 8 FOR THERMAL AND MOISTURE PROTECTION TO COMPLETE WATERPROOFING, INC. IN THE AMOUNT OF \$81,952.
- H. BID PACKAGE NO. 9 TO BOARD AND BATT INSULATION TO BALDWIN ACOUSTICS & DRYWALL IN THE AMOUNT OF \$48,235.
- I. BID PACKAGE NO. 10 FOR E.I.F.S. TO MIDWEST DRYWALL CO., INC. IN THE AMOUNT OF \$2,252.
- J. BID PACKAGE NO. 11 FOR ASPHALT SHINGLES TO MID-AMERICA ROOFING & CONSTRUCTION IN THE AMOUNT OF \$37,332.
- K. BID PACKAGE NO. 12 FOR MODIFIED BITUMEN BUILT-UP ROOFING TO MID-AMERICA ROOFING & CONSTRUCTION IN THE AMOUNT OF \$73,996.
- L. BID PACKAGE NO. 13 FOR DOORS, FRAMES AND HARDWARE TO AMERICAN BUILDING SPECIALTIES IN THE AMOUNT OF \$84,880.
- M. BID PACKAGE NO. 14 FOR OVERHEAD COILING GRILLES & OVERHEAD DOORS TO APOLLO BUILDING SYSTEMS, INC. IN THE AMOUNT OF \$88,800.
- N. BID PACKAGE NO. 15 FOR METAL FRAMED STOREFRONT AND WINDOWS TO BINSWANGER GLASS, INC. IN THE AMOUNT OF \$208,000.
- O. BID PACKAGE NO. 16 FOR DRYWALL AND SUSPENDED ACOUSTICAL CEILINGS TO MIDWEST DRYWALL COMPANY, INC. IN THE AMOUNT OF \$345,010.
- P. BID PACKAGE NO. 17 FOR TILE, PLASTIC MATRIX TERRAZZO, RESILIENT FLOORING (EXCLUDING TERRAZZO) TO BENTLEY FLOORING, INC. IN THE AMOUNT OF \$112,200.
- Q. BID PACKAGE NO. 17 FOR PROVIDING AND INSTALLING TERRAZZO TO SOUTHWEST TERRAZZO, INC. IN THE AMOUNT OF \$28,798.
- R. BID PACKAGE NO. 20 FOR PAINT & COATINGS TO MELENDEZ PAINT AND SANDBLASTING IN THE AMOUNT OF \$100,000.

- S. BID PACKAGE NO. 23 FOR MECHANICAL TO CONTACT ELECTRIC HEAT & AIR IN THE AMOUNT OF \$213,922.
- T. BID PACKAGE NO. 24 FOR PLUMBING TO C.M. ORCUTT PLUMBING, INC. IN THE AMOUNT OF \$286,570.
- U. BID PACKAGE NO. 25 FOR FIRE SPRINKLER SYSTEM TO RANGER FIRE, INC. IN THE AMOUNT OF \$43,000.
- V. BID PACKAGE NO. 26 FOR ELECTRICAL TO CONTACT ELECTRIC HEAT & AIR IN THE AMOUNT OF ~~\$526,944~~ 548,154.
- W. BID PACKAGE NO. 27 FOR PRE-ENGINEERED STEEL BUILDING TO KUSTOM BUILDING, INC. IN THE AMOUNT OF \$103,200.
- X. BID PACKAGE NO. 28 FOR LANDSCAPING TO OKLAHOMA IRRIGATION IN THE AMOUNT OF \$66,467.
- Y. BID PACKAGE NO. 32 FOR FURNISHINGS TO INTERIOR DESIGN SUPPLY IN THE AMOUNT OF \$8,146.

Steve Eddy, City Manager, stated that this was the first time the City bid out a large project using the construction manager process. Jerry Meek, the City's Construction Manager, put out individual bid packages on each item. Mr. Eddy stated that he forwarded a copy of the bid tabulation sheet to the City Council for their review, and that each bid recommendation was the lowest bidder in each category. He asked the Council to notice that a couple of the bid packages were to be awarded to Apollo Construction and/or an affiliated entity with that company. Mr. Eddy explained that it was determined early in the process that if it appeared there would not be a bidder on a particular bid package then Jerry Meek, through his company Apollo Construction, would be allowed to bid on it. Stan Drake, Assistant City Manager, stated that staff contacted the State of Oklahoma Occupational Licensing Division in a concentrated effort to get additional bidders. Mr. Drake indicated that the City did not receive a single bid on some of the bid packages. Vice-Mayor Krows asked if most of the bidders were local. Mr. Drake advised that a few of them were local business owners; however, some businesses did not have the bonding capacity for a project this size. Mr. Drake felt more local contractors would bid on the substations since it would be a much smaller project.

Councilwoman Haworth felt that Jerry Meek and Terry Cavnar were honest and upstanding citizens but was concerned that the construction manager and a councilman bidding on a project for the City would be a conflict of interest. She stressed that they are both very good people but was concerned with the citizens' perception of the situation.

Councilman Roberts commented that he was familiar with other construction manager type projects where invariably the construction manager had to fall back on his own companies to cover some areas, and did not feel that there was a difference in this situation. If a concentrated effort was made to get bidders to bid on the items, and they did not do so then he felt it was reasonable for the construction manager to bid on the items. Councilman Roberts asked if City Attorney Randy Brink had looked into the legality of the situation. Mr. Brink indicated that the issue of the construction manager bidding on items was looked into prior to the bid solicitations. The law, or the contract entered into with Apollo Construction, does not prevent the construction manager from bidding on projects. He therefore did not see a conflict of interest.

Councilman Cavnar stated that he had the same concerns that Councilwoman Haworth had with the bidding process. He commented that he remained on the Council to make certain that the City does not do anything improper that would cause bad media attention. If bidding on one of the items through Apollo would harm the City in any way, he would remove himself from the City Council. He added that he would have no ill-feeling toward anyone who felt there was a problem because the last thing he would want to do was harm the reputation of the City Council or the City. Councilman Cavnar added that his

company's bid was \$9,000 lower than the only other bidder. He also commented that he would abstain from voting on the item.

Mr. Eddy clarified that Councilman Cavnar's company would be providing materials to Apollo who is the bidder on the overhead doors. Councilman Cavnar is not directly bidding on the item, which is prohibited under law. Mr. Eddy stated that there is legally not a conflict of interest in this situation. Mr. Eddy stated that the situation was being discussed in detail to make certain that everything was being done up front and out in the open, and was above board and legal.

Mr. Eddy advised that the total bid amount would change by \$21,210 due to Bid Package No. 26 under Item 13(v). An addendum was inadvertently omitted by the construction manager for lightening protection for the building in the amount of \$21,210.

Councilman Roberts asked how the total bid amount compared to the architect's estimate. Mr. Drake advised that the figures are within the architect's estimate. However, it did not include infrastructure improvements. Mr. Eddy agreed that the figures were within the amounts anticipated.

Councilwoman McMillan moved to award Bid No. 089-004 "City of Moore Main Fire Station No. 1" to the following bidders in the total amount of ~~\$3,938,564~~ \$3,959,774, second by Councilman Roberts. Motion carried by majority vote.

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

Addendum Item Number 13.1 being:

CONSIDER ACTION, RECEIVE BIDS, AND CONSIDER FOR APPROVAL OR REJECTION, RESOLUTION NO. 666(08) A RESOLUTION AWARDED \$7,400,000 CITY OF MOORE, OKLAHOMA, GENERAL OBLIGATION BONDS OF 2009, TO BIDDER WHOSE BID IS DETERMINED TO OFFER THE LOWEST INTEREST COST.

Paul Smith, financial advisor, distributed bid tabulation sheets. Mr. Smith reminded the City Council that the bid opening was delayed from December 1, 2008 to December 15, 2008 in the hope of obtaining better interest rates due to market difficulties. Bids were received from two firms Morgan Stanley and Capital West Securities along with a good faith deposit of \$148,000 as required by law. A summary of bids along with the actual bid submitted was presented for Council's review. Capital West Securities comprised of three local firms bid a net interest cost of 5.444% and Morgan Stanley & Company out of New York bid an average interest rate of 4.85%. Mr. Smith recommended acceptance of Morgan Stanley as the lowest and best bidder.

Under normal market conditions the City would have received three to five bids. Mr. Smith was pleased to have received two. He added that there was quite a bit of disparity in interest rates but felt the winning bid was representative of today's market. Mr. Smith stated that in July 2008 Standard & Poors analyzed the City's financial status and upgraded it to an AA-, which is the second highest classification next to AAA. This is representative of strong financial management and prudent capital spending. This only positioned the City well to make money flow its way even in difficult capital market times. The City is still having great growth in sales tax and stability in the budget which should make the City both proud and know how important it is irrespective of the actual bids.

Councilman Roberts asked if the term of the bond loan was one of the determining factors in making the City's rate higher than that of the City of Norman. Mr. Smith advised that it was because the City of Norman's term was for five years versus the City of Moore's which was ten years.

Councilman Roberts moved to accept the bids and adopt Resolution 666(08) awarding the bid to Morgan Stanley and Company Inc. at a net interest cost of 4.856%, second by Councilwoman Milum. Motion carried unanimously.

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

Addendum Item Number 13.2 being:

CONSIDER ACTION, APPROVAL OR REJECTION OF RESOLUTION NO. 667(08) A RESOLUTION PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE SUM OF \$7,400,000 BY THE CITY OF MOORE, STATE OF OKLAHOMA, AUTHORIZED AT AN ELECTION DULY CALLED AND HELD FOR SUCH PURPOSE ON NOVEMBER 4, 2008, PRESCRIBING FORM OF BONDS, PROVIDING FOR REGISTRATION THEREOF, PROVIDING LEVY OF AN ANNUAL TAX FOR PAYMENT OF PRINCIPAL AND INTEREST ON SAME AND FIXING OTHER DETAILS OF THE ISSUE.

Terry Hawkins, bond counsel, stated that Resolution No. 667(08) authorizes the issuance of the bonds and execution of documents. The documents will be submitted to the Attorney General's office after which there is a 30 day waiting period before closing. Mr. Hawkins anticipated the closing date would be scheduled the last week of January 2009.

Councilman Roberts moved adopt Resolution No. 667(08), second by Councilwoman McMillan. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING CONVENED AT 7:17 P.M.

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD DECEMBER 1, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$119,079.09.

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

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

Agenda Item Number 15 being:

CONSIDER APPROVING THE CITY'S BOILER AND MACHINERY COVERAGE WITH ZURICH AMERICAN INSURANCE COMPANY WITH A \$2,500 DEDUCTIBLE, AND SULLIVAN INSURANCE AGENCY FOR ONE YEAR.

Gary Benefield, Risk Manager, stated that the City's insurance agent for Boiler and Machinery coverage is Sullivan Insurance Agency. Mr. Benefield indicated that Sullivan shopped the market and received several quotes. The current policy is with Travelers Insurance Company at a rate of \$4,223 per year, with a \$2,500 deductible and a \$5,000 deductible for deep well pumps and wastewater. Travelers gave a quote of \$4,300 for the coming year with the premium calculated primarily on the City's budget. Sullivan recommended renewing the policy under Zurich American Insurance Company with a deductible of \$2,500 and a premium of \$3,704.

Trustee Cavnar moved to approve the City's Boiler and Machinery coverage with Zurich American Insurance Company with a \$2,500 deductible and Sullivan Insurance Agency for one year, second by Trustee Milum. Motion carried unanimously.

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

Agenda Item Number 16 being:

RECEIVE A REPORT ON THE CITY'S EXCESS PUBLIC OFFICIALS AND EMPLOYMENT PRACTICES LIABILITY INSURANCE AND APPROVE POLICY FOR YEAR 2009.

Gary Benefield, Risk Manager, advised that the City's current agent on Public Officials and Employment Practices Liability Insurance was Glen Harris & Associates. The current policy was with AIG with a premium of \$27,337. Insurance Agent Glen Harris contacted six insurance companies to obtain quotes for Excess Insurance. One agency opted not to give a quote because the City was self-administered. One wanted the City to use their legal counsel. Two were non-admitted insurance carriers within the State of Oklahoma. That left American International Group (AIG) and Ace Insurance Companies. AIG offered to renew the policy for \$28,348 and Ace offered a quote of \$29,500. However, AIG has been in the news recently regarding legal problems they have been experiencing; therefore, Glenn Harris recommended obtaining the policy from Ace Insurance Companies. Councilman Cavnar concurred.

Vice-Chairman Krows asked if the policy could be awarded to an insurance agency that did not offer the lowest quote. Randy Brink, City Attorney, indicated that the City Council could award the policy to company that offers the lowest and most responsive bid.

Mr. Benefield indicated that insurance agent Dan Kramer was in attendance at the meeting to answer any questions. Trustee Roberts asked what Ace's financial stability and rating was. Trustee Cavnar indicated that both companies were rated the same.

Trustee Roberts moved to obtain the City's Excess Public Officials and Employment Practices Liability Insurance and approve policy for year 2009 with Ace Insurance Companies in the amount of \$29,500 as the lowest and

most responsive bidder, second by Trustee McMillan. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 7:24 P.M.

Agenda Item Number 17 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD DECEMBER 1, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 08-09 IN THE AMOUNT OF \$86,208.72.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN DAVID ROBERTS PRESIDING AT 7:25 P.M.

Agenda Item Number 18 being:

ROLL CALL

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

Agenda Item Number 19 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD NOVEMBER 17, 2008.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH VICE-MAYOR ROBERT KROWS PRESIDING AT 7:26 P.M.

Agenda Item Number 20 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 Roberts commented that the developers could do better on the quality of fencing lining main arterial streets. He recommended using masonry construction on fencing that borders arterial streets. Councilwoman Haworth agreed with Councilman Roberts and added that landscaping and sprinklers should also be added around the exterior of all subdivisions.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- Thanked the business owners of the Old Town Association for the Old Christmas event and the Christmas lighting was wonderful. They also did a spectacular job during Halloween. Mr. Eddy commented that there were more people in the downtown area than he had seen in some time.
- Monthly financial statement for November reflects a drop in the General Fund figure due to some of the large payments made recently and an extra payroll.
- Several projects were submitted to ODOT for the potential economic stimulus money that might become available. Mr. Eddy indicated that he and Mayor Lewis and Assistant City Manager, Stan Drake met with Gary Ridley who provided additional information on the proposed economic stimulus projects that might become available in early 2009. An updated project list was provided to ACOG that included the 34th Street Bridge project. Striping and signage was also included.
- Congratulations to Officer Snaveley who delivered a baby on the side of I-35.

Mr. Eddy stated that the executive session would not be necessary because there was nothing new to report.

Agenda Item Number 21 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
- C) RECONVENE FROM EXECUTIVE SESSION
- D) ACTION.

There was no action taken on the item.

Agenda Item Number 22 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:32 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