

**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 21, 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 December 21, 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

Jason Blair
Councilman, Ward III

Terry Cavnar
Councilman, Ward III

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

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; City Clerk, Jim Corbett; Community Development Director, Elizabeth Jones; Manager of Information Technology, David Thompson; Emergency Management and Communications Director, Gayland Kitch; Fire Chief, Charles Stephens; Acting Parks & Recreation Director, Chris Villani; Risk Manager, Gary Benefield; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; and Veolia Water Project Manager, Robert Pistole.

The invocation was given by Pastor Leslie Johnson with Eastland Cumberland Presbyterian Church.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 7, 2009.
- B) RECEIVE THE MINUTES OF THE PARKS BOARD MEETING HELD NOVEMBER 3, 2009.
- C) ACCEPT A 15' UTILITY AND DRAINAGE EASEMENT TO SERVE JACK IN THE BOX, LOCATED IN THE NE/4 OF SECTION 27, T10N, R3W, BEING SOUTH OF SW 19TH STREET AND EAST OF FRITTS BOULEVARD.
- D) ACCEPT A 20' UTILITY EASEMENT LOCATED IN THE SW/4 OF SECTION 18, T10N, R2W, BEING NORTH OF SE 4TH STREET AND EAST OF BRYANT AVENUE.
- E) ACCEPT A STORM SIREN EASEMENT LOCATED IN THE SE/4 OF SECTION 32, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND WEST OF SOONER ROAD.

- F) DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZE STAFF TO DISPOSE OF SAID PROPERTY.
- G) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$3,518,803.57.

Mayor Lewis asked what vehicles would be declared as surplus. Steve Eddy, City Manager, stated that most of the items are old police vehicles that were wrecked or have high mileage along with other miscellaneous pieces of equipment. Mr. Eddy advised that an auction is held to dispose of the surplus, damaged, or obsolete equipment.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF THE ENERGY EFFICIENCY AND CONSERVATION STRATEGY FOR THE CITY OF MOORE.

Elizabeth Jones, Community Development Director, stated that the City received approximately \$454,000 in grant funds on August 28, 2009 as part of the American Recovery and Reinvestment Act of 2009 or stimulus money. The money is to be used on energy efficiency upgrades and programs. Staff prepared the Energy Efficiency and Conservation Strategy ("EECS") as a requirement of the Department of Energy's federal grant program. An EECS will prioritize energy efficiency as a City wide policy. They look for ways the City can incorporate energy efficiency. It sets a baseline energy consumption use for vehicles and buildings. It establishes specific reduction goals. In addition to the EECS being a requirement of the grant, it also offers a significant cost savings to the City and utilizes the City's funds in a much more efficient manner. There are positive environmental impacts gained in reducing the energy consumption. It can also be used as justification for future grants. Energy efficiency is becoming more possible with more grant funds dedicated to the subject. There is a possibility of grant funding opportunities from the Environmental Protection Agency and private industry.

The conservation strategy concentrates on four main areas. The chiller at the Library will be replaced at a cost of \$91,000 resulting in an approximate \$6,000 annual savings. The Community Center will have six roof top air conditioning units replaced with an estimated cost of \$225,000 with an annual savings of approximately \$8,800. The City is implementing a new recycling program at a cost of \$78,000 including permanent improvements to the building. The energy savings are still being calculated; however, preliminary numbers indicate the City can reduce the amount of waste taken to the landfill by 12%. As the program grows that number could increase to a 25% reduction. Finally, the City started an energy efficiency public outreach and education program. Approximately 2,500 Compact Fluorescent Light Bulbs ("CFL") would be purchased and given to residents at a cost slightly less than \$10,000 but if 2,500 households used one of the CFL light bulbs the annual energy savings would be \$35,000 a year.

Ms. Jones stated that the State of Oklahoma will be requiring all new building codes to adopt an energy code. The City is also planning for that and as part of the new requirements some of her staff would be required to attend green education training. This would assist them in how to identify potential energy efficiency benefits and threats and to explain how they can be corrected. A few long-term priorities would include vehicle fleet conversions and a CNG station. The City received \$250,000 in grant funds from the

Oklahoma Department of Commerce. We are waiting on the contract to arrive in order to receive the grant award. The long-term plans also include improvements to the recycling drop-off center.

The City must submit a strategy to the Department of Energy by Christmas Eve. The Department of Energy then has up to 90 days to approve the strategy. After approval is received the short-term projects will begin. The City will have 18 months to encumber the funds and then an additional 18 months to finalize the projects.

Ms. Jones noted that City funds have been used to start a drop-off recycling facility due to open mid-January. This was in response to a public meeting held November 5, 2009 at which time numerous citizens urged the City to move forward with some type of recycling project. The final deliverable will be prepared by CH Guernsey. Ms. Jones advised that Kelly with CH Guernsey was in attendance at the meeting and available for questions. She mentioned that priorities were identified by contacting Greg Deaver in Building Maintenance and the consultant who prepared the Energy Audits and brainstormed with ideas that the City would implement. Then they scored each item based on their priority, cost savings, and administrative feasibility.

Mayor Lewis asked about the possibility of LED signal lights and solar street lights in the City parks being included in the project. Ms. Jones indicated that an application was submitted to ACOG for the replacement of all traffic lights with LED lights. Steve Eddy, City Manager, indicated that the replacement projects at the Library and Community Center would also save the City money in maintenance costs as well.

Councilman Krows moved to approve the Energy Efficiency and Conservation Strategy for the City of Moore, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF 2009 G.O. BOND PROJECT NO. 1: SW 19TH - TELEPHONE ROAD TO WEST I-35 SERVICE ROAD AND AUTHORIZE STAFF TO SOLICIT BIDS FOR CONSTRUCTION OF SAID PROJECT.

Stan Drake, Assistant City Manager, advised that the engineering on the street bond project at SW 19th and Telephone Road west to the Service Road had been completed. The anticipated start date is February 2010 with a completion sometime mid-summer. The project will include dual left turn lanes and right turn lane at each leg of the intersection with two additional lanes between I-35 and Telephone Road. Construction sequencing will allow through traffic through the intersections and will not shut down the roadway entirely.

Councilman Krows moved to approve the 2009 G.O. Bond Project No. 1: SW 19th – Telephone Road to West I-35 Service Road and authorize staff to solicit bids for construction of said project, second by Councilman Cavnar. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED.

Agenda Item Number 5 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD DECEMBER 7, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$153,725.06.

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

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF A CONTRACT EXTENSION WITH ALLIED WASTE SYSTEMS, INC. DBA ALLIED WASTE SERVICES OF OKLAHOMA CITY TO PROVIDE COMMERCIAL SOLID WASTE COLLECTION, HAULING AND DISPOSAL SERVICES IN THE CITY, FOR A PERIOD OF FIVE (5) YEARS.

Steve Eddy, Trust Manager, stated that the proposed contract extension with Allied Waste Systems was for commercial trash collection and disposal. The City contracted with Allied for the past ten years and has received excellent service. Allied proposed a contract extension for five years with a 10% rate reduction for the City. A set rate structure on the compactors would be implemented and nine of the twelve businesses that have compactors would see a decrease in their monthly costs, two will see an increase, and one will stay the same. Mr. Eddy advised that the contract with Allied was for the price the City pays Allied to dump the bins. The rate the businesses pay for dumpsters is regulated through the City's sanitation fee schedule. The twelve businesses that have roll-offs are direct billed plus a markup that the City bills the customer for overhead costs. Mr. Eddy advised that staff reviewed bids that other cities have solicited and found them not to be comparable to what Allied was proposing. Therefore, staff recommended approval of the item.

Trustee Krows moved to approve a contract extension with Allied Waste Systems, Inc. DBA Allied Waste Services of Oklahoma City to provide commercial solid waste collection, hauling and disposal services in the City, for a period of five (5) years, second by Trustee Cavnar. Motion carried unanimously.

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

Agenda Item Number 7 being:

DISCUSS, CONSIDER AND IF DEEMED APPROPRIATE APPROVE A NINETY (90) DAY EXTENSION OF THE CONTRACT WITH VEOLIA WATER NA FOR OPERATION AND MAINTENANCE OF THE CITY'S WATER AND SANITARY SEWER SYSTEMS, UNDER THE SAME TERMS AND CONDITIONS CURRENTLY IN PLACE.

Steve Eddy, Trust Manager, advised that after the item was placed on the agenda for consideration it was determined that action was not necessary for approval of a ninety day extension of Veolia Water's contract for the operation and maintenance of the City's water and sanitary sewer systems because the current contract period covers 120 days past the expiration of the contract to allow for renewals. Mr. Eddy indicated that staff would be bringing back a proposed three year extension of the contract instead of the annual one year extension that the City has been operating under.

No action was taken on the item.

Agenda Item Number 8 being:

CONSIDER APPROVAL OF HEALTH BENEFIT PLAN CHANGES EFFECTIVE JANUARY 1, 2010.

Gary Benefield, Risk Manager, advised that staff had been updating the Health Benefit Plan. He stated that the emergency room co-pay increase from \$75.00 to \$100.00 and the mammography maximum increase from \$115 to \$200 have already been approved by the Health Benefit Committee and the City Council. The 2010 legal updates include the Mental Health Parity Act, Children's Health Insurance Program Reauthorization Act of 2009, Michelle's Law, and State House Bill 1055 regarding pre-certification authorization. Mr. Benefield indicated that the 90-day Prescriptions at Retail issue was discussed at the last meeting. All of the items were included in the proposed Health Benefit Plan updates.

Trustee Cavnar moved to approve the Health Benefit Plan changes effective January 1, 2010, second by Trustee McMillan. Motion carried unanimously.

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

Agenda Item Number 9 being:

RECEIVE A REPORT ON THE CITY'S EXCESS PUBLIC OFFICIALS AND EMPLOYMENT PRACTICES LIABILITY INSURANCE AND APPROVE POLICY FOR THE YEAR 2010.

Gary Benefield, Risk Manager, advised that the agent for the City's Excess Public officials and Employment Practices Liability insurance policy is Dan Cramer with Glen Harris & Associates. The renewal quote is with the City's current insurance company, Ace Westchester Insurance Company. The rate is the same at \$29,500. Staff recommended approval of the item.

Trustee Krows moved to approve the City's Excess Public Officials and Employment Practices Liability Insurance for the year 2010 with Ace Westchester for \$29,500 and Dan Cramer with Glenn Harris & Associates as agent, second by Trustee Cavnar. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER APPROVAL OF THE CITY'S PROPERTY INSURANCE POLICY WITH THE HARTFORD AND THE PHYSICAL DAMAGE COVERAGE FOR THE SANITATION TRUCKS WITH GREAT AMERICAN INSURANCE WITH UNIVERSAL INSURANCE AGENCY AS AGENT FOR THE YEAR 2010.

Gary Benefield, Risk Manager, advised that the current insurance agent for the City's property insurance policy is Tom Green with Universal Insurance Agent, and the carrier is Great American Insurance Company. The current premium for property and contents and physical damage coverage for the City's sanitation trucks is \$100,771. The renewal quote from Great American is \$127,260. The Hartford quoted the Property and Contents coverage for \$95,292. This quote does not include property coverage for the sanitation trucks. Great American has offered to continue to provide Physical Damage coverage for the trucks for \$5,000.

Staff recommended approval of The Hartford for Property and Contents Coverage and Great American Insurance Company for Physical Damage on the sanitation trucks for one-year for a total of \$100,292 which is slightly less than last year's premium.

Trustee McMillan moved to approve the City's Property Insurance policy with The Hartford and the Physical Damage coverage for the sanitation trucks with Great American Insurance with Universal Insurance Agency as agent for the year 2010, second by Trustee Milum. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER APPROVAL OF THE CITY'S BOILER AND MACHINERY COVERAGE WITH ZURICH AMERICAN INSURANCE COMPANY WITH SULLIVAN INSURANCE AGENCY AS AGENT FOR THE YEAR 2010.

Gary Benefield, Risk Manager, stated that Sullivan Insurance Agency is the agent on the City's Boiler and Machinery coverage with Zurich American Insurance Company. Sullivan shopped the market and received several quotes. The current policy cost \$3,704 with a renewal rate of \$3,743. The small increase in premium is due to an increase in property values. Staff recommended that the City remain with Zurich American Insurance Company.

Trustee Cavnar moved to approve the City's Boiler and Machinery coverage with Zurich American Insurance Company with Sullivan Insurance Agency as agent for the year 2010, second by Trustee Milum. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED:

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD DECEMBER 7, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$191,013.52.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH VICE-CHAIR JANIE MILUM PRESIDING:

Agenda Item Number 13 being:

ROLL CALL

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

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD NOVEMBER 16, 2009.

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

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

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

Agenda Item Number 15 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 Krows commented that the timing of the traffic signals at 4th and Broadway are not working properly. Stan Drake, Assistant City Manager, advised that a loop was out and he would contact Mid-State Traffic Control.

Mayor Lewis wished everyone a Merry Christmas.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Steve Eddy, City Manager, wished the City Council and the City employees a Merry Christmas.

Agenda Item Number 16 being:

ADJOURNMENT

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

Ayes: Krows, McMillan, Blair, Cavnar, Milum, Lewis

Nays: None

Absent: Roberts

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:12 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

JIM CORBETT, City Clerk

FOR:

JANIE MILUM, MPWA Secretary

FOR:

KATHY MCMILLAN, MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2009.

ATTEST:

JIM CORBETT, City Clerk