

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD
MARCH 2, 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 March 2, 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, Roberts, Milum, Lewis
ABSENT: Cavnar

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; Emergency Management/Communications Director, Gayland Kitch; Fire Chief, Charles Stephens; 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; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

The invocation was given by Associate Pastor Randy Little with First United Methodist Church.

Steve Eddy, City Manager, explained that Mariann Lawson, Executive Director of the Heart of Oklahoma Chapter of the American Red Cross was unable to attend the February 17, 2009 City Council meeting to accept a Proclamation declaring March as American Red Cross Month. He advised that Ms. Lawson requested an opportunity to address the City Council at this meeting.

Ms. Lawson expressed her appreciation to Mr. Eddy for his support, wisdom and strength as a Red Cross board member. She added that Moore was a leader in their chapter and was always steadfast in their support. That support allows the Red Cross to continue helping families who experience tragedy. Ms. Lawson expressed her apologies for her absence at the last meeting, and thanked the City Council and those in the community who offer the Red Cross their support. Mayor Lewis thanked the Red Cross for their assistance following the tornadoes the City has experienced over the years.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 17, 2009.
- B) APPROVE THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD FEBRUARY 7, 2009.

- C) RECEIVE AND APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD JANUARY 13, 2009.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$2,014,841.71.

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

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

Agenda Item Number 3 being:

CONSIDER ACCEPTANCE OF FEMA HAZARD MITIGATION GRANT AND AUTHORIZE THE PURCHASE AND INSTALLATION OF THREE OUTDOOR WARNING SIRENS FROM FEDERAL SIGNAL CORPORATION, AS A SOLE SOURCE VENDOR, IN THE AMOUNT OF \$68,549.75 USING \$56,250 IN FEMA HAZARD MITIGATION GRANT FUNDS; AND SUPPLEMENT THE BUDGET ACCORDINGLY.

Gayland Kitch, Emergency Management Director, requested acceptance of a FEMA Hazard Mitigation Grant and authorization to use the grant funds to purchase three new warning sirens to be located in the newly annexed Belmar Addition, The Apples, and the area of Southmoore High School.

Councilman Krows moved to accept the FEMA Hazard Mitigation Grant and authorize the purchase and installation of three outdoor warning sirens from Federal Signal Corporation, as a sole source vendor, in the amount of \$68,549.75 using \$56,250 in FEMA Hazard Mitigation Grant funds; and supplement the budget accordingly, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE SE/4 OF SECTION 18, T10N, R2W BEING WEST OF SUNNYLANE AND NORTH OF SE 4TH STREET. APPLICATION BY MICHAEL WOODRING.

Elizabeth Jones, Community Development Director, stated that the unplatted property was zoned R-1 and was located north of SE 4th and east of Old Stonebridge Road. Ms. Jones advised that water was available to the site through a 12" water main located along SE 4th. Staff recommended approval of the applicant's request to utilize a private septic system since the sanitary sewer line was located south of 4th Street and it would be require boring the roadway for a private service line. She stated that the applicant was seeking to split off the southwest corner of the 3.4 acre parent tract for the construction of a single-family home. Ms. Jones noted that because of the large size of the property, future lot splits would be likely causing increased densities. Therefore, staff recommended approval of the item contingent upon the following:

1. The utilization of a 24-foot wide shared drive for all future residential properties.
2. No additional curb cuts would be allowed onto SE 4th Street.

3. No more than two additional lot split applications would be allowed without the property being platted.

Ms. Jones indicated that the applicant was in attendance at the meeting to answer any questions.

Councilman Krows moved to approve a lot split located in the SE/4 of Section 18, T10N, R2W being west of Sunnyslane and north of SE 4th Street, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF MOORE VISION 20/20 COMPREHENSIVE PLAN AMENDMENT NO. 12, LOCATED IN THE SE/4 OF SECTION 14, T10N, R3W, BEING NORTH OF MAIN STREET AND WEST OF TURNER AVENUE, FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL. APPLICATION BY TOMMY LAWRENCE. (PLANNING COMMISSION RECOMMENDED APPROVAL 8-0). WARD 2.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 5 and 6 were companion items. She advised that the subject property contained a vacant parcel of land located west of the Langley Village Apartments on the northwest corner of Turner Avenue and NE 3rd Street. Ms. Jones noted that the applicant had developed a 6-plex senior living apartment building to the east of the site that has proven to be very successful and would therefore like to expand the development. Access would be from Turner Avenue with an off-street parking lot and NE 3rd Street with a residential style driveway for three cars. The concept of the Planned Unit Development was to offer housing designed to complement the existing housing in the area, and to offer efficiency apartments with the required accessibility for seniors. The PUD proposes six units on approximately one quarter acre.

Ms. Jones stated that the City was allowed to relax certain codes in return for other amenities. In this case the developer requested a density of dwelling units that was above the R-3 regulations and variances to the required building setbacks. In exchange he was prepared to offer the following amenities:

1. Prominent front porches
2. Knee walls
3. Mixture of materials and colors
4. Extensive landscaping package

Ms. Jones noted that the application was in general compliance with the MOORE VISION 20/20. She stated that this section of the Old Town area has been developing in recent years to a higher density than what was previously considered typical. Many of the area's multi-family housing projects are dedicated to senior housing, taking advantage of the close proximity to the Brand Senior Citizens Center. Staff recommended approval of the application because of the quantity and quality of the amenities provided to off-set the densities, contingent upon the following:

1. Narrowing the curb cut along NE 3rd Street to be 30 feet in width.
2. Installation of an irrigation system for the required landscaping.
4. Addition of two windows on the south elevation.
5. Staff approval of brick and paint colors at the time of the building permit approval.

Councilman Roberts moved to approve the Moore Vision 20/20 Comprehensive Plan Amendment No. 12, located in the SE/4 of Section 14, T10N, R3W, being north of Main Street and west of Turner Avenue, from Low Density Residential to Medium Density Residential, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER REZONING APPLICATION NO. RZ-836 TO REZONE A PART OF THE SE/4 OF SECTION 14, T10N, R3W, BEING NORTH OF MAIN STREET AND WEST OF TURNER AVENUE FROM R-2 TWO-FAMILY DWELLING DISTRICT TO R-3/PUD GENERAL RESIDENTIAL DISTRICT AS A PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 643(09). APPLICATION BY TOMMY LAWRENCE.

Councilman Krows moved to approve Haworth moved to approve Rezoning Application No. RZ-836 to rezone a part of the SE/4 of Section 14, T10N, R3W, being north of Main Street and west of Turner Avenue from R-2 Two-Family Dwelling District to R-3/PUD General Residential District as a Planned Unit Development; and approve Ordinance No. 643(09), second by Councilman Roberts. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING CONVENED AT 6:49 P.M.

Agenda Item Number 7 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD FEBRUARY 17, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$658,571.23.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:50 P.M.

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD FEBRUARY 17, 2009.
- B) APPROVE A PAYMENT OF A COURT ORDERED WORKER'S COMPENSATION SETTLEMENT IN THE AMOUNT OF \$26,010 TO JONATHON HALES FOR CLAIM NO. 2008-08339F, AND AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLLS.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$130,479.32.

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

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

THE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:51 P.M.

Agenda Item Number 9 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 expressed his appreciation to the Moore Police Department for their performance at the Westboro protest. He felt they did a great job and congratulated Chief Williams and the police officers for a job well done. Mayor Lewis echoed his sentiment.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Steve Eddy, City Manager, also felt that the Moore Police Department did an outstanding job at the protest and was very proud of the planning they did for a situation that had a lot of unknowns.

Agenda Item Number 10 being:

EXECUTIVE SESSION

- A) DISCUSS SALE OR DISPOSAL 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 Roberts moved to convene to executive session, second by Councilwoman McMillan. Motion carried unanimously.

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

The City Council convened into executive session at 6:52 p.m.

C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:07 p.m.

D) ACTION

A) DISCUSS ACQUISITION, SALE OR DISPOSAL 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 Haworth. Motion carried unanimously.

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

Agenda Item Number 11 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:08 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