

**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
MARCH 15, 2010 – 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 15, 2010 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, Blair, McMillan, Cavnar, Roberts, Milum, Lewis

ABSENT: None

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; Assistant Finance Director, Cheryl McConnell; Community Development Director, Elizabeth Jones; Manager of Information Technology, David Thompson; Economic Development Director, Deidre Ebrey; Emergency Management and Communications Director, Gayland Kitch; Fire Chief, Charles Stephens; Parks & Recreation Director, Cindy Deckard; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 1, 2010.
- B) RECEIVE THE MINUTES OF THE PARKS BOARD MEETING HELD FEBRUARY 2, 2010.
- C) ACCEPT EMERGENCY MANAGEMENT PERFORMANCE GRANT ("EMPG") FOR FEDERAL FISCAL YEAR 2010 IN THE AMOUNT OF \$22,316
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$2,726,506.99.

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

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

Nays: None

Agenda Item Number 3 being:

CONSIDER THE APPOINTMENT OF STEVEN FERGUSON, JERRY WARD, JANIE MILUM, JIMMY MILLIGAN, AMANDA NAVE, AMBER WEST, AND LAURA LAWSON TO SERVE ON THE 2010 CDBG ADVISORY COMMITTEE.

Elizabeth Jones, Community Development Director, stated that the City Council approved Resolution No. 687(10) on February 1, 2010, which established the Community Development Block Grant (CDBG) Advisory Committee to assist with the 2010 Entitlement Program. At that time the Council requested that at least half of the committee members be Moore residents. Ms. Jones advised that all seven of the proposed committee members live in Moore and are interested in working with the CDBG program. She noted that one member lives in the Nottingham Apartments and would like to serve on the committee to try and improve her neighborhood.

Steve Eddy, City Manager, advised that the City has been participating in the CDBG Small Cities Program for many years. The funds obtained from this program are designated for public improvements. However, when the City reached a population of 50,000 we became eligible for the CDBG Entitlement Program. The funds under this program are made available without making application; however, there are more restrictions on how the funds can be used. Some of the funds would be provided to social service providers to benefit low to moderate income individuals, some would be used for public improvements, and a portion would likely be used to defray overhead costs.

Mayor Lewis expressed his appreciation to those individuals for their willingness to serve on the committee.

Councilman Krows moved to appoint Steven Ferguson, Jerry Ward, Janie Milum, Jimmy Milligan, Amanda Nave, Amber West, and Laura Lawson to serve on the 2010 CDBG Advisory Committee, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A PROJECT AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF ASPHALT STREETS BRYANT AVENUE, FROM SE 4TH STREET TO NE 27TH STREET, AND SE 34TH STREET FROM BRYANT AVENUE TO SOONER ROAD, AND APPROVE RESOLUTION NO. 689(10).

Elizabeth Jones, Community Development Director, advised that the proposed project agreement with the Oklahoma Department of Transportation was for the resurfacing of Bryant Avenue from SE 4th to NE 27th and SE 34th Street from Bryant to Sooner Road. Ms. Jones stated that the project would be funded through American Recovery and Reinvestment Act (ARRA) Stimulus Funds and would be distributed through ACOG.

Ms. Jones advised that the City previously received an allocation for the resurfacing of portions of 12th, 27th, and Janeway Streets. There was approximately \$900,000 in remaining funds after the completion of 12th Street. Ms. Jones advised that the remaining funds should cover the cost to complete the remaining street repairs, since the bids on the current projects came in lower than anticipated at \$860,000. She stated that Silver Star Construction was awarded the contract and construction on the street resurfacings should begin soon.

Mayor Lewis asked what would be done with any remaining funds. Ms. Jones stated that there was a possibility that the monies could be used on another project. However, it was likely that the \$40,000 difference between the bid amount and the remaining stimulus funds may have to be used for incidentals. She noted that new monies could become available since Congress just passed a new stimulus package.

Councilman Roberts moved to approve a Project Agreement with the Oklahoma Department of Transportation for the resurfacing of asphalt streets Bryant Avenue, from SE 4th Street to NE 27th Street, and SE 34th Street from Bryant Avenue to Sooner Road, and approve Resolution No. 689(10), second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH NYHART IN THE AMOUNT OF \$7,250 FOR ANNUAL ACTUARIAL SERVICES PERTAINING TO GASB 45.

Cheryl McConnell, Assistant Finance Director, stated that the proposed agreement with Nyhart in the amount of \$7,250 was for actuarial services for two years. Ms. McConnell noted that Nyhart was formally Alliance Benefit Group. She advised that preparation of an actuarial report was necessary for compliance under GASB 45 to account for retiree medical, dental, vision, and life insurance benefits.

Councilman Roberts moved to approve an agreement with Nyhart in the amount of \$7,250 for annual actuarial services pertaining to GASB 45, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF THE SCOPE OF WORK AND CONTRACT FOR ENGINEERING SERVICES WITH WMP DESIGN GROUP INC. IN THE AMOUNT OF \$212,328 FOR G.O. BOND PROJECT NO. 3 – NW 5TH STREET BETWEEN TELEPHONE ROAD AND MARKWELL AVENUE.

Stan Drake, Assistant City Manager, advised that the 2008 bond issue was approved by a vote of the citizens and contained a total of five street projects. A committee was established to interview potential engineering firms for design of the projects. Mr. Drake advised that the committee selected WMP Design Group, Inc. for G.O. Bond Project No. 3, which will include NW 5th Street between Telephone Road and Markwell Avenue. Mr. Drake stated that Warren Peacock, the principal with WMP Design Group, was available at the meeting to answer questions. Mr. Drake advised that surveying would be performed by a local firm, First American Professional Land Services. Todd Diamico, a representative with First American Professional Land Services, was also in attendance at the meeting. Mr. Drake noted that the intersection at Telephone Road and the Service Road would be included in the project. He stated that Traffic Engineering Consultants (TEC) was under contract to look at the intersection to determine the best solution.

Steve Eddy, City Manager, indicated that drainage, storm sewer, and sidewalks would be included along 5th Street from the I-35 Service Road to Markwell. Mr. Drake stated that the existing storm sewer around Southgate Elementary would be rebuilt and storm sewer would be added at NW 5th and Janeway. Some of the curb cuts would be eliminated around 5th Street in the commercial area to allow traffic to flow more easily.

Councilman Krows moved to approve the Scope of Work and Contract for Engineering Services with WMP Design Group Inc. in the amount of \$212,328 for G.O. Bond Project No. 3 – NW 5th Street between Telephone Road and Markwell Avenue, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AWARDING BID NO. 910-006 "PYROTECHNIC PRODUCTION" IN AN AMOUNT NOT TO EXCEED \$25,000 TO THE MOST RESPONSIBLE BIDDER.

Deidre Ebrey, Economic Development Director, recommended awarding the bid for the July 4th pyrotechnic production to Extreme Pyrotechnics. Ms. Ebrey noted that this was the same company that did the show last year. Ms. Ebrey stated that the City received five responses to the bid, two of which were incomplete. The other three bidders gave a description of the \$25,000 fireworks show with information on the size and number of shell sizes. Ms. Ebrey recommended Extreme Pyrotechnics because they were offering the biggest and best show. She advised that the lowest bidder did not meet the bid specifications and could not be considered.

Councilwoman McMillan moved to award Bid No. 910-006 "Pyrotechnic Production" in an amount not to exceed \$25,000 to Extreme Pyrotechnics, second by Councilwoman Milum. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:48 P.M.

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD MARCH 1, 2010.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$430,702.61.

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

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

Agenda Item Number 9 being:

DISCUSS AND CONSIDER APPROVAL OF A CHANGE ORDER FOR THE WASTEWATER TREATMENT SYSTEM IMPROVEMENTS CONTRACT I, CLEAN WATER SRF PROJECT NO. ORF-08-0002-CW IN THE AMOUNT OF \$28,807.88.

Stan Drake, Assistant City Manager, advised that the proposed change order was for Phase I of the new wastewater treatment plant. Mr. Drake stated that this would be the only change order for this phase, since the project had been completed. He explained that one area of the construction site used to be the location of a gun range for the Moore Police Department. The area was also used to dump fill after street repairs, and was used to burn tree limbs following the 2007 ice storm. This resulted in a large amount of ash and debris below grade that the contractor was unaware of. Mr. Drake also advised that after the survey was complete the new roadway caused a change in the grade preventing water from being carried from the roadway to the channel.

Mayor Lewis asked if the \$28,807.88 change order would make his bid higher than the next lowest bid. Ms. Drake indicated that the issues that caused the change order were unknown during the time bids were solicited.

Trustee Cavnar moved to approve a Change Order for the Wastewater Treatment System Improvements Contract I, Clean Water SRF Project No. ORF-08-0002-CW in the amount of \$28,807.88, second by Trustee Roberts. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:53P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD MARCH 1, 2010.
- B) APPROVE A PAYMENT OF A WORKERS' COMPENSATION SETTLEMENT IN THE AMOUNT OF \$14,107.50 TO STEPHEN LANDRUS FOR CLAIM NO. WC000947 AND AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLLS.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$115,249.04.

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

Ayes: Krows, Blair, McMillan, 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 6:54 P.M.

Agenda Item Number 11 being:

ROLL CALL

PRESENT: Krows, Blair, McMillan, 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 FEBRUARY 16, 2010.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD FEBRUARY 8, 2010.

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

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

Agenda Item Number 13 being:

DIRECTOR'S REPORT

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

- New Economic Development Profile was distributed for Council's review.
- Working on Fourth of July event. Encouraged citizens to check the City's webpage under Calendar of Events to find times for East Egg Hunts to be held on March 27th since times are based on age group.
- Murder mystery event, art walks, and film festivals scheduled for Old Town.
- Hobby Lobby scheduled to open in April.
- Reminder to keep shopping and eating in town. Potential restaurants examine the crowds in similar restaurants to make a determination if they want to come to Moore.

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:59 P.M.

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.

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 pre-construction meeting on the Santa Fe street project was scheduled for March 17, 2010. The contractor, through ODOT, has an estimated start date of April 5, 2010. The project could take as long as a year.
- Construction has begun on the bridge box at 19th and Telephone Road.
- Several employees participated in Discovery Night at Southmoore High School. He thanked the Economic Development, Community Development, Police, Fire, and Emergency Management departments for their participation.
- Asked citizens to complete the Census surveys. A question came up about whether some zip codes are Oklahoma City or Moore. He stated that the information is not collected based on zip code, but is based on the physical location of your home as of April 1, 2010. He advised that a Census worker will be sent to your home if the paperwork is not returned to them. Councilman Roberts added that the Census information is important to the City.
- Experienced a slight decrease in sales tax collections. Financial statement was distributed to the City Council which reflected an improvement.

Agenda Item Number 15 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:04 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

JANIE MILUM, MPWA Secretary

FOR:

KATHY MCMILLAN, MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2010.

ATTEST:

JIM CORBETT, City Clerk