

**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
APRIL 19, 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 April 19, 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; City Clerk/Finance Director, Jim Corbett; 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; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; 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 APRIL 5, 2010.
- B) RECEIVE THE MINUTES OF THE PARKS BOARD MEETING HELD MARCH 2, 2010.
- C) ACCEPT A 17' ROADWAY AND UTILITY EASEMENT FROM CLO ELLEN MADDEN, LOCATED IN THE SW/4 OF SECTION 25, T10N, R3W.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$1,964,550.38.

Councilman Roberts 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 RESOLUTION NO. 692(10) ADOPTING THE SCHEDULE OF FEES AND CHARGES; INCORPORATING A \$4.50 CHARGE FOR ALL BUILDING AND CONSTRUCTION PERMITS AS MANDATED BY THE OKLAHOMA UNIFORM BUILDING CODE ACT; INCORPORATING A BUILDERS/CONTRACTORS LICENSE FEE OF \$135; AND INCORPORATING A \$50 ANNUAL RENEWAL FEE; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Steve Eddy, City Manager, stated that the adoption of new fees for building and construction permits and licensing fees were approved at the April 5, 2010 City Council meeting. He advised Resolution No. 692(10) incorporates the changes into the Fee Schedule.

Councilman Roberts asked if skill qualifications were required for builders. Mr. Eddy stated that although skill qualifications are not now required; the licensing of homebuilders comes up in the state legislature each year and he felt that someday skill requirements would be established. Councilwoman Milum advised that builders must have educational points to be a certified builder with the Oklahoma Homebuilders Association which can be obtained through classes and meetings.

Councilman Krows moved to approve Resolution No. 692(10), second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER AWARDING AUCTIONEER SERVICES TO THE LOWEST AND MOST RESPONSIBLE COMPANY.

Richard Sandefur, Public Works Director, the City solicit bids for an auctioneer to dispose of numerous surplus items. The lowest bidder was Bidder Up Auctioneers of Oklahoma City. Mayor Lewis asked when the auction would be held. Mr. Sandefur indicated that the auction would be held May 1, 2010 at 9:00 a.m. at 512 NW 27th.

Councilman Krows moved to award auctioneer services to Bidder Up Auctioneers of Oklahoma City, second by Councilman Cavnar. Motion carried unanimously. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF THE 2009 SALES TAX REBATE PAYMENT TO MOORE SORRENTO, LLC ("THE SHOPS AT MOORE") IN THE AMOUNT OF \$707,665.10.

Councilman Roberts asked how the payment amount compares to the original projections. Steve Eddy, City Manager, indicated that the sales tax rebate amount of \$707,665.10 was likely lower than what the developer anticipated. Mr. Eddy advised that the development of the shopping center and the process of opening the stores was slower than expected resulting in lower sales than was originally projected for

calendar year 2009. However, there will be a significant increase in the next payment due to the opening of Hobby Lobby.

Councilman Roberts moved to approve the 2009 sales tax rebate payment to Moore Sorrento, LLC ("The Shops at Moore") in the amount of \$707,665.10, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF A \$10,000 EXPENDITURE FOR LIVE, MUSICAL ENTERTAINMENT FOR THE 2010 ART IN THE PARK: A CELEBRATION IN THE HEARTLAND EVENT TO BE HELD JULY 3-4, 2010.

Deidre Ebrey, Economic Development Director, indicated that the proposed expenditure of \$10,000 was for live musical entertainment for the 2010 Art in the Park: A Celebration in the Heartland event July 3-4, 2010. The \$10,000 fee would cover costs for all performers, sound, lighting, stage requirements, and hotel expenses for the band members. However, she felt that the rider for the headliner band could be negotiated.

Mayor Lewis asked for the name of the headliner band. Ms. Ebrey advised that it was Johnny Lee and the Urban Cowboy Band. She explained that Johnny Lee is the songwriter and performer of the original Urban Cowboy soundtrack from 1984. She indicated that she has seen Johnny Lee perform live and felt he was an enthusiastic performer with a fantastic band. She added that she knew the lead guitarist who is from Moore. Since they are not using their booking agent the City would receive a reduced fee for their services. The band will warm up using more contemporary songs. She felt this would provide a nice mix of music for those that attend the festivities.

Councilman Roberts stated that with the music and fireworks this will make a more complete event. Ms. Ebrey indicated that there was a 20% reduction in fireworks so there will be a bigger show for the same amount of money. Steve Eddy, City Manager, indicated the parking lot will close around 6:00 p.m. and encouraged early attendance. Ms. Ebrey stated that they will continue to spread the word about when the park is full and will be utilizing every available space for parking.

Councilwoman McMillan moved to approve a \$10,000 expenditure for live, musical entertainment for the 2010 Art in the Park: A Celebration in the Heartland event to be held July 3-4, 2010, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF A LANDSCAPING MAINTENANCE AGREEMENT WITH M & M LANDSCAPING AND LAWN CARE, LLC FOR OLD TOWN IN THE AMOUNT OF \$15,756.

Steve Eddy, City Manager, requested that the item be tabled to allow the opportunity to collect quotes for landscaping and lawn care services.

Councilman Krows moved to table Agenda Item No. 7, second by Councilman Roberts. 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 6:49 P.M.

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD APRIL 5, 2010.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$434,681.49.

Trustee Krows moved to approve the consent docket in its entirety, second by Trustee McMillan. 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 6:50 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD APRIL 5, 2010.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$154,258.07.

Trustee Roberts 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 6:51 P.M.

Agenda Item Number 10 being:

ROLL CALL

PRESENT: Krows, Blair, McMillan, 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 MARCH 15, 2010.

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

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

Agenda Item Number 12 being:

CONSIDER AUTHORIZING THE EXPENDITURE OF REMAINING PROCEEDS FROM MEDA REVENUE NOTES SERIES 2007 IN THE APPROXIMATE AMOUNT OF \$173,000 FOR THE ADDITION OF A RIGHT-TURN LANE AT THE SOUTHWEST CORNER OF SW 4TH & TELEPHONE ROAD AND THE RECONSTRUCTION OF THE BOX BRIDGE ON TELEPHONE ROAD SOUTH OF NW 5TH STREET.

Steve Eddy, Trust Manager, advised that since the agenda was posted and distributed the City's engineer determined that the construction of a bridge box on Telephone Road south of NW 5th Street would be too costly. However, the right turn lane at the southwest corner of SW 4th and Telephone was a necessity. A cost estimate for the right turn lane would be approximately \$100,000. Mr. Eddy recommended omitting the bridge box for consideration.

Chairman Roberts asked for clarification on the wording of the motion. Randy Brink, City Attorney, indicated that the motion be for approval of the specific project.

Trustee Lewis moved to authorize the expenditure of remaining proceeds from MEDA Revenue Notes Series 2007 in the approximate amount of \$173,000 for the addition of a right-turn lane at the southwest corner of SW 4th & Telephone Road, second by Trustee Milum. Motion carried unanimously.

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

Chairman Roberts noted that there was not an item on the agenda for the Director's Report. Mr. Eddy asked Ms. Ebrey to present her report.

Ms. Ebrey noted the following items:

- Catfish Cove restaurant opened in the former Swadley's building off Telephone Road south of 5th Street.
- Banchetto's Italian restaurant is in the Eastmoore Shopping Center off 4th and Eastern.
- The old Buchanan's bay at 4th and Eastern will be the new location for the Cleveland County Health Department. This will result in 60 to 80 full-time employees.
- Hobby Lobby is now open.

- Asked for drivers to be patient with the timing of the traffic lights in the heavily developed retail areas until improvements can be made in the future.
- State Tourism Department is hosting a conference at the Spring Hill Suites. The State Tourism Department has been requesting the City's rack cards.
- The City received new I-35 signs alerting motorists to exist and shop for food, fuel and lodging.
- Continue to visit www.cityofmoore.com for announcements and events.
- Farmers Market will begin May 22, 2010 at a new location south of the Moore Community Center. It will provide visibility from I-35 and SE 4th Street and the necessary parking. Additional vendors will be in attendance.
- Vendors are being accepted for the 2010 Art in the Park. They are expecting record crowds.
- The next Business Spotlight will feature Office and Depot and Dad's Diner. Dad's Diner is located in the Sooner Shopping Center in the former Omelet's in Moore restaurant at 5th and Broadway.

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 13 being:

RATIFY ACTION OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY AUTHORIZING EXPENDITURE OF \$173,000 FROM MEDA REVENUE NOTES SERIES 2007.

Councilman Krows moved to ratify action of the Moore Economic Development Authority authorizing expenditure of \$173,000 from MEDA Revenue Notes Series 2007, second by Councilman Roberts. Motion carried unanimously.

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

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:

- Would like to reschedule Budget Study Session for April 26, 2010 at 6:30 p.m.
- Distributed a memo outlining the budget along with replacement pages. Most of the pages have to do with transferring one employee from one department to another and did not involve new monies.
- March financial statement - looks better every month. Sales tax report reflects a 3% increase.
- Target project update available within the next few days.

Agenda Item Number 15 being:

EXECUTIVE SESSION

- A) DISCUSS POTENTIAL ACQUISITION OF CERTAIN REAL PROPERTY IN THE CITY OF MOORE AND AUTHORIZE STAFF TO PROCEED AS APPROPRIATE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(3).
- B) CONVENE INTO EXECUTIVE SESSION

Councilman Krows moved to convene to executive session, second by Councilman Roberts. Motion carried unanimously.

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

The City Council convened into executive session at 7:02 p.m.

- C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:15 p.m.

- D) ACTION.

- A) DISCUSS POTENTIAL ACQUISITION OF CERTAIN REAL PROPERTY IN THE CITY OF MOORE AND AUTHORIZE STAFF TO PROCEED AS APPROPRIATE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(3).

Councilman Krows moved to direct staff to proceed as directed in executive session, second by Councilwoman McMillan. Motion carried unanimously.

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

Mayor Lewis announced that Councilman Jason Blair would be appearing as a contestant on Wheel of Fortune on April 23, 2010 at 6:30 p.m. on ABC.

Agenda Item Number 16 being:

ADJOURNMENT

Councilman Krows moved to adjourn the City Council meeting, second by Councilwoman McMillan. 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 7:17 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