

**MINUTES OF THE REGULAR MEETING OF  
OF THE MOORE CITY COUNCIL  
THE MOORE PUBLIC WORKS AUTHORITY  
AND THE MOORE RISK MANAGEMENT BOARD  
MAY 3, 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 May 3, 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 (arrived late), Cavnar (arrived late), Roberts, Milum, Lewis

ABSENT: None

STAFF MEMBERS PRESENT: Assistant City Manager, Stan Drake; City Attorney, Randy Brink; Assistant City Attorney, K.O. Williams; City Clerk, Jim Corbett; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Deputy Police Chief, Gary Tipps; Manager of Information Technology, David Thompson; Fire Chief, Charles Stephens; Parks & Recreation Director, Cindy Deckard; Risk Manager, Gary Benefield; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Sandra Longcrier and Tim Grant with OG&E gave a short presentation regarding the Smart Grid Program. Mr. Grant indicated that OG&E would be adding some technology to their distribution system that would provide their customers with better pricing and usage information which can be used to better manage their energy usage. It would also allow OG&E to respond more quickly to outage situations. Mr. Grant stated that next week OG&E would be installing the new smart meters on homes in Moore and installing the communication network on their distribution system to allow communication with the meters. A letter was mailed out to all OG&E customers in Moore notifying them that a contractor for OG&E will be in the area replacing meters. Door hangers will be left on the front door notifying the homeowner that a new meter was installed or notifying them that an appointment should be scheduled to install the meter if they were unable to do so because of locked gates or an obstruction of some sort. Billing information would also be distributed to their customers advising them of how the program works.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 19, 2010.
- B) APPROVE AND ACCEPT A SCRIVNERS ERROR LOCATED IN THE GRACE POINT ADDITION, DELETING FIFTY LINEAR FEET OF A PLATTED 20-FOOT WIDE UTILITY EASEMENT AND ADDING SIXTY-SEVEN LINEAR FEET OF 10-FOOT WIDE UTILITY EASEMENT.
- C) APPROVE A CONTRACT WITH CLEVELAND COUNTY REBUILDING TOGETHER IN THE AMOUNT OF \$3,000 TO BE USED FOR HOME REPAIR AND WEATHERPROOFING SEVEN LOW-INCOME HOMES IN MOORE.
- D) APPROVE A CONTRACT WITH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TO PROVIDE TRANSPORTATION PLANNING ACTIVITIES AS IDENTIFIED IN THE 2010 UNIFIED PLANNING WORK PROGRAM.
- E) APPROVE THE FY 2011 MEMORANDUM AGREEMENT BETWEEN THE CITY OF MOORE, OKLAHOMA WATER RESOURCES BOARD, AND THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGING.
- F) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$2,232,597.65.

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

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

**Agenda Item Number 3 being:**

CONSIDER ADOPTION OF RESOLUTION NO. 696(10) PERTAINING TO THE GENERAL OBLIGATION BONDS OF 2010, APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS AT AN ELECTION HELD ON NOVEMBER 4, 2008, FIXING THE AMOUNT OF BONDS TO MATURE EACH YEAR, FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW.

Stan Drake, Assistant City Manager, advised that Resolution No. 696(10) authorizes the issuance of the second series of bonds approved by the voters in November 2008 for various street projects. Projects 3 and 4 include the reconstruction of NW 5<sup>th</sup> Street between I-35 and Markwell, and NW 12<sup>th</sup> Street between I-35 and Janeway. Paul Smith, the City's financial advisor, stated that Resolution No. 691(10) was approved at the April 5, 2010 City Council meeting setting the date, time, and place of the sale and authorizing publication of the notice. However, they were unable to meet the publication deadline due to computer problems. Resolution No. 696(10) changes the sale date of May 3, 2010 to May 17, 2010. Mr. Smith indicated that the closing would still occur by June 30, 2010.

**Councilman Roberts moved to adopt Resolution No. 696(10), second by Councilman Krows. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER RENEWAL OF THE CONTRACT WITH DILLON & ASSOCIATES FOR AUDITING SERVICES IN THE AMOUNT OF \$29,000.

Jim Corbett, Finance Director, recommended renewal of the annual contract with Bob Dillon with Dillon & Associates for auditing services. Mr. Corbett indicated that the contract in the amount of \$29,000 reflected a 5% increase; however, this is reasonable considering the amount of growth the City has experienced.

**Councilman Krows moved to approve the renewal of the contract with Dillon & Associates for auditing services in the amount of \$29,000, second by Councilwoman McMillan. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER RESOLUTION NO. 697(10) DETERMINING THE SUFFICIENCY OF A PETITION FILED BY THE ESTATES OF WYNDEMERE SUBDIVISION AND DIRECTING AN ENGINEER TO PREPARE PRELIMINARY PLANS AND ESTIMATES AS REQUIRED BY LAW, TO ESTABLISH A STREET IMPROVEMENT DISTRICT FOR THE ESTATES OF WYNDEMERE SUBDIVISION FOR THE PURPOSE OF RECONSTRUCTING ALL STREETS WITHIN THE SUBDIVISION AND ASSESSING EACH PROPERTY OWNER THE COST OF SAID IMPROVEMENTS.

Assistant City Manager K.O. Williams indicated that the Estates of Wyndemere is a gated subdivision with private streets located at SE 4<sup>th</sup> and Bryant. The residents of the addition filed a petition with 61 signatures requesting the City establish a street improvement district for the purpose of reconstructing the streets within the subdivision and assessing each property owner the cost of said improvements. Under state law approval of Resolution No. 697(10) would declare sufficient cause for the Estates of Wyndemere Subdivision to be declared an assessment district and for the City to engage an engineer to develop plans for street improvements. One or more public hearings would be held before it would be submitted to the City Council for approval. Mr. Williams indicated that the President of the Wyndemere Homeowner's Association and members of the Road Committee were present to answer any questions.

Councilman Krows verified that approval of the item would require the gates from the subdivision to be removed and the private roadways to become public roadways. Mr. Williams indicated that the gate would be removed; the homeowners would then deed the roadway to the City, who would dedicate the roads for public use.

Stan Drake, Assistant City Manager, indicated that residents of Wyndemere approached him two to three months previously about the possibility of taking over the roads within the subdivision. He had attended two Homeowner's Association meetings. Mr. Drake stated that the project would involve reconstructing the streets and installing some drainage. He added that the petition represented 80% of the homeowners within the addition.

Councilman Krows asked what the cost of the project would be. Mr. Drake advised that the cost estimate for the project was around \$545,000. The roads would be brought up to code with an 8" stabilized subgrade with a 4" asphalt overlay.

Councilwoman McMillan asked if any of the remaining homeowners voiced opposition to the item. David Tinker, President of the Homeowners Association, indicated that some of the homeowners were opposed because they did not want the gates to the addition removed; however, they are most definitely in the minority. Mr. Tinker explained that the process began three to four years ago and they feel confident that this is what the majority of the homeowners want. They are aware that the gates would be removed and there would be minimal damage to some of the homeowner's property. Councilman Krows asked

who would be liable for the damage to the homeowner's property. Mr. Drake advised that the cost for damages would be included in the total cost for the improvements. Councilman Cavnar stated that the cost for the street project would be assessed to each property owner on the tax rolls and the City would agree to maintain the streets. Councilman Roberts advised that the petition states that the property owners would be assessed approximately \$884.13 annually on their property taxes over a period of ten years to pay back the cost of construction. Mr. Drake stated that each platted lot would be responsible for paying their proportionate share of the project. He commented that the roadway was in bad repair because of the lack of a subgrade. Mr. Drake added that the City's standards have changed since the original construction of the subdivision and we now require curb and guttering.

**Councilman Roberts moved to approve Resolution No 697(10), second by Councilwoman McMillan. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER AUTHORIZING STAFF TO SOLICIT BIDS TO REPLACE THE LIBRARY HEATING AND AIR CONDITIONING CHILLER, SAID PROJECT TO BE FUNDED BY THE U.S. DEPARTMENT OF ENERGY ARRA GRANT.

Elizabeth Jones, Community Development Director, advised that the proposed chiller for the Moore Public Library is the first project to be bid out using Department of Energy ARRA Grant funds the City was awarded for energy efficiency and materials conservation use. The City received a Block Grant in the amount of \$454,200 of which approximately \$40,000 was spent on an energy efficiency strategy which outlined what areas of the City could improve on energy efficiency. The chiller for the library heating and cooling system was one of the top rated projects. The cost of the chiller would be approximately \$91,000. The project will be complete by September 30, 2010, and will result in an annual savings of \$5,000 in energy bills for the Moore Public Library.

**Councilman Krows moved to authorize staff to solicit bids to replace the Library heating and air conditioning chiller to be funded by the U.S. Department of Energy ARRA Grant, second by Councilwoman Milum. Motion carried unanimously.**

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

**Agenda Item Number 7 being:**

CONSIDER APPROVAL OF A REVOCABLE PERMIT FOR 7-ELEVEN STORES TO PLACE TWO SEPARATE ACCESSORY SIGNS IN THE CITY RIGHT-OF-WAY, LOCATED WEST OF S. TELEPHONE ROAD AND SOUTH OF SW 4<sup>TH</sup> STREET. APPLICATION BY STEVE BROWN/7-ELEVEN STORES.

Elizabeth Jones, Community Development Director, referred Council to a site plan included in the agenda packet which reflects two signs that 7-Eleven would like to erect at their new location at SW 4<sup>th</sup> and Telephone Road. Normally the signs would not be in the City right-of-way; however, when 7-Eleven applied for their platting process the City requested an additional ten feet of right-of-way to accommodate a larger intersection. Ms. Jones advised that the City plans to add a right turn lane on SW 4<sup>th</sup> Street to allow for additional southbound traffic onto Telephone Road. Ms. Jones stated that this is a tight site and 7-Eleven requires a revocable permit to place two accessory signs in the right of way. They

will be clear of the sight triangle and any future street construction. She noted that the revocable permit does allow the City to remove the signs in the future if necessary.

**Councilwoman McMillan moved to approve a revocable permit for 7-Eleven Stores to place two separate accessory signs in the City right-of-way, located west of S. Telephone Road and south of SW 4<sup>th</sup> Street, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 8 being:**

CONSIDER RESOLUTION NO. 694(10) SUBMITTING THE LED SIGNAL HEAD REPLACEMENT PROJECT TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR CONSIDERATION AND CONCURRENCE.

Elizabeth Jones, Community Development Director, advised that Agenda Items No. 8 and 9 are companion items. Resolution No. 694(10) is for submittal of a project to the Oklahoma Department of Transportation for the replacement of 27 signal traffic signal heads with LED lights. The LED lights last longer and require less energy. The total cost of the project is over \$230,000; however, the Department of Transportation through ACOG has a program that could fund the entire project. In order to obtain grant monies the project must first be engineered. Ms. Jones stated that Traffic Engineering and Consulting agreed to design the plans at a cost of \$4,000.

Mayor Lewis stated that it was his understanding that the LED lights do not melt snow. Ms. Jones confirmed that this was correct. Richard Sandefur, Public Works Director, indicated that the City already has some LED lights and even during the snow storms last winter there were not any reports of problems. He added that the City does have a ladder truck that can be used to clear off the light heads if necessary.

**Councilman Krows moved to approve Resolution No. 694(10), second by Councilman Roberts. Motion carried unanimously.**

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

**Agenda Item Number 9 being:**

CONSIDER APPROVAL OF A CONTRACT WITH TRAFFIC ENGINEERING AND CONSULTANTS IN THE AMOUNT OF \$4,000 FOR DESIGN PLANS FOR THE LED SIGNAL HEAD REPLACEMENT PROJECT AT 27 INTERSECTIONS.

**Councilman Krows moved to approve a contract with Traffic Engineering and Consultants in the amount of \$4,000 for design plans for the LED Signal Head Replacement Project at 27 intersections, second by Councilwoman McMillan. Motion carried unanimously.**

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

**Agenda Item Number 10 being:**

CONSIDER AWARDING BID NO. 910-008 "DESIGN AND INSTALLATION OF A BI-DIRECTIONAL RADIO AMPLIFIER SYSTEM FOR SOUTHMOORE HIGH SCHOOL, MOORE OKLAHOMA" TO THE LOWEST AND MOST RESPONSIBLE BIDDER USING OKLAHOMA OFFICE OF HOMELAND SECURITY FUNDS FOR A PORTION OF THE PROJECT COST.

Mayor Lewis stated that staff was not prepared to address this item and asked for a tabling motion.

**Councilwoman McMillan moved to table Agenda Item No. 10, second by Councilman Krows. Motion carried unanimously.**

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

**Agenda Item Number 11 being:**

CONSIDER RENEWAL OF AGREEMENT WITH MUNICIPAL CODE CORPORATION FOR CODE UPDATES AND WEB SERVICES FOR THE CITY CODE AND LAND DEVELOPMENT CODE IN THE AMOUNT OF \$3,478.20.

Jim Corbett, City Clerk, stated that the proposed renewal agreement with Municipal Code Corporation for updates to the City Code and Land Development Code updates both in written form and on the City's webpage. The estimated cost of \$3,478.20 is based on the number of pages that are expected to change. This will incorporate all of the ordinances and resolutions passed over the last year.

**Councilman Krows moved to renew an agreement with Municipal Code Corporation for code updates and web services for the City Code and Land Development Code in the amount of \$3,478.20, second by Councilman Cavnar. 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 7:01 P.M.**

**Agenda Item Number 12 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD APRIL 19, 2010.
- B) RATIFY ACTION OF THE CITY COUNCIL ON THE RENEWAL OF THE CONTRACT WITH DILLON & ASSOCIATES FOR AUDITING SERVICES IN THE ANNUAL AMOUNT OF \$29,000.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$434,655.65.

**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:**

CONSIDER FINAL ACCEPTANCE OF PHASE 1 WASTEWATER TREATMENT PLANT IMPROVEMENTS, AUTHORIZE FINAL PAYMENT TO WYNN CONSTRUCTION CO., INC. IN THE AMOUNT OF \$128,340.40, AND ACCEPT MAINTENANCE BOND FOR SAID PROJECT.

Stan Drake, Assistant City Manager, stated that the final walk through on Phase 1 of the wastewater treatment plant improvements was approximately one month ago. Robert Pistole, Project Manager with Veolia Water, and the City's engineer Satish Dasharathy submitted a punch list of items that needed to be completed. Mr. Drake indicated that Wynn Construction Company completed the list to the City's satisfaction; therefore, staff was seeking authorization from the City Council to submit final payment in the amount of \$128,340.40.

**Trustee Roberts moved to accept Phase 1 Wastewater Treatment Plant Improvements, authorize final payment to Wynn Construction Co., Inc. in the amount of \$128,340.40, and accept Maintenance Bond for said project, second by Trustee Milum. 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 7:03 P.M.**

**Agenda Item Number 14 being:**

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD APRIL 19, 2010.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$291,613.01.

**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

**Agenda Item Number 15 being:**

RATIFY ACTION BY THE MOORE PUBLIC WORKS AUTHORITY OF FINAL ACCEPTANCE OF PHASE 1 WASTEWATER TREATMENT PLANT IMPROVEMENTS, AUTHORIZATION OF FINAL PAYMENT TO WYNN CONSTRUCTION CO., INC. IN THE AMOUNT OF \$128,340.40, AND ACCEPTANCE OF MAINTENANCE BOND FOR SAID PROJECT.

**Trustee Roberts moved to ratify action of the Moore Public Works Authority for final acceptance of Phase 1 Wastewater Treatment Plant improvements, authorization of final payment to Wynn Construction Co., Inc. in the amount**

**of \$128,340.40, and acceptance of maintenance bond for said project, 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 CITY COUNCIL MEETING RECONVENED.**

**Agenda Item Number 16 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/Trustees.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Stan Drake, Assistant City Manager, advised the City Council of the following items:

- Construction project started at 19<sup>th</sup> and Telephone Road. Eastbound and westbound traffic has a yellow flashing light. North and southbound traffic at Riverwalk Drive is right turn only. There are four phases of the project and things should improve with each phase. There will be traffic congestion and drivers should be aware of the changing traffic flow through the process. The project should be complete by the end of June 2010.

**Agenda Item Number 17 being:**

A) DISCUSS AND CONSIDER FISCAL YEAR 2010-2011 CONTRACT BETWEEN THE CITY OF MOORE AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 2047 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

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

C) RECONVENE FROM EXECUTIVE SESSION

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

**The City Council reconvened from executive session at 7:22 p.m.**

D) ACTION.

A) DISCUSS AND CONSIDER FISCAL YEAR 2010-2011 CONTRACT BETWEEN THE CITY OF MOORE AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 2047 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

**Councilman Krows moved to approve the Fiscal Year 2010-2011 contract between the city of Moore and the International Association of Firefighters Local 2047, second by Councilwoman Milum. Motion carried unanimously.**

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

**Agenda Item Number 18 being:**

ADJOURNMENT

**Councilman Krows moved to adjourn the City Council meeting, second by Councilman Roberts. 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.**

TRANSCRIBED BY:

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RHONDA BAXTER, Executive Assistant

RECORDED BY:

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CAROL FOLSOM, Purchasing Agent

FOR:

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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