

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD
MAY 4, 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 May 4, 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
Councilwoman, Ward III

Terry Cavnar
Councilman, Ward III

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

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; Assistant City Attorney, K.O. Williams; Emergency Management/Communications Director, Gayland Kitch; Deputy Fire Chief, Gary Bird; Community Development Director, Elizabeth Jones; Police Chief, Ted Williams; Risk Manager, Gary Benefield; Finance Director/City Clerk, Jim Corbett; Parks and Recreation Director, Carson Lynch; Public Works Director, Richard Sandefur; and Purchasing Agent, Carol Folsom.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 20, 2009.
- B) RECEIVE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD FEBRUARY 10, 2009.
- C) GRANT AN UNDERGROUND EASEMENT TO OG&E TO POWER THE NEW FIRE STATION TO BE CONSTRUCTED ON FRITTS BOULEVARD.
- D) APPROVE THE RENEWAL OF AN AGREEMENT WITH THE OKLAHOMA WATER RESOURCES BOARD AND THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGING IN THE AMOUNT OF \$5,300.
- E) APPROVE A BUDGET SUPPLEMENT TO THE GENERAL FUND IN THE AMOUNT OF \$300,000 (06-52-5113) FOR VARIOUS STREET PROJECTS AND \$100,000 (06-52-5240) FOR ENGINEERING FOR EASTERN AVENUE NORTH OF 27TH.
- F) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$1,836,191.31.

Steve Eddy, City Manager, noted that \$175,000 of the \$300,000 budget supplement to the General Fund requested under Agenda Item No. 2E of the Consent Docket was received from the Homeowners Association in Lost Creek Section II. The City agreed to accept maintenance of their roadways at the April

6, 2009 City Council meeting. The remainder of the budget supplement would go toward balancing the street department budget for year end purposes.

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

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

Agenda Item Number 3 being:

CONSIDER THE FINAL PLAT OF GOODRICH DAYCARE ADDITION LOCATED IN THE W/2 OF SECTION 22, T10N, R3W, BEING NORTH OF SW 19TH STREET AND EAST OF SANTA FE AVENUE. APPLICATION BY NANCY GOODRICH.

Elizabeth Jones, Community Development Director, stated that the final plat consisted of three lots on 3.5 acres. Ms. Jones advised that the applicant proposed to construct a daycare facility on Lot 3 and remain living in the existing home located on Lot 2 until the property is sold for commercial development. She noted that when Lots 1 and 2 are developed public water and sewer must be extended through each lot. Access would be provided by Santa Fe Avenue which is currently being widened into a four-lane arterial roadway. She advised that the property was not located in the floodplain. Ms. Jones stated that a 30-foot access easement located on Lot 3 and would serve as access to all lots in order to reduce the number of curb cuts onto Santa Fe. She advised that staff recommended approval of the item.

Councilwoman McMillan moved to approve the final plat of Goodrich Daycare Addition located in the W/2 of Section 22, T10N, R3W, being north of SW 19th Street and east of Santa Fe Avenue, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER AWARDDING BID NO. 089-011 "TEMPORARY EMPLOYEE SERVICES" TO STAND-BY SERVICES, LLC IN THE AMOUNT OF \$10.34 PER HOUR.

Steve Eddy, City Manager, requested that the item be tabled. Mr. Eddy indicated that temporary employee services are typically bid out. However, this year staff failed to realize that there was an anticipated increase in the federal minimum wage that would become effective around July 25, 2009. Because of this, the item should be rebid and the increase included in the bid specifications.

Councilman Roberts moved to table the item, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AUTHORIZING THE CONSTRUCTION MANAGER TO SOLICIT BIDS FOR CONSTRUCTION OF FIRE STATIONS 3 AND 4.

Steve Eddy, City Manager, advised that the architectural plans are complete on Fire Stations 3 and 4. The construction manager, Jerry Meek, is preparing the bid specification documents and staff is requesting authorization to solicit bids for construction of the stations.

Councilman Roberts moved to authorize the Construction Manager to solicit bids for construction of Fire Stations 3 and 4, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A VICE-MAYOR.

Councilwoman Milum moved to elect Councilman David Roberts as Vice-Mayor, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A MEMBER AND AN ALTERNATE TO SERVE ON THE ACOG BOARD OF DIRECTORS, INTERMODAL TRANSPORTATION POLICY COMMITTEE, GARBER WELLINGTON POLICY COMMITTEE, AND THE 911 ASSOCIATION BOARD OF DIRECTORS.

Mayor Lewis advised that Councilwoman McMillan agreed to remain on the ACOG Boards if it is agreeable to the rest of the City Council.

Councilman Roberts moved to elect Councilwoman Kathy McMillan as a member to serve on the ACOG Board of Directors, Intermodal Transportation Policy Committee, Garber Wellington Policy Committee, and the 911 Association Board of Directors, second by Councilman Cavnar. Motion carried unanimously.

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

Steve Eddy, City Manager, indicated that an alternate must also be named to the ACOG Boards.

Councilman Cavnar moved to elect Councilwoman Janie Milum as an alternate member to serve on the ACOG Board of Directors, Intermodal Transportation Policy Committee, Garber Wellington Policy Committee, and the 911 Association Board of Directors, second by Councilwoman McMillan. Motion carried unanimously.

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

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

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD APRIL 20, 2009.
- B) APPROVE A BUDGET SUPPLEMENT FOR THE MOORE PUBLIC WORKS AUTHORITY IN THE AMOUNT OF \$2,538,000 FOR PHASE ONE OF THE SEWER TREATMENT PLANT CONSTRUCTION.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$761,386.22.

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

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

Agenda Item Number 9 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A VICE-CHAIR OF THE TRUST.

Trustee Milum moved to elect Trustee David Roberts as Vice-Chair of the Trust, second by Trustee McMillan. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER APPROVAL OF A MEDICARE COMPLIANCE REPORTING SERVICE AGREEMENT WITH GOULD & LAMB, LLC FOR FIVE-YEARS OR UNTIL OTHERWISE TERMINATED.

Gary Benefield, Risk Manager, advised that Medicare has new reporting requirements to ensure that all worker's compensation and general liability settlements adequately consider Medicare's interests as required by law. Mr. Benefield indicated that options were reviewed to ensure compliance with the new regulations such as upgrading the current software and using a service that requires upfront fees and

user fees. However, both of these options would still require hiring a legal firm that specializes in Medicare to settle the claims. Mr. Benefield stated that Gould & Lamb provides free reporting services to a web portal to assist with qualified referrals. He stated that the City would likely have very few of these types of settlements.

Trustee Cavnar moved to approve a Medicare Compliance Reporting Service agreement with Gould & Lamb, LLC for five-years or until otherwise terminated, second by Trustee Milum. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:59 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD APRIL 20, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$162,997.60.

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

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

Agenda Item Number 12 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A VICE-CHAIR OF THE MOORE RISK MANAGEMENT BOARD.

Trustee Milum moved to elect Trustee David Roberts as Vice-Chair of the Moore Risk Management Board, second by Trustee Cavnar. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A SECRETARY OF THE MOORE RISK MANAGEMENT BOARD.

Trustee Milum moved to elect Trustee Cavnar as Secretary of the Moore Risk Management Board, second by Trustee McMillan. Motion carried unanimously.

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

THE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED:

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.

Mayor Lewis expressed his appreciation to the City Council for their hard work.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Steve Eddy, City Manager, advised the City Council of the following items:

- Budget Study Session will be held May 4, 2009 at 6:30 p.m. Handed out a memo which highlights portions of the meeting.
- Implemented a new Police District May 1st for the new retail commercial areas located on the west side of I-35 from 4th Street south to the City limits, and on the east side of I-35 from 19th Street south to the City limits. It also includes the area on 19th Street from Telephone Road to Santa Fe. An officer will be assigned to patrol only that retail area. The patrol may occur by car, foot, or bicycle.
- City Council Planning Session/Retreat will be held May 9, 2009 at 8:30 a.m. at the Moore Chamber of Commerce.
- Presented the final water study on Sardis Lake. Council will be asked to decide if the City should participate in a Trust formed with various other cities within the metro area in an attempt to get the water into the Oklahoma City area. Mayor Lewis and City Manager attended a meeting with the engineering firm and received a presentation. Asked to schedule a special meeting later in the month to receive the presentation from the engineering firm about the study and estimated costs. Suggested May 19 or 21, 2009 as potential meeting dates. It was determined that the meeting would be posted for May 19, 2009 at 6:30 p.m. Mayor Lewis commented that the meeting was very interesting. He also realized that the City made a good decision in approving a long-term contract with Oklahoma City. If that had not occurred the rate would be \$5 per 1,000 gallons of water now.

Agenda Item Number 15 being:

ADJOURNMENT

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

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

Nays: None
Absent: Krows

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 6:59 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 _____, 2009.

ATTEST:

JIM CORBETT, JR., City Clerk