

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD
JULY 6, 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 July 6, 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
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, Jim Corbett; Emergency Management/Communications Director, Gayland Kitch; Fire Chief, Charles Stephens; Community Development Director, Elizabeth Jones; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; Acting Parks and Recreation Director, Chris Villani; Veolia Water Project Manager, Robert Pistole and Purchasing Agent, Carol Folsom.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 15, 2009.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL WORK STUDY SESSION HELD MAY 9, 2009.
- C) APPROVE THE RENEWAL OF A JAIL SERVICES AGREEMENT WITH THE CITY OF MIDWEST CITY.
- D) CONSIDER A BUDGET SUPPLEMENT OF \$250,000 FOR THE GENERAL FUND; \$550,000 FOR THE SPECIAL REVENUE FUND; AND \$125 FOR THE DEBT SERVICE FUND.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$3,725,973.17.

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 AWARDING BID NO. 089-013 "CITY OF MOORE MAIN FIRE STATION NO. 3" TO THE FOLLOWING BIDDERS IN THE TOTAL AMOUNT OF \$2,044,025.00:

- A. BID PACKAGE NO. 2 FOR SITE CONSTRUCTION TO MILLER GRADING IN THE AMOUNT OF \$64,500.00.
- B. BID PACKAGE NO. 3 FOR CONCRETE TO CANTERA CONCRETE COMPANY IN THE AMOUNT OF \$273,000.00.
- C. BID PACKAGE NO. 4, ALT. B FOR MASONRY TO AL SLATTERY MASONRY IN THE AMOUNT OF \$328,555.00.
- D. BID PACKAGE NO. 5 FOR METALS TO KUSTOM BUILDING INC. IN THE AMOUNT OF \$133,800.00.
- E. BID PACKAGE NO. 6 FOR STRUCTURAL & PRE-ENGINEERED STEEL BUILDING ERECTION TO RON BEASLEY CONSTRUCTION IN THE AMOUNT OF \$41,300.00.
- F. BID PACKAGE NO. 7 FOR ROUGH CARPENTRY TO EVERGREEN PARTNERSHIP IN THE AMOUNT OF \$104,934.00.
- G. BID PACKAGE NO. 7A FOR CUSTOM CABINETS AND COUNTERTOPS TO COMMERCIAL CONCEPTS, INC. IN THE AMOUNT OF \$58,500.00.
- H. BID PACKAGE NO. 10 FOR ASPHALT SHINGLES TO MID-AMERICA ROOFING IN THE AMOUNT OF \$13,250.00.
- I. BID PACKAGE NO. 11 FOR BUILT-UP ROOFING TO MID-AMERICA ROOFING & CONSTRUCTION IN THE AMOUNT OF \$19,359.00.
- J. BID PACKAGE NO. 13 FOR OVERHEAD DOORS TO WINDSOR DOOR COMPANY IN THE AMOUNT OF \$39,300.00.
- K. BID PACKAGE NO. 14 FOR WINDOWS TO BINSWANGER GLASS IN THE AMOUNT OF \$39,800.00.
- L. BID PACKAGE NO. 15 FOR DRYWALL TO NEMECEK INTERIORS IN THE AMOUNT OF \$125,276.00.
- M. BID PACKAGE NO. 16 FOR CARPET FLOORING TO BENTLEY FLOORING, INC. IN THE AMOUNT OF \$25,950.00.
- N. BID PACKAGE NO. 16B FOR TERRAZO FLOORING TO S.W. TERRAZO IN THE AMOUNT OF \$22,204.00.
- O. BID PACKAGE NO. 17 FOR PAINTING TO PERFORMANCE PAINT IN THE AMOUNT OF \$48,085.00.
- P. BID PACKAGE NO. 19 FOR FLAG POLE TO BUDGET FLAG IN THE AMOUNT OF \$1,804.00.
- Q. BID PACKAGE NO. 20 FOR MECHANICAL TO DEHART HEAT & AIR IN THE AMOUNT OF \$125,900.00.
- R. BID PACKAGE NO. 21 FOR PLUMBING TO H & H PLUMBING IN THE AMOUNT OF \$199,570.00.
- S. BID PACKAGE NO. 22 FOR FIRE SPRINKLER SYSTEM TO TRANS AMERICA FIRE SPRINKLER IN THE AMOUNT OF \$21,000.00.
- T. BID PACKAGE NO. 23, PLUS ALT. B, FOR ELECTRICAL TO WADE ELECTRONICS IN THE AMOUNT OF \$288,288.00.
- U. BID PACKAGE NO. 24 FOR PRE-ENGINEERED STEEL BUILDING TO KUSTOM BUILDING, INC. IN THE AMOUNT OF \$69,650.00.

Steve Eddy, City Manager, indicated that Construction Manager Jerry Meek and Fire Chief Charles Stephens were in attendance at the meeting to answer any questions. The bid items were for the construction of a new Fire Station No. 3 to be located on Sunnyslane north of 34th Street. Councilman Roberts asked if the bids matched the cost estimates. Mr. Eddy advised that they came in slightly higher than anticipated.

Councilman Krows moved to awarding Bid No. 089-013 "City of Moore Main Fire Station No. 3" to the recommended bidders in the total amount of \$2,044,025.00, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER AWARDING BID NO. 089-014 "CITY OF MOORE MAIN FIRE STATION NO. 4" TO THE FOLLOWING BIDDERS IN THE TOTAL AMOUNT OF \$2,040,526.00:

- A. BID PACKAGE NO. 2 FOR SITE CONSTRUCTION TO MILLER GRADING IN THE AMOUNT OF \$63,500.00.
- B. BID PACKAGE NO. 3 FOR CONCRETE TO CANTERA CONCRETE COMPANY IN THE AMOUNT OF \$297,102.00.
- C. BID PACKAGE NO. 4, ALT. B FOR MASONRY TO AL SLATTERY MASONRY IN THE AMOUNT OF \$293,274.00.
- D. BID PACKAGE NO. 5 FOR METALS TO KUSTOM BUILDING INC. IN THE AMOUNT OF \$116,800.00.
- E. BID PACKAGE NO. 6 FOR STRUCTURAL & PRE-ENGINEERED STEEL BUILDING ERECTION TO RON BEASLEY CONSTRUCTION IN THE AMOUNT OF \$41,300.00.
- F. BID PACKAGE NO. 7 FOR ROUGH CARPENTRY TO EVERGREEN PARTNERSHIP IN THE AMOUNT OF \$104,934.00.
- G. BID PACKAGE NO. 7A FOR CUSTOM CABINETS AND COUNTERTOPS TO COMMERCIAL CONCEPTS, INC. IN THE AMOUNT OF \$58,500.00.
- H. BID PACKAGE NO. 10 FOR ASPHALT SHINGLES TO MID-AMERICA ROOFING IN THE AMOUNT OF \$13,250.00.
- I. BID PACKAGE NO. 11 FOR BUILT-UP ROOFING TO MID-AMERICA ROOFING & CONSTRUCTION IN THE AMOUNT OF \$19,359.00.
- J. BID PACKAGE NO. 13 FOR OVERHEAD DOORS TO WINDSOR DOOR COMPANY IN THE AMOUNT OF \$39,300.00.
- K. BID PACKAGE NO. 14 FOR WINDOWS TO BINSWANGER GLASS IN THE AMOUNT OF \$39,800.00.
- L. BID PACKAGE NO. 15 FOR DRYWALL TO NEMECEK INTERIORS IN THE AMOUNT OF \$125,276.00.
- M. BID PACKAGE NO. 16 FOR CARPET FLOORING TO BENTLEY FLOORING, INC. IN THE AMOUNT OF \$25,950.00.
- N. BID PACKAGE NO. 16B FOR TERRAZO FLOORING TO S.W. TERRAZO IN THE AMOUNT OF \$22,204.00.
- O. BID PACKAGE NO. 17 FOR PAINTING TO PERFORMANCE PAINT IN THE AMOUNT OF \$48,085.00.
- P. BID PACKAGE NO. 19 FOR FLAG POLE TO BUDGET FLAG IN THE AMOUNT OF \$1,804.00.
- Q. BID PACKAGE NO. 20 FOR MECHANICAL TO DEHART HEAT & AIR IN THE AMOUNT OF \$133,900.00.
- R. BID PACKAGE NO. 21 FOR PLUMBING TO H & H PLUMBING IN THE AMOUNT OF \$188,250.00.
- S. BID PACKAGE NO. 22 FOR FIRE SPRINKLER SYSTEM TO TRANS AMERICA FIRE SPRINKLER IN THE AMOUNT OF \$21,000.00.
- T. BID PACKAGE NO. 23, PLUS ALT. B, FOR ELECTRICAL TO ALLIANCE ELECTRIC IN THE AMOUNT OF \$317,288.00.
- U. BID PACKAGE NO. 24 FOR PRE-ENGINEERED STEEL BUILDING TO KUSTOM BUILDING, INC. IN THE AMOUNT OF \$69,650.00.

Steve Eddy, City Manager, indicated that the bids were for the new Fire Station No. 4 to be located at 12th and Bryant.

Councilwoman McMillan moved to award Bid No. 089-014 "City of Moore Main Fire Station No. 4" to the recommended bidders in the total amount of \$2,040,526.00, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER RESOLUTION NO. 226(09) AMENDING THE SCHEDULE OF FEES AND CHARGES; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Mayor Lewis noted a change in the resolution number from 226(09) to 679(09). Steve Eddy, City Manager, stated that the resolution would amend the Schedule of Fees and Charges to incorporate the recent \$5.00 increase in the City's sanitary sewer surcharge and the newly adopted Senior Citizen Discount.

Councilman Krows moved to approve Resolution No. 679(09), 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 LEASE AGREEMENT BETWEEN THE CITY OF MOORE AS LANDLORD AND WAYNE COLLINS AS TENANT FOR CERTAIN PROPERTY DESCRIBED AS THE SW/4 OF SECTION 32-T10N-3W OF THE I.M., CLEVELAND COUNTY, OKLAHOMA, SAID PROPERTY LOCATED AT INDIAN HILL AND PENNSYLVANIA.

Steve Eddy, City Manager, advised that the City had purchased 160 acres of land located at Indian Hill Road and Pennsylvania in Oklahoma City after being unsuccessful in locating the new wastewater treatment plant on the property. Mr. Eddy stated that the proposed lease contained an error in the rental amount. It should read \$3,000 annually or \$1,500 semi-annually instead of \$3,000 every six months. Mr. Eddy explained that Wayne Collins has leased the land for a number of years at the same rental amount. Mr. Eddy indicated that Mr. Collins had maintained the property very well and worked with the City when sludge from the sewer plant was land-applied to the property. He added that it was not the City's intention to raise Mr. Collins' rental payment.

Councilman Roberts moved to approve the lease agreement between the City of Moore as landlord and Wayne Collins as tenant for certain property described as the SW/4 of Section 32-T10N-3W of the I.M., Cleveland County, Oklahoma, said property located at Indian Hill and Pennsylvania as amended to reflect the corrected lease payment amount, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF AN "ADDENDUM TO COLLECTION SERVICES AGREEMENT" WITH AMERICAN MUNICIPAL SERVICES TO ALLOW AN ADD-ON COLLECTION FEE OF 25% FOR MUNICIPAL COURT FINES AND FEES COLLECTED; AS ALLOWED BY A RECENT CHANGE IN STATE LAW TITLE 11 OKLA. STAT. § 22-138.

Jim Corbett, Finance Director, stated that a recent change in state law permits cities to change their collection policies. House Bill 1800 allows for a 35% add-on collection fee for court fines and fees collected; however, the City is only asking for 25% because that is what the City's collection agency charges.

Mayor Lewis clarified that the add-on collection fee would only be charged to those individuals who are delinquent on paying their tickets and court fines. Mr. Corbett stated that all accounts turned over to the City's collection agency are a minimum of one year past due. The additional fee, which translates into the exact amount of the collection agency costs, is added on at the time of collection.

Steve Eddy, City Manager, indicated that currently the City receives 75% of whatever is collected and the collection agency retains 25%. With the changes the City would receive 100% of what is owed and the collection agency would collect the 25% add-on fee.

Councilman Krows moved to approve an "Addendum to Collection Services Agreement" with American Municipal Services to allow an add-on collection fee of 25% for municipal court fines and fees collected; as allowed by a recent change in State law Title 11 Okla. Stat. § 22-138, 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 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 JUNE 15, 2009.
- B) CONSIDER A BUDGET SUPPLEMENTAL AND CASH TRANSFER OF \$500,000 FOR THE INTERNAL SERVICE FUND (RISK MANAGEMENT).
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$1,118,228.82.

Steve Eddy, City Manager, asked that Jim Corbett, Finance Director, remind the City Council what an Internal Service Fund is, what the fund balance is, and where the funds came from. Mr. Corbett stated that an Internal Service Fund is an operating department within the City that primarily services other departments. This is the Risk Management Fund that provides insurance coverage for all departments. Risk Management is funded through health insurance premiums and direct appropriations by the City. The reserve account has a balance of about \$1.3 million. Agenda Item 8B requests authorization to transfer \$500,000 from the reserve account at Bank of Oklahoma to the operating account at First Fidelity Bank. This transfer would be used to pay health claims. These funds originally came from the 1988 Revenue Bond Issue for Risk Management. These funds were remaining after the bonds were paid off and have

been used over the years to supplement the budget as needed. Mr. Corbett indicated around \$2 million was remaining in the account after the bonds were paid off in 2002. He added that the account was an interest bearing account that has been used as a reserve for Risk Management.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:51 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JUNE 15, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$227,012.42.
- C) APPROVE PAYMENT OF A COURT ORDERED WORKER'S COMPENSATION SETTLEMENT IN THE AMOUNT OF \$41,038.00 TO UGENE MARSHALL FOR CLAIM NO. 2008-15387F, AND AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLLS.

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

THE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:53 P.M.

Agenda Item Number 10 being:

NEW BUSINESS:

- A) CITIZENS' FORUM FOR ITEMS NOT ON THE AGENDA.

Rebecca Collins, 701 Wilkinson Drive, stated that she was chosen by People to People along with 44 other students to visit Australia as a student ambassador. She will stay with a local family to learn more about their culture. Mayor Lewis indicated that Ms. Collins was one of two students from Oklahoma who was chosen to go on the trip. Mr. Eddy asked when she would be leaving on her trip. Ms. Collins advised that she would leave July 18 and return July 29, 2009.

- B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Krows had a constituent ask if the lights at 4th and Broadway are on a timer. You can be the only car at the intersection late at night and have to wait for the lights to go through the entire process. City Manager Steve Eddy advised that he would have the intersection checked.

Councilwoman McMillan commented that the fireworks show was amazing. Mayor Lewis expressed his appreciation to Chris Villani with Parks and Recreation and his staff for their work on the July 4th celebration. Due to the rain the fireworks show was postponed to the 5th. He thanked all of the employees for the work over the two day celebration.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- Proud of all the employees who worked on the Fourth of July event which numbered somewhere around 40 or 50 and involved several different departments.
- The Fire Department did a great job fighting two major commercial structure fires in the past week.
- Apologized to the June Big Trash residents because of the delay in picking up the trash piles. The City was overwhelmed with the amount of trash put out on this route. It should not affect the July Big Trash route. A number of complaint calls were received and were told that the service would be evaluated in the future. He would like to give it three cycles through each route to see how it is working before any recommendations are made.
- Announced that KOCO Channel 5 notified him that Moore was selected as one of five "On the Road" tour cities. Channel 5 will be in town all day on July 22, 2009 from 11:00 a.m. through the 6:00 p.m. news broadcast when they will be televising live. That will give staff around two weeks to put together a huge event.

Mayor Lewis announced that the City was awarded grant funds to pay for a street light to be installed at Tower Drive and 4th Street in the amount of \$178,000.

Steve Eddy, City Manager, stated we had received notification that the State's Energy Efficiency Block Grant funds that the City applied for to retrofit City vehicles to CNG had been recommended for approval. He also noted that Elizabeth Jones, Community Development Director, worked hard to meet the grant application deadline for \$450,000 in stimulus grant funds.

Mr. Eddy advised that there is now a link on the City's website that states what the intended use is for the ARRA funds or federal stimulus monies.

Agenda Item Number 11 being:

EXECUTIVE SESSION

- A) DISCUSS AND CONSIDER FISCAL YEAR 2009-2010 CONTRACT BETWEEN THE CITY OF MOORE AND THE FRATERNAL ORDER OF POLICE LODGE NO. 131 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).
- B) DISCUSS AND CONSIDER FISCAL YEAR 2009-2010 CONTRACT BETWEEN THE CITY OF MOORE AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 2047, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).
- C) DISCUSS AND CONSIDER FISCAL YEAR 2009-2010 CONTRACT BETWEEN THE CITY OF MOORE AND AFSCME LOCAL 2406 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).
- D) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 7:03 p.m.

E) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:25 p.m.

F) ACTION.

C) DISCUSS AND CONSIDER FISCAL YEAR 2009-2010 CONTRACT BETWEEN THE CITY OF MOORE AND AFSCME LOCAL 2406 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

Councilman Krows moved to approve the FY 2009-2010 AFSCME Local 2406 contract, second by Councilwoman McMillan. Motion carried unanimously.

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

A) DISCUSS AND CONSIDER FISCAL YEAR 2009-2010 CONTRACT BETWEEN THE CITY OF MOORE AND THE FRATERNAL ORDER OF POLICE LODGE NO. 131 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

Councilman Krows moved to approve the FY 2009-2010 FOP Lodge No. 131 contract, second by Councilman Roberts. Motion carried unanimously.

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

B) DISCUSS AND CONSIDER FISCAL YEAR 2009-2010 CONTRACT BETWEEN THE CITY OF MOORE AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 2047, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

Steve Eddy, City Manager, indicated that the negotiations with the I.A.F.F. have not been concluded and there would be no action on the item.

Agenda Item Number 15 being:

ADJOURNMENT

Councilwoman McMillan moved to adjourn the City Council meeting, second by Councilman Cavnar. 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 7:27 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, City Clerk