

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
JULY 7, 2008 – 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 7, 2008 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

Shelia Haworth
Councilwoman, Ward III

Terry Cavnar
Councilman, Ward III

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

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; Assistant City Attorney, K.O. Williams; Fire Chief, Charlie Stephens; Major Gary Tipps; Economic Development Director, Deidre Ebrey; Community Development Director, Elizabeth Jones; Emergency Management Director, Gayland Kitch; Finance Director/City Clerk, Jim Corbett; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

The invocation was given by Pastor Dan Farmer with First Free Will Baptist Church.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 16, 2008.
- B) RECEIVE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD MAY 13, 2008.
- C) ACCEPT ROADWAY AND UTILITY EASEMENT FROM OG&E IN THE SE/4 OF SECTION 36, T10N, R3W.
- D) APPROVE A BUDGET SUPPLEMENT FOR THE GENERAL FUND IN THE AMOUNT OF \$1,180,000.
- E) APPROVE FY 08-09 COMMUNITY INTERVENTION CENTER PARTNERSHIP AND SERVICE PROVIDER AGREEMENT WITH CROSSROADS YOUTH AND FAMILY SERVICES IN THE AMOUNT OF \$30,000, AND AUTHORIZE PAYMENT THEREOF.
- F) APPROVE AN INTERLOCAL AGREEMENT IN THE AMOUNT OF \$216,467.80 WITH THE MOORE PUBLIC SCHOOL DISTRICT TO PROVIDE SCHOOL RESOURCE OFFICERS AT THREE JUNIOR HIGHS AND TWO HIGH SCHOOLS LOCATED WITHIN THE CITY LIMITS.
- G) APPROVE A JAIL SERVICES AGREEMENT WITH THE CITY OF MIDWEST CITY.
- H) APPROVE A JAIL SERVICES AGREEMENT WITH THE CLEVELAND COUNTY SHERIFF'S OFFICE AND THE BOARD OF COUNTY COMMISSIONERS.

- I) APPROVE A LEASE WITH OKLAHOMA OFFICE SYSTEMS, INC. IN THE AMOUNT OF \$492.28 A MONTH FOR A COPIER FOR THE POLICE DEPARTMENT.
- J) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2007-2008 IN THE AMOUNT OF \$3,761,258.38.

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

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

Agenda Item Number 3 being:

CONSIDER REZONING APPLICATION NO. RZ-827 TO REZONE A PART OF THE NE/4 OF SECTION 11, T10N, R3W, BEING NORTH OF NE 12TH STREET AND WEST OF EASTERN AVENUE, FROM C-5 AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT/A-2 SUBURBAN AGRICULTURAL DISTRICT TO A-2/PU SUBURBAN AGRICULTURAL DISTRICT WITH A PERMISSIVE USE; AND APPROVE ORDINANCE NO. 620(08). APPLICATION BY TEAGUE BUSINESS PROPERTIES, LLC/SAM TEAGUE.

Elizabeth Jones, Community Development Director, advised that the subject property contained five acres and was located north of NE 12th Street and east of Eastern Avenue. Ms. Jones stated that the applicant rezoned the majority of the property in 1996 from A-2 to C-5/PUD for a planned expansion of the existing Hop-N-Lock Mini-Storage facility. However, the applicant now intends to rezone the rear portion of the property to A-2 with Permissive Use for an RV Park with approximately 30 rental spaces. Ms. Jones noted that access would be from Eastern Avenue utilizing the existing curb cut for the mini-storage.

Ms. Jones advised that an RV Park is allowed in a Suburban Agricultural District only as a permissive use. The purpose of a permissive use in any zoning classification is to evaluate whether that particular use is appropriate at a specific location, and to determine its compatibility with other surrounding land uses. She stated that surrounding residential subdivisions include the North Park Addition to the south and the Cedar Brook and East Hills Additions to the east. The potential effects of developing a rural land use within the urban area and in close proximity to existing residential subdivisions were strongly considered during the application review process. Ms. Jones stated that after reviewing the application and consulting with City staff, several potential nuisances were identified such as noise from RVs and power generators, light trespass from headlights and outdoor lighting, increased outdoor activity, and traffic congestion along Eastern Avenue during peak travel times. Ms. Jones advised that staff recommended denial of the application; however, if City Council deemed it appropriate to approve the application, she recommended the following stipulations be required:

1. Extension of public utilities to serve each RV rental space.
2. Compliance with platting requirements and all fire, health and safety regulations.
3. Compliance with commercial requirements such as aesthetic requirements for building construction, landscaping, detention and paving requirements.

Ms. Jones related that eight residents spoke in opposition to the item at the Planning Commission meeting and a petition against the item was presented to the City Council for their review. Ms. Jones stated that the petition was not received in enough time to be considered an official protest; however, she did feel that Council should be aware of the number of people in opposition to the item. Some of the concerns appeared to be:

1. Loss of privacy.
2. Possible increase in crime.

3. Increase in noise from outdoor activities.
4. Increased traffic.
5. Drainage concerns.

Ms. Jones noted that although the Planning Commission recommended denial 6-1, she noted that the property was already zoned C-5 with Permissive Use. This meant that the property owner could apply for a building permit for any use under the C-5 Zoning District without the need for a public hearing. Items included in the C-5 Zoning District included heavier uses such as auto uses.

Citizens to Speak:

Larry Rupe, 805 Woodward Avenue, spoke in opposition to the item. Mr. Rupe felt that drainage issues and traffic concerns should be taken into consideration before voting on the item.

Robert Bonnell, 2017 Sarah Lane, advised that he had submitted the petition opposing Rezoning Application No. RZ-827. Mr. Bonnell commented that everyone he spoke with in the immediate area was opposed to the construction of an RV Park at this location. Their main concerns were noise issues, lowered water pressure, drainage issues, and traffic concerns. He stated that the RV Park would share an entrance with the storage facility. Traffic on Eastern Avenue was already congested and he felt it would be hazardous for trailers to attempt to pull in and out of the park during rush hour traffic. Mr. Bonnell also expressed concern about the type of people using the facility on a short term basis.

Beth Gaston, 601 NE 21st, stated that the proposed RV Park would be located directly behind her property. She expressed concern about the lights from the facility shining into their bedroom windows, noise from generators, and traffic coming and going all hours of the night. She also voiced concern about existing drainage issues and the impact the development would have on the problem.

The applicant was not in attendance at the meeting.

Councilman Roberts moved to deny Rezoning Application No. RZ-827 and Ordinance No. 620(08), second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH OKIE EXPRESS AUTO WASH FOR WASHING OF CITY VEHICLES.

Jim Corbett, Finance Director, stated that Steven Holcomb, owner and operator of Okie Express Auto Wash, approached the City to contract for the washing of all City owned vehicles for \$6.00 each. Mr. Corbett advised that Okie Express currently washes all of the police vehicles for free. He stated that under the contract Okie would furnish the car wash for any tagged City vehicle, and obtain driver identification such as an employee badge for any unmarked City vehicle. Receipts would be provided and payment made upon being billed by Okie Express. Mr. Corbett added that Okie Express also offered a free vacuum with each wash.

Mayor Lewis asked if the item had been bid out. Mr. Corbett indicated that Mr. Holcomb had approached the City with the proposal; therefore, the item had not been bid out. Mayor Lewis stated that other car wash owners had expressed an interest in contracting with the City if the item were ever put out to bid.

Randy Brink, City Attorney, noted that the ordinances do not require a contract of this amount to be bid out.

Councilman Krows asked if a limit would be put on the employees regarding the number of times they washed their car in a month. Steve Eddy, City Manager, indicated that the department head would be responsible for car wash usage, which could be monitored using tag numbers and/or employee badges.

Councilman Roberts felt there was a difference between service station or convenience store washes versus this type of wash. He stated that Okie Express was one of only a few that could handle the heavy washes that some of the vehicles would require. Councilman Roberts felt that the bid specifications should be specific about the type of wash we want.

Councilman Krows moved to bid out car washing services for City vehicles, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A REVISED JOB DESCRIPTION FOR THE CITY MARSHALL POSITION WITHIN MUNICIPAL COURT.

Major Gary Tipps advised that Terry Shultz is a police officer assigned to the Court Clerk department. He currently serves bench warrants and collects unpaid traffic fines. Major Tipps indicated that staff proposed revising his job description for City Marshall to include other job duties.

Councilwoman Haworth moved to approve a revised job description for City Marshall within Municipal Court, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AWARDED BID NO. 078-018 "TEMPORARY EMPLOYEE SERVICES" TO THE LOWEST AND MOST RESPONSIVE BIDDER.

Richard Sandefur, Public Works Director, indicated that the City hires six to seven temporary employees each year for the summer months. He stated that Alliance was the low bidder for temporary employee services at \$10.13 per hour. Mr. Sandefur advised that the City currently uses Stand-By Services who bid \$10.34 per hour. Stand-By employees are transported to the job site by company van; however, Alliance employees would drive to the job site themselves. Mr. Sandefur expressed concern that the Alliance employees would not arrive to work on time.

Councilwoman Haworth mentioned that she had used a temporary employee service that transported the employees to work in a van and her experience was that they were never on time. Steve Eddy, City Manager, indicated that staff would prefer to use Stand-By, although they are not the low bidder, because of the differences in the employees' transportation to work. Randy Brink, City Attorney, confirmed for Mayor Lewis that the City could legally award the bid to the most responsive bidder even if they were not necessarily the lowest bidder.

Councilman Roberts moved to award Bid No. 078-018 "Temporary Employee Services" to Stand-By Services, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AWARDING BID NO. 078-020 "PURCHASE AND INSTALLATION OF A 20-FOOT KNUCKLEBOOM GRAPPLE LOADER WITH A 24 CUBIC YARD TRASH DUMP BODY" TO THE LOWEST AND MOST RESPONSIVE BIDDER; AND SUPPLEMENT THE BUDGET ACCORDINGLY.

Steve Eddy, City Manager, indicated that the bid was for the "Terminator" truck grapple and trash dump body. The chassis would be purchased separately from the state contract. Richard Sandefur, Public Works Director, indicated that the total cost for the terminator truck would not exceed the budgeted amount of \$125,000. Mr. Eddy advised that Council received a bid tabulation sheet which reflected the low bidder was Total Truck in the amount of \$44,360 for the 20-foot knuckleboom grapple loader and 24 cubic yard trash dump body.

Councilman Krows asked how often the terminator trucks were used. Mr. Eddy indicated that the City had two terminator trucks which are used on a daily basis. The new truck would replace the oldest one which was purchased in approximately 1997.

Councilwoman Haworth moved to award Bid No. 078-020 "Purchase and Installation of a 20-Foot Knuckleboom Grapple Loader with a 24 Cubic Yard Trash Dump Body" to the lowest and most responsive bidder; and supplement the budget accordingly, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AWARDING BID NO. 078-017 "PURCHASE AND INSTALLATION OF AN EMERGENCY POWER GENERATOR AT THE MOORE COMMUNITY CENTER" TO THE LOWEST AND MOST RESPONSIVE BIDDER; AND SUPPLEMENT THE BUDGET ACCORDINGLY.

Gayland Kitch, Emergency Management Director, stated that the City solicited bids for a backup generator to be placed at the Moore Community Center. Mr. Kitch advised that the City received nine bids with the lowest bid from Baker Brothers Electric in the amount of \$72,157. He advised that this generator could power the entire Community Center.

Councilwoman Haworth moved to award Bid No. 078-017 Purchase and Installation of an Emergency Power Generator at the Moore Community Center" to Baker Brothers Electric in the amount of \$72,157.00, second by second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER EXTENDING THE PUBLIC WORKS MAINTENANCE CONTRACT AWARDED TO SILVER STAR CONSTRUCTION COMPANY UNDER BID NO. 056-024 FOR ANOTHER YEAR WITH A 4.7% RATE INCREASE.

Steve Eddy, City Manager, advised that the City has contracted with Silver Star Construction Company for public works maintenance needs. He stated that historically the item was re-bid every three to four years. Since the item was bid out two years previously, Mr. Eddy recommended extending the contract for one more year anticipating that the item would be re-bid in 2009.

Councilman Roberts moved to extend the public works maintenance contract awarded to Silver Star Construction Company under Bid No. 056-024 for another year with a 4.7% rate increase, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER EXTENDING THE CURRENT CONTRACT FOR CONSTRUCTION MANAGER SERVICES TO APOLLO BUILDING SYSTEMS, INC. FOR ANOTHER YEAR.

Steve Eddy, City Manager, advised that the City contracted last year with Apollo Building Systems for construction management services. Under the contract Apollo Building Systems would oversee some of the smaller construction projects on an as-needed basis. Mr. Eddy advised that the City paid approximately \$13,000 over the past year to Apollo to assist with the bidding process, paperwork, and leg work on various projects.

Councilman Roberts moved to extend the current contract for construction manager services to Apollo Building Systems, Inc. for one year, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 11 being:

DISCUSS AND CONSIDER OPTIONS FOR FUNDING THE PROPOSED CURBSIDE RECYCLING PROGRAM AND DIRECT STAFF AS APPROPRIATE.

Mayor Lewis stated that he put the item on the agenda to discuss the proposed curbside recycling program. He asked for Council input before accepting comments from the citizens who signed up to speak on the item. Councilman Roberts stated his opinion that the item had been discussed and a course of action determined during the last budget study session.

Steve Eddy, City Manager, agreed that a general discussion was held during the budget process; however, since that time he and Mayor Lewis had received several calls regarding the issue of funding a curbside recycling program. It was suggested that the City could increase the utility bills to fund the program or put it to a vote of the people. Mr. Eddy asked for direction from the City Council on the way

they wished to proceed. He advised that when the issue was first mentioned in the City's newsletter it caused a lot of input from the citizens with opinions both in support of curbside recycling and against it.

Mayor Lewis commented that the estimated impact on the utility bills ranged from \$1.25 to \$3.00 monthly. He stated that most metro cities, including Oklahoma City and Norman, offer some sort of recycling program. Mayor Lewis indicated that the landfills are being filled with items that could be recycled. The schools have newspaper recycle bins on their property for people to use.

Citizens to Speak:

Bobby Dysart, 1304 Nail Parkway, felt that the City should have a recycling program, but he did not want to pay for it. He stated that he is retired and on a fixed income and did not want to make an extra trip to the curb with a recycle container. For his situation he felt it would be expensive and inconvenient. Steve Eddy, City Manager, indicated that the City was not suggesting a mandatory recycling program. However, recycling programs in Oklahoma are funded through fees on every water bill.

Councilman Cavnar asked if we were able to ascertain what Norman pays for their recycling program. Mr. Eddy indicated they began around \$2.50 per household and over a five year period increased to approximately \$3.00. However, he added that they have twice the population that Moore does. A year ago the City's sanitation carrier estimated curbside recycling would cost approximately \$3.00 a month per household. Mr. Eddy stated that curbside recycling in Oklahoma, without state legislation requiring a certain percentage of trash be diverted from the landfill, is not a profitable operation.

Councilman Roberts stated that items he has difficulty disposing of such as paint could not be put in a recycle bin anyway. Mr. Eddy advised that that type of product would be considered household hazardous waste. The facility which took those types of items was COMEA located in Midwest City, which no longer exists. He stated that Oklahoma City built a multi-million dollar facility at 15th and Portland. He felt that a possible solution would be to enter into a contract with Oklahoma City for disposal of household hazardous waste with an annual collection event in Moore. As part of the storm water permitting process the City would be required to make this type of service available to its citizens.

Councilman Krows commented that with utility costs drastically on the rise along with increases in fuel costs and food he would hate to implement a program that is not mandatory that would involve raising sanitation rates for each person. He added that there are places available for those who wish to recycle newspaper, aluminum, and metal, although it may not be as convenient as taking it to the curb. He felt that putting the item on a future ballot and letting the majority determine the future of a curbside recycling program would be the best course of action.

Councilwoman Haworth stated that she had been receiving phone calls about recycling since May and had not talked to anyone in favor of it. Steve Eddy, City Manager, indicated that he had talked to citizens who are opposed and also some in favor of curbside recycling. He agreed that there appeared to be strong feelings about recycling from both sides. Councilwoman Milum advised that she had received more comments from those interested in recycling than from those who were not.

Steve Eddy, City Manager, stated that green recycling bins were located for several years near the sanitation facility at 27th and Shields. It wasn't a costly option; however it was an unmanned facility that people were using primarily for household trash so it was eventually removed. He added that the recycle bins could be reinstated, but it would have to be managed inside the sanitation yard and would only be available during normal business hours from 8:00 to 5:00. Mr. Eddy added that Wal-Mart had offered to place bins in their parking lot too.

Councilman Roberts stated that costs of the new wastewater treatment plant would have to be balanced with the cost of a potential recycling program.

It was determined that the bins should be replaced. However, if Council opted to place a recycling vote on the ballot Mr. Eddy suggested that it be postponed until the issue of funding the wastewater treatment plant had been fully reviewed. Mr. Eddy felt that some of the citizens expect the City to provide a recycling service. Councilman Roberts remarked that Council was attempting to add the services the City offers while keep from adding the cost to the utility bills as much as possible. However, since the City was under a federal mandate to construct the new wastewater facility, there must be some understanding that costs would have to go up.

Troy Humphrey, 523 St. Charles Circle, stated that he sent several of the council members e-mails concerning a recycling program. He advised that he lived in Omaha, Nebraska when the City implemented a recycling program anticipating that it would only cost a couple of dollars a month, but rapidly escalated into a fiasco. The recyclables had to be rinsed out, sorted, and caps removed. If rain or snow got into the bin they would not pick it up. If you failed to recycle it properly they would not pick it up. He felt the first approach should be to put bins out where they are monitored or lock them up at night. Mr. Humphrey felt that people who were willing to go to the trouble to wash their garbage would be willing to pay for the privilege. He felt a recycling program should be voluntary and those options exhausted before a mandatory program was considered.

Dan Christianson, 809 N. Stout Circle, researched curbside recycling on-line and determined that many cities were reporting huge losses in the implementation of a recycling program. He felt the program must be voluntary.

No action was taken on the item.

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING CONVENED AT 7:34 P.M.

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JUNE 16, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2007-2008 IN THE AMOUNT OF \$733,257.95.

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

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

Agenda Item Number 13 being:

CONSIDER APPROVAL OF AN ADMINISTRATION AND ESCROW AGREEMENT WITH THE OKLAHOMA CITY WATER UTILITIES TRUST AND AUTHORIZE PAYMENT OF \$39,270 FOR THE CITY'S PROPORTIONAL SHARE OF THE SOUTHEAST OKLAHOMA RAW WATER STUDY.

Steve Eddy, City Manager, advised that the proposed Administration and Escrow Agreement with the City of Oklahoma City states that the City agrees to pay a proportional share of a water study being conducted on behalf of several cities within the metro area. Mr. Eddy noted that p. 142 of the agenda lists the cities involved and the breakdown of the cost each city would pay toward the total cost of the study. This would allow the City to determine whether or not it would be feasible to participate in the attempt to get Lake Sardis water from southeastern Oklahoma into the Oklahoma City metropolitan area. He added that the study would take approximately a year to complete.

Trustee Roberts moved to approve an Administration and Escrow Agreement with the Oklahoma City Water Utilities Trust and authorize payment of \$39,270 for the City's proportional share of the Southeast Oklahoma Raw Water Study, second by Trustee McMillan. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER APPROVAL OF ENGINEERING REPORT IN RESPONSE TO CONSENT ORDER CASE NO. 07-427.

Steve Eddy, City Manager, advised that Satish Dasharathy with Eagle Consultants prepared an engineering report in response to a consent order received from the Department of Environmental Quality regarding a sewer overflow that occurred in the Hidden Lake area in August 2007. The engineering report included what steps the City would take to address the issue. Mr. Eddy advised that the City would build a new treatment plant which would take care of the additional flow, implement manhole rehabilitation, and begin sewer line replacement on the north side of the City as part of a CDBG project. Upon Council approval the engineering report would be submitted to DEQ, who would then set a time schedule for completion of each the proposed solutions.

Mr. Eddy also updated the Council on the progress at the wastewater treatment plant. He advised that the plans were progressing. The second concrete lined basin that was full of sludge had been cleaned out, which should help with odor problems during the interim.

Trustee Roberts moved to approve an engineering report in response to Consent Order Case No. 07-427, second by Trustee Krows. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 7:39 P.M.

Agenda Item Number 15 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JUNE 16, 2008.
- B) APPROVE A BUDGET SUPPLEMENT FOR RISK MANAGEMENT OPERATIONS IN THE AMOUNT OF \$100,000.

- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2007-2008 IN THE AMOUNT OF \$183,950.63.

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

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

THE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:40 P.M.

Agenda Item Number 16 being:

NEW BUSINESS:

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

There were no citizen comments.

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

Mayor Lewis stated that Art in the Park and the July 4th celebration was great. The employees did a great job cleaning up the park afterward. He expressed his appreciation to all of the people involved.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- Stated virtually every City department was involved in the July 4th celebration. Expressed his appreciation for their hard work.
- Business Before Hours at City Hall July 10th at 8:00 a.m. Most of the departments were providing displays and/or equipment. Fire station renderings would also be on display.
- 2007 Annual Drinking Water Quality Report was mailed out.
- Oklahoma Gazette has an annual "Best Of" competition in various categories in June each year. Nominations are made by write-in. The City of Moore was listed in the top five for "Best Up and Coming Area of the City". People have the opportunity to vote for the winner in the next two issues of the Gazette. Bricktown, Mid-Town, Paseo, and the Oklahoma City Arts District are the other nominees.

Agenda Item Number 17 being:

EXECUTIVE SESSION

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING CLAIMS BY PEPPER MACKEY, PEPPER MACKEY BUILDING COMPANY, LLC, TOM PARKER AND SUMMIT QUALITY HOMES, INC. AGAINST THE CITY OF MOORE, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

- B) DISCUSS AND CONSIDER TAKING ACTION CONCERNING THE CITY MANAGER'S EVALUATION AND EMPLOYMENT BENEFITS, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1).
- C) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 7:45 p.m.

- D) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 8:34 p.m.

- E) ACTION.
- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING CLAIMS BY PEPPER MACKEY, PEPPER MACKEY BUILDING COMPANY, LLC, TOM PARKER AND SUMMIT QUALITY HOMES, INC. AGAINST THE CITY OF MOORE, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilman Krows moved to deny a pending claim by Pepper Mackey, Pepper Mackey Building Company, LLC, Tom Parker and Summit Quality Homes, Inc. against the City of Moore, and authorization for legal counsel and staff to take action as necessary and appropriate in the interest of the City of Moore, second by Councilwoman McMillan. Motion carried unanimously.

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

- B) DISCUSS AND CONSIDER TAKING ACTION CONCERNING THE CITY MANAGER'S EVALUATION AND EMPLOYMENT BENEFITS, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1).

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

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

Agenda Item Number 18 being:

ADJOURNMENT

Councilwoman Haworth moved to adjourn the meeting, second by Councilwoman McMillan. Motion carried unanimously.

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 8:36 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

SHELIA HAWORTH, MPWA Secretary

FOR:

KATHY MCMILLAN, MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2008.

ATTEST:

JIM CORBETT, JR., City Clerk