

**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
JULY 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 July 19, 2010 at 6:30 p.m. with Vice-Mayor David Roberts 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: Blair, McMillan, Roberts, Milum, Lewis (arrived at 6:34 p.m.)

ABSENT: Krows, Cavnar

STAFF MEMBERS PRESENT: Assistant City Manager, Stan Drake; City Attorney, Randy Brink; City Clerk/Finance Director, Jim Corbett; Community Development Director, Elizabeth Jones; Community Development Intern, Kevin Walker; Economic Development Director, Deidre Ebrey; Emergency Management and Communications Director, Gayland Kitch; Deputy Fire Chief, Gary Bird; Human Resources/Risk Management Director, Gary Benefield; Network Technician, Mike Marti; Police Chief, Ted Williams; Acting Parks and Recreation Director, Todd Jenson; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Mayor Lewis arrived late and asked that Vice-Mayor Roberts conduct the meeting since he wasn't feeling well.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 6, 2010.
- B) APPROVE A CONTRACT BETWEEN THE MOORE SCHOOL DISTRICT AND THE CITY OF MOORE IN THE AMOUNT OF \$223,021.89 FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR FY 10-11.
- C) APPROVE AN INTERLOCAL AGREEMENT WITH THE CLEVELAND COUNTY BOARD OF COMMISSIONERS FOR INTERLOCAL COOPERATION PERTAINING TO GRADING, DRAINAGE, AND HARD SURFACING OF CERTAIN STREETS WITHIN THE CITY, WHICH ARE CONTINUATIONS OR CONNECTING LINKS IN THE STATE AND COUNTY HIGHWAY SYSTEM.

- D) APPROVE CONVEYANCE OF AN EASEMENT TO OG&E FOR ELECTRIC SERVICES AT FIRE STATION NO. 4.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$2,275,096.09.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF CHANGE ORDER #1 IN THE AMOUNT OF \$11,848.50 TO DOWNEY CONTRACTING, LLC FOR EAST LIFT STATION FORCE MAIN IMPROVEMENT PROJECT.

Stan Drake, Assistant City Manager, advised that construction of a parallel force main from the East Lift Station on SE 34th Street to Bryant Avenue was completed approximately 90 days ago. The engineer's bid specifications called for DR 21 grade pipe which was unavailable at the time of construction. The City substituted DR 25, which is the same quality of pipe with a slightly thinner wall, resulting in a credit of \$7,000. Upon completion of the project the City installed ³/₄ of a mile of sod from Bryant to the East Lift Station. The estimated amount of sod included in the project was significantly underestimated resulting in an overrun of \$19,000. The proposed change order in the amount of \$11,848.50 is the difference between the overrun and the credit.

Councilman Blair moved to approve Change Order No. 1 in the amount of \$11,848.50 to Downey Contracting, LLC for East Lift Station Force Main Improvement Project, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER FINAL ACCEPTANCE OF THE EAST LIFT STATION FORCE MAIN IMPROVEMENT PROJECT AND ACCEPT MAINTENANCE BOND FOR SAID PROJECT.

Stan Drake, Assistant City Manager, advised that Agenda Items No. 3 and 4 were companion items. Mr. Drake stated that there have not been any problems since the completion of the force main from SE 34th to Bryant Avenue.

Mayor Lewis moved to approve the final acceptance of the East Lift Station Force Main Improvement project and accept Maintenance Bond for said project, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AUTHORIZING STAFF TO SOLICIT BIDS FOR THE PURCHASE AND INSTALLATION OF EIGHT HVAC ROOFTOP COOLING UNITS WITH PROGRAMMABLE CONTROLS FOR THE COMMUNITY CENTER TO BE FUNDED BY THE ENERGY EFFICIENCY COMMUNITY BLOCK GRANT ("EECBG").

Elizabeth Jones, Community Development Director, stated that the project was part of the Energy Efficiency Community Block Grant that the City was awarded in the amount of \$454,200 for various energy efficiency upgrades, public education, and the Recycle Moore program. The funds are to be used over a three year period. Ms. Jones advised that the library chiller was part of the program. The bid was recently awarded in the amount of \$91,000. The chiller was ordered and staff anticipates the project to be completed by September 1, 2010.

Ms. Jones advised that Agenda Item No. 5 requests authorization to solicit bids for the purchase and installation of eight rooftop cooling units for the Community Center at an estimated cost of \$225,000. This project would be completely funded using EECBG funds. Ms. Jones added that the project should result in an annual savings of \$8,000 in energy costs.

Ms. Jones indicated that staff is reviewing the operating hours of the recycle center. Bid specifications are being prepared for a sign rehabilitation of the existing pole sign on the site.

Councilwoman McMillan moved to authorize staff to solicit bids for the purchase and installation of eight HVAC rooftop cooling units with programmable controls for the Community Center to be funded by the Energy Efficiency Community Block Grant ("EECBG"), second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER A VARIANCE REQUEST BY HIGHLAND BAPTIST CHURCH AND ROCKY CLARK TO EXTEND A 12" WATER MAIN ALONG SE 4TH STREET FOR 1,143.45 LINEAR FEET RATHER THAN 1,443.45 LINEAR FEET AS REQUIRED BY CITY CODE.

Stan Drake, Assistant City Manager, requested that Agenda Item No. 6 be tabled.

Councilwoman McMillan moved to table Agenda Item No. 6, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF THE 2010-2015 COMMUNITY DEVELOPMENT BLOCK GRANT CITIZENS PARTICIPATION PLAN.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 7 and 8 are companion items regarding the new Community Development Block Grant Program ("CDBG"). Ms. Jones advised that it is a federal entitlement program versus the state funded small cities set aside CDBG program. The overall intent of the federal program is to create viable urban communities. In order to achieve this goal the program is focused on providing decent housing, suitable living environment, and expanding economic opportunities for low to moderate income individuals within a community. Each year the federal government allocates a certain percentage of available CDBG funds to states and cities. The amount of the allocation is based on the number and income of the residents. Because Moore was previously below 50,000 in population size, the City operated under the small cities set aside program administered by the State of Oklahoma. However, with a population above 50,000 the City can now receive a direct allotment of CDBG funding from the federal government. With more funding and areas preapproved by the Department of Housing and Urban Development ("HUD") for CDBG funding, the door-to-door surveys are unnecessary. Up to 15% of the allocation can be used for public services. Ms. Jones advised that this would be the first time the City has been able to offer assistance to public service agencies.

Ms. Jones stated that the Department of Housing and Urban Development requires a Citizen Participation Plan. The City used as many citizens as possible in the creation of the Community Development Block Grant Advisory Committee. The committee met five times during the creation of the plan and held two public hearings. One was prior to the consolidated plan development and one was held to review the plan draft after it was completed. Each of the meeting notices were posted seven days in advance of the meeting at City Hall, the Community Center, Library, Brand Senior Center, and on the City's website. The public hearing notices were published in the Daily Oklahoman, Norman Transcript, and on the City's public access channel 20.

The Citizen Participation Plan includes information about submitting written comments on the program so people do not have to attend the meetings if they do not wish to. There is also information on how to file a complaint if they feel the program is unfair or misused. The Citizen Participation Plan dictates that any substantial amendment to the Consolidated Plan or the Annual Action Plan must go through a citizen comment period which includes another public hearing. A substantial amendment is defined in the Citizen Participation Plan as any budgetary change of more than 25% of the annual allocation which is \$309,004.

Ms. Jones advised that the Consolidated Plan spans a five-year planning period. Many of the existing plans were used as patterns for the Consolidated Plan as well as citizen input. Several smaller studies were performed and incorporated into the plan. A housing market analysis of the City was obtained on the current housing market. Basically the analysis indicated that the housing stock was relatively new with 39% of the housing being constructed since 1990. Approximately 23% of houses were constructed from 1960-1970. The oldest of the housing is the most likely to have problems due to deterioration and lack of maintenance. She stated that around 21% of the homes have some type of housing problems. There are 309 apartment units that are categorized as Section 8 from Jamestown Square, Nottingham Square, and Langley Village. Many house rentals are Section 8 but there is not a public listing with exact locations of the homes.

An analysis of impediments to fair housing was conducted. Fair housing is described as providing a fair chance of housing for a protected class of people such as age, race, gender, nationality or disability. Ms. Jones stated that staff also had to account for the homeless population living in Moore. Since there are no homeless shelters in Moore they relied on the Cleveland County Continuum of Care Homelessness Report. The outcome of the Consolidated Plan reflects that the funding will not focus on the housing condition or supply of housing due to limited funding. Instead those issues should be addressed by public service agencies such as organizations like Christmas in April who assist citizens with low to moderate incomes make basic improvements to their home. Funding would also not be focused on Economic Development because there are other entities in Cleveland County that provides this service.

Ms. Jones directed Council to Page 64 of the handout which reflects where the funding would be directed over the next five years. The list was prioritized with the high to medium items being addressed at some point over the five year period. The low items would be addressed only in situations they feel would be advantageous to the City. Higher priority items include parks, storm water improvements, water and sewer improvements, street improvements, and sidewalks. Funding priority would be given to public service entities such as senior services, youth services, transportation services, fair housing activities, health services, ADA retrofits, code enforcement, and planning and administration.

Ms. Jones advised that every year the City must supply an Annual Action Plan. This plan will cover which items will be funded for the year in more detail. She commented that the annual budget for federal fiscal year October 2010 through September 2011 was located on Page 4 of the Annual Action Plan. The budget includes \$12,000 on the Consolidated Plan development. This will be reimbursement for the City for time spent by Elizabeth Jones and her intern Kevin Walker. Approximately \$24,000 will be used to pay an employee to administer the program, \$7,000 is proposed for training, \$10,000 is allotted for publication expenses in local newspapers, and \$8,000 is included for Fair Housing Administration. Staff would like to contract with Metro Fair housing to track the number of fair housing complaints and act as mediator if necessary. Ms. Jones added that \$215,004 is proposed for sidewalk construction on the west side of Eastern Avenue from 12th to Main. Another sidewalk would be constructed from Eastern Avenue to the Brand Senior Center on the north side of Main Street. Ms. Jones felt that it would be good to connect the housing addition of Crestmoore and the old town area to Moore High School and the Brand Senior Center.

An application process was provided to interested public service agencies for funding. They recommend funding Aging Services, The Mary Abbott Children's House, the Nottingham Residents Council, and the Father's Business. Each agency requested \$8,000 and they would recommend funding in that amount.

The total amount of the funding for the federal fiscal year 2010-2011 comes to the annual allocation amount of \$309,004. Ms. Jones advised that a breakdown is included of what each public service agencies are requesting and how many households they will be serving. The CDBG Advisory Committee met several times regarding the funding allocations. Each applicant was questioned thoroughly and the CDBG Advisory Committee recommended approval of the funding requests and the budget.

Resolution No. 702(10) authorizes the City to request the funding from the Department of Housing and Urban Development.

Councilwoman Milum commented that she was a member of the CDBG Advisory Committee and stated that they worked very hard on the projects. She also expressed appreciation to staff for all of the information they provided to allow them to make the necessary decisions. Councilwoman Milum also stated that the public service agencies were questioned very thoroughly and felt that the Committee approved some great projects.

Councilwoman McMillan moved to approve the 2010-2015 Community Development Block Grant Citizens Participation Plan, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF THE 2010-2015 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN AND THE 2010-2011 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN, AND APPROVE RESOLUTION NO. 702(10).

Councilman Blair moved to approve the 2010-2015 Community Development Block Grant Consolidated Plan and the 2010-2011 Community Development Block Grant Annual Action Plan, and approve Resolution No. 702(10), second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER AUTHORIZING A NEW POSITION OF SPECIAL PROJECTS COORDINATOR IN THE COMMUNITY DEVELOPMENT DEPARTMENT; APPROVE JOB DESCRIPTION; AND APPROVE PLACEMENT IN PAY RANGE 50 OF THE AFSCME PAY TABLE.

Elizabeth Jones, Community Development Director, stated that the proposed Special Projects Coordinator would oversee the Community Development Block Grant and the Federal Energy and Efficiency Community Block Grant. Over a period of three years the City will be receiving approximately \$2 million in grant funds from these two grants. The procedures and recording requirements for the Energy and Efficiency Community Block Grant are very stringent and she feels that another person should be responsible for implementing the programs. Ms. Jones indicated that she had met with the local head representative stated that not having a dedicated staff person to administer the CDBG program could put the funding in jeopardy because we would not have the capacity to fully administer the program. Both of the grants include funding for administrative purposes throughout the life of the grant. The EECBG includes approximately \$30,000 for administration and must be utilized by mid-2012. The CDBG includes approximately \$25,000 plus each year until 2015. Ms. Jones recommended that the City use the available funding to hire a full-time employee to administer the grants. The position would also be given other special projects such as the Stormwater Savy Program, the Bike Moore Program, and any other special projects that come along. The complete job description was included for Council's review. The position would be placed in pay range 50 of the AFSCME pay table or around \$37,000 per year.

Mayor Lewis asked if there was a person in mind. Ms. Jones stated that the position would be posted and anyone can apply. They intend to hire the most qualified person.

Councilwoman McMillan moved to authorizing a new position of Special Projects Coordinator in the Community Development department; approve job description; and approve placement in Pay Range 50 of the AFSCME pay table, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER AUTHORIZING A NEW POSITION OF DEVELOPMENT SERVICES MANAGER IN THE COMMUNITY DEVELOPMENT DEPARTMENT; APPROVE JOB DESCRIPTION; AND APPROVE PLACEMENT IN PAY RANGE 60 OF THE NON-UNION PAY TABLE.

Elizabeth Jones, Community Development Director, stated that the City's Construction Inspector Larry Campbell retired July 9, 2010 after 30 years of service. The proposed position would supervise the inspection staff and ensure compliance with various federal regulations, manage development projects and be an advocate for the City and our standards and regulations. Ms. Jones recommended the creation of a new job description that would act in a supervisory capacity to the inspections division. The position is intended to inspect a project and manage the development from the subdivision approvals to the build out stage. It is anticipated that this position would work directly with builders, developers, engineers, and the general public. The complete job description was included for Council's review. Ms. Jones stated that the vacant Construction Inspector position would remain vacant.

Stan Drake, Assistant City Manager, stated that technology has changed significantly over the last 30 years and felt that the supervisory position would better suit the City's needs.

Mayor Lewis moved to authorize a new position for Development Services Manager in the Community Development department; approve job description; and approve placement in Pay Range 60 of the non-union pay table, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AWARDDING BID NO. 910-015 "TEMPORARY EMPLOYEE SERVICES" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Richard Sandefur, Public Works Director, stated that the City received four bids for Temporary Employee Services. The City currently uses First Staffing Group who happened to be the low bidder. He checked with the supervisors in Public Works and they have not had any concerns; therefore, he would recommend awarding the bid to First Staffing Group.

Councilwoman McMillan moved to award Bid No. 910-015 "Temporary Employee Services" to First Staffing Group, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER AWARDDING BID NO. 910-014 "PURCHASE OF SEVEN 2010 FORD EXPLORER VEHICLES" TO DAVID STANLEY FORD AT A TOTAL COST OF \$173,551.

Police Chief Ted Williams indicated that the low bidder on the purchase of seven 2010 Ford Explorers was David Stanley Ford in the amount of \$173,551. He stated that the police department usually purchases Crown Victorias; however, following a blizzard in December 2009 it was determined that the City needs 4-wheel vehicles in the event of a similar situation. The vehicles will be given to the supervisors who will pass their vehicles to the patrol officers. Chief Williams added that the vehicles were a budgeted item.

Councilman Blair moved to award Bid No. 910-014 "Purchase of Seven 2010 Ford Explorer Vehicles" to David Stanley Ford in the amount of \$173,551, second by Councilwoman Milum. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:07 P.M.

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JUNE 6, 2010.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$220,855.10.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:08 P.M.

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JUNE 6, 2010.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$133,660.23.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH VICE-CHAIR DAVID ROBERTS PRESIDING AT 7:09 P.M.

Agenda Item Number 15 being:

ROLL CALL

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

Agenda Item Number 16 being:

CONSENT DOCKET:

A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JUNE 21, 2010.

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

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

Agenda Item Number 17 being:

DIRECTOR'S REPORT

Deidre Ebrey, Economic Development Director, advised the Trustee's of the following items:

- Citizens notified by post card that the Annual Report to Citizens and City map is available. The report will be mailed to those citizens who request it. A PDF copy is available on the City's website and at City Hall. The Chamber of Commerce will have copies that can be submitted in relocation packets and to the school district. The report will be printed and ready for dissemination within a month.
- The City received a record number of hits on the webpage during the July 4th weekend. In-house training available for department heads or their designees to learn how to update their department's page on the website.
- Ongoing farmer's market at the Moore Community Center. 5K run in late August. 2nd Annual City of Moore Fishing Derby will be held on August 14 at Little River Park. Boot Camp at Little River Park September 13th through September 30th. 27th Annual National Night Out," a nationwide crime/drug prevention event has been scheduled for Tuesday, August 3, 2010.
- Target scheduled to begin construction August 2010 with a completion date in July 2011.
- Genghis Grill is under construction next to Whataburger.
- Additional leases in execution phase at Shops at Moore and some of the other centers around town. There are very few vacancies.
- Attended ICSC this year. Economy still effecting retail development but somewhat better than last year. Makes us aware that new retail business should be wildly celebrated.
- Sales tax up 1% last month which was up 20% from last year.
- Interest in opening office complexes. Some have purchased land and others looking for land. Potential Class A office space may get off ground relatively soon.

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH VICE-MAYOR DAVID ROBERTS PRESIDING AT 7:16 P.M.

Agenda Item Number 18 being:

NEW BUSINESS:

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

Greg Thompson, 3220 SE 30th, stated that he lives near Sooner Road and has had ongoing problems with Royal Bavaria restaurant. The restaurant originally made application for a restaurant only. After the application was approved they changed the site plans to include a beer garden. They never paved the parking lot or put up a sight proof fence. Mr. Thompson stated that they then began to play outdoor music creating a noise disturbance. He then related what steps he had taken through the City to rectify the situation and discussed what happened after the property changed ownership. Mr. Thompson explained his frustration over the police officer's inability to do anything about the noise problems due to the way the ordinances are written. A settlement agreement was issued that music could be played between 6:00 p.m. and 9:00 p.m. allowable up to a certain number of decibels for a period of time before a violation occurs. However, the owner of the property is given an opportunity to turn it down before any action is taken. Mr. Thompson felt that the agreement was not a workable solution and advised that he has since collected a petition with 46 signatures from 28 households that are within ¼ mile of the Royal Bavaria restaurant that are disturbed by the noise. He requested the following:

1. Music controlled so that he and his neighbors do not have to hear it inside their homes.
2. Parking lot paved front and back.
3. Parking lot lighted
4. Property landscaped.
5. Sight proof fence 330' down the north property line that was agreed to when the property was rezoned.
6. A large pile of wood that is a fire hazard removed.

He also requested a copy of the meeting tape and stated that he would be happy to pay for the cost of duplicating it. Mr. Thompson stated that he would be happy to work on a solution that is fair to the 46 people that live in the area.

Mayor Lewis asked the City Attorney what could be done. Randy Brink, City Attorney, stated that criminal charges were filed last year and the property owner filed for an injunction preventing the City from enforcing the law. A hearing was held in District Court and an order issued regarding the injunction around October or November 2009. After that time when Mr. Thompson sent his letter he forwarded it to Assistant City Attorney K.O. Williams since he had worked on the injunction.

Stan Drake, Assistant City Manager, stated that he would meet with the City Attorney, Police Chief, and the Community Development Director to review what was approved in the staff report regarding the rezoning application and they would enforce any violations to the letter of the law.

Councilwoman McMillan stated that she would like to hear from the owner's of the Royal Bavaria about the reasons for their non-compliance. Mr. Drake stated that they would include the owner of the Royal Bavaria restaurant in the meeting.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

There were no items from the City Council.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- The right turn lane at 4th and Telephone Road was poured. They will be stripping and joint sealing and open by the end of the week.
- The resurfacing of 2 miles of 34th Street was completed. County and City crews will work on the shouldering of the roadway next week.
- Work on the resurfacing of Bryant between 4th and 12th has started and could be completed by the end of the week.
- 19th and Telephone Road intersection is moving well and should be completed soon.
- Pre-work conference on 12th Street is scheduled for July 20, 2010. Construction is anticipated to begin as early as next week.
- Utility meeting scheduled for July 21, 2010 on the 5th Street project and should go to bid this fall.
- Sewer plant expansion bid opening will be set for July 22, 2010 at 2:00 p.m. There was a great turn out at the pre-bid conference.

Mayor Lewis thanked Vice-Mayor Roberts for chairing the meeting.

Agenda Item Number 19 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:49 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