

**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 20, 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 20, 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 Clerk, Jim Corbett; Assistant City Attorney, K.O. Williams; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Emergency Management and Communications Director, Gayland Kitch; Fire Chief, Charles Stephens; Acting Parks & Recreation Director, Chris Villani; Risk Manager, Gary Benefield; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 6, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$1,764,244.06 AND FY 2009-2010 IN THE AMOUNT OF \$14,091.00.

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. 089-011-A "TEMPORARY EMPLOYEE SERVICES" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Richard Sandefur, Public Works Director, advised that the bid for temporary employee services had been tabled and rebid. Mr. Sandefur stated that 1st Staffing Group submitted the best and lowest bid and had excellent references; therefore, staff recommended awarding Bid No. 089-011-A to 1st Staffing Group.

Mayor Lewis asked how many temporary employees would be hired. Mr. Sandefur indicated that typically six to eight employees were hired.

Mayor Lewis also noted that the City was behind on the Big Trash collection efforts and wondered if purchasing another truck would alleviate the problem. Mr. Sandefur advised that he anticipated a significant decrease in the amount of trash after every sanitation route is picked up at least one time. Steve Eddy, City Manager, commented that he had received numerous calls about the amount of trash at the curb and the length of time it was taking to be picked up.

Councilwoman McMillan moved to award Bid No. 089-011-A "Temporary Employee Services" to 1st Staffing Group, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER AWARDING BID NO. 089-005-A "REBID FOR PURCHASE OF AN ESTIMATED AMOUNT OF 8,000 TO 9,000 FEET OF THREE (3) RAIL VINYL FENCING AND ASSOCIATED MATERIALS FOR SELF-INSTALLATION" TO DEPAUL'S INSTALLS IN THE AMOUNT OF \$30,550.30.

Stan Drake, Assistant City Manager, indicated that the item for purchase of vinyl fencing along the west side of I-35 from 4th Street to 19th Street, and along both sides of the I-35 from 19th south to the City limit line, was rebid due to some discrepancies in the bidding process. Mr. Drake indicated that DePaul's Installs was the low bidder in the amount of \$30,550.30. He noted that the fencing would be installed this fall by City crews.

Councilman Krows moved to approve awarding Bid No. 089-005-A "Rebid for Purchase of an Estimated Amount of 8,000 to 9,000 Feet of Three (3) Rail Vinyl Fencing and Associated Materials for Self-Installation" to DePaul's Installs in the amount of \$30,550.30, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER ENTERING INTO A CONTRACT WITH THE LOW BIDDERS FOR MOORE FIRE SUBSTATIONS NO. 3 AND NO. 4 ON BID PACKAGE NO. 12 "DOORS, FRAMES AND HARDWARE" AND BID PACKAGE NO. 18 "SPECIALTIES".

Steve Eddy, City Manager, advised that the City awarded bid packages on the new Fire Stations No. 3 and 4 at the July 6, 2009 City Council Meeting. However, the City did not receive bids on Bid Package No. 12 and 18. The construction manager solicited bids from three vendors for these packages and the Evergreen Partnership was the low bidder on both packages. The low bid was \$46,573 for Bid Package No. 12 and \$36,908 for Bid Package No. 18 on both Fire Station 3 and 4.

Councilman Krows moved to enter into a contract with the low bidders for Moore Fire Substations No. 3 and No. 4 on Bid Package No. 12 "Doors, Frames and Hardware" and Bid Package No. 18 "Specialties", second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AUTHORIZING TRAFFIC ENGINEERING CONSULTANTS TO PERFORM A SPEED LIMIT STUDY ON CERTAIN MAJOR ARTERIAL STREETS WITHIN THE CITY AT A COST OF \$9,500.

Stan Drake, Assistant City Manager, indicated that the item was put on the agenda due to citizen complaints regarding the speed limits set on certain streets. He advised that a speed limit study had never been performed. Since the community has grown significantly over the past several years, and traffic patterns have changed, he felt it was necessary to establish appropriate speed limits for all arterial streets. Mr. Drake indicated that the study would not include Sunnyslane, Sooner Road or 4th Street. He explained that only a small portion of Sunnyslane was in the City limits, and since Sooner Road and 4th Street are State Highways and we have no jurisdiction on the setting of speed limits. He also felt that a speed limit study could be beneficial to the police officers in Municipal Court.

Councilman Krows moved to authorize Traffic Engineering Consultants to perform a speed limit study on certain major arterial streets within the City at a cost of \$9,500.00, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH CLS AND ASSOCIATES FOR A MASTER PLAN AT BUCK THOMAS PARK IN THE AMOUNT OF \$12,600.00.

Steve Eddy, City Manager, advised that CLS and Associates are landscape architects out of Oklahoma City. They have designed the Veterans Memorial and the Broadway Streetscape project. The owner, Connie Scothorn, was asked to give us a proposal for the future development of Buck Thomas Park. The City purchased 20 acres a few years ago for football fields and more recently purchased 5 acres east of the water tower. It is an active park with access and parking problems that need to be resolved. Mr. Eddy suggested implementing a committee comprised of City Council Members, Parks Board Members, and citizen volunteers to ensure the project was moving in the right direction.

Councilwoman McMillan moved to approve a professional services contract with CLS and Associates for a Master Plan at Buck Thomas Park in the amount of \$12,600.00, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER A CHANGE IN PAY RATES AND BENEFITS FOR NON-UNION EMPLOYEES TO MATCH THE AFSCME CONTRACT.

Steve Eddy, City Manager, advised that the option of matching the non-union employee pay rate and benefits to match the AFSCME contract had been discussed during the budgeting process. He stated that every year the Council has agreed to match pay increases and benefit changes for the 30 employees not covered by any of the union contracts. Mr. Eddy indicated that this year the AFSCME employees received a 3.5% COLA increase and those employees who have been here at least two years received one additional hour of vacation per month. He stated that the cost of doing this for the non-union employees was not substantial and felt it was more of a fairness issue to keep all non-uniformed employees on the same level.

Councilman Krows moved to approve a change in pay rates and benefits for non-union employees to match the AFSCME contract, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER RESOLUTION NO. 682(09) ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2010.

Steve Eddy, City Manager, stated that the City annually approves a resolution establishing a 3% 9-1-1 Emergency Telephone Fee Rate that appears on each resident's telephone bill. Resolution No. 682(09) establishes the fee rate for calendar year 2010.

Councilman Roberts moved to approve Resolution No. 682(09), second by councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER RESOLUTION NO. 680(09) AUTHORIZING THE EXECUTION OF A PROJECT AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING PORTIONS OF JANEWAY AVENUE, NW 27TH STREET AND NW 12TH STREET, PROJECT NO. STP-STIM(401)AG, STATE JOB NO. 26739(04).

Elizabeth Jones, Community Development Director, stated that the first federal stimulus project for transportation needs would be the resurfacing of portions of Janeway Avenue from 12th to 27th Street and 27th Street from Janeway to Santa Fe. She advised that NW 12th Street from Janeway to Santa Fe was included as an add-alternate, meaning that if the bids come in low enough the project could be added. The estimated cost of the project was \$673,505 which would be 100% federally funded. Because of the

restrictions placed on this type of project the City was limited to mill and overlay projects. Each street return includes handicapped ramps in order to comply with ADA requirements although all of the streets may not have sidewalks. Mayor Lewis asked if cost estimates could be obtained for the City to put in the necessary sidewalks. Ms. Jones indicated that she would include the sidewalks during the next ACOG project.

Ms. Jones advised that the bid opening for the scheduled project is July 23, 2009. This project would be tied in with Cleveland County and the City of Norman projects, therefore a meeting would be scheduled to discuss costs and timelines. Ms. Jones advised that Resolution No. 680(09) was for the approval of the project agreement with the Department of Transportation.

Councilman Blair moved to approve Resolution No. 680(09), second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER RESOLUTION NO. 681(09) APPOINTING KENT SANMANN, CERTIFIED FLOODPLAIN MANAGER AND ASSISTANT PLANNER, AS THE CITY'S FLOODPLAIN ADMINISTRATOR.

Elizabeth Jones, Community Development Director, advised that the Oklahoma Water Resources Board contacted her office looking for a resolution identifying the City's Floodplain Administrator. Ms. Jones was unable to locate one and prepared Resolution No. 681(09) appointing Kent Sanmann, Assistant Planner, as the City's Floodplain Manager. She added that Mr. Sanmann was a Certified Floodplain Manager, attends annual training, and is very knowledgeable on the subject. Ms. Jones indicated that during the transition from the old floodplain map to the new floodplain map it has been difficult to interpret the federal regulations and keep up with the paperwork, but Mr. Sanmann has been extremely helpful in his attempts to get everyone's questions answered and problems resolved.

Councilman Krows moved to approve Resolution No. 681(09), second by Councilwoman Milum. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND MOORE PUBLIC WORKS AUTHORITY MEETING CONVENED AT 6:56 P.M.

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JULY 6, 2009.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$838,972.99.

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 CITY COUNCIL MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:57 P.M.

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JULY 6
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 09-10 IN THE AMOUNT OF \$24,091.93.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN DAVID ROBERTS PRESIDING AT 6:58 P.M.

Agenda Item Number 14 being:

ROLL CALL

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

Agenda Item Number 15 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JUNE 15, 2009.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:59 PM:

Agenda Item Number 16 being:

NEW BUSINESS:

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

There were no citizens to speak.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Mayor Lewis commented that KOCO Channel 5 would be visiting Moore on Wednesday, July 22, 2009. Deidre Ebrey, Economic Development Director, gave an update on the day's activities. She stated that the crew will be taken on tours of various businesses throughout the City. Ms. Ebrey advised that a community celebration would be held from 3:30 p.m. to 7:00 p.m. at Buck Thomas Park. The Oklahoma Blood Institute would also be at the park for a blood drive. There will be over 2,000 hotdogs with "Fire House" chili, Chick-Fil-A sandwiches, and snow cones distributed for free. The Police Department will give out free sodas and water. KOCO will do a live broadcast from Buck Thomas Park at 5:00 p.m. and 6:00 p.m.

Mayor Lewis and other metro mayors met with the Oklahoma City Mayor Mick Cornett and Secretary of Transportation Gary Ridley regarding the implementation of a light rail system in the Oklahoma City area. The first line of the rail system would be from downtown Oklahoma City to Tinker Air Force Base in Midwest City. The second would run from Edmond to Norman with a possible stop in Moore. The State must apply for these federal stimulus monies and it appears that Moore would be required to subsidize the program annually. Another discussion was held regarding high speed rail that would link Texas, Kansas, and Arkansas that would be funded through another source.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- June financial statement available for review. The General Fund is down which is normal for the end of the fiscal year.
- City would like to send their condolences to Carol Folsom due to the death of her mother in California. Jim Corbett, Finance Director, was taking her place recording the meeting.
- Warren Theatre had all 14 theatres sold out Tuesday with over 3,000 patrons in the theatre at midnight.
- Submitted an update on the status of several ongoing street projects. Progress appears to be going well.

Agenda Item Number 17 being:

EXECUTIVE SESSION

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING A WORKER'S COMPENSATION CLAIM BY JEFF BRIDGES, CASE NO. WC-2004-00072-H AGAINST THE CITY OF MOORE AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE RESPONDENT AS AUTHORIZED BY 25 OKLA. STAT. § 307-B(4)

- 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) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session a 7:06 p.m.

- D) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:35 p.m.

- E) ACTION.

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING A WORKER'S COMPENSATION CLAIM BY JEFF BRIDGES, CASE NO. WC-2004-00072-H AGAINST THE CITY OF MOORE AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE RESPONDENT AS AUTHORIZED BY 25 OKLA. STAT. § 307-B(4)

Councilman Krows moved to authorize staff to proceed as directed regarding a worker's compensation claim by Jeff Bridges, Case No. WC-2004-00072-H, second by Councilwoman McMillan. 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).

Councilman Roberts moved to approve the Fiscal Year 2009-2010 contract as presented between the City of Moore and the International Association of Firefighters Local 2047, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 18 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 7:37 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

JIM CORBETT, City Clerk

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