

**MINUTES OF THE REGULAR MEETING OF
THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD AND
THE MOORE ECONOMIC DEVELOPMENT AUTHORITY
AUGUST 18, 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 August 18, 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, Roberts, Milum, Lewis
ABSENT: Cavnar

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; Fire Chief, Charles Stephens; Economic Development Director, Deidre Ebrey; Community Development Director, Elizabeth Jones; Emergency Management Director, Gayland Kitch; Risk Manager, Gary Benefield; Finance Director/City Clerk, Jim Corbett; Police Chief, Ted Williams; Master Police Officer Troy Fulbright; 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 AUGUST 4, 2008.
- B) APPROVE A BUDGET SUPPLEMENT FOR THE SPECIAL REVENUE FUND IN THE AMOUNT OF \$17,339.00
- C) ACCEPT A ROADWAY EASEMENT FROM WILLIAM AND NANCY GOODRICH LOCATED IN THE W/2 OF SECTION 22, T10N, R3W BEING NORTH OF SW 19TH STREET AND EAST OF SANTA FE AVENUE.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$1,048,976.12.

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

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

Agenda Item Number 3 being:

CONSIDER AUTHORIZING STAFF TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SMC CONSULTING, INC. TO PREPARE A FLOOD STUDY FOR A PORTION OF THE PLAZA TOWERS ADDITION AND SOUTHGATE ADDITION FOR FEMA SUBMITTAL.

Steve Eddy, City Manager, stated that the City received confirmation from FEMA that there were errors on the Flood Plain Map in the Plaza Tower and Southgate Additions that would result in several homes being mistakenly identified as being located in the floodplain. FEMA agreed to amend the maps in those particular areas that were in question therefore the professional services agreement with SMC Consulting, Inc. for preparation of a flood study would not be necessary.

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

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

Agenda Item Number 4 being:

CONSIDER IMPROVEMENTS TO THE DRIVE-THRU WINDOW FACILITY AND NIGHT DROP BOX.

Jim Corbett, Finance Director, requested funding to make improvements to the drive-thru window and night drop box located on the south side of City Hall. Separate quotes were obtained for each project. Mr. Corbett advised that staff was only able to obtain one valid quote, which was from Diebold in the amount of \$7,792.00, to enlarge the drive-thru area and install a new cash drawer and audio system. He stated that the current drawer, which is over 20 years old, must be repaired frequently and most of the functions remain inoperable.

Mr. Corbett advised that Diebold also submitted quotes for two options on the night drop box. The first option was for the Securomatic in the amount of \$10,810. He recommended the second option for a larger drop box similar to what we have, but with added security measures, in the amount of \$4,522.

Councilman Roberts moved to accept staff recommendations on quotes from Diebold for drive-thru window and night drop box improvements, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF CONSTRUCTION PLANS FOR FIRE STATION 1 AND AUTHORIZE THE SOLICITATION OF BIDS FOR SAID PROJECT.

Chief Stephens advised that construction plans for Fire Station 1, to be located off of Fritts Blvd. behind Home Depot, have been completed. He stated that the bidding process would take approximately 28 to 30 days, with a build time of 12 to 14 months depending upon the weather and the contractors' schedules. Chief Stephens estimated bids to be received around October 1-15, 2008. Construction should begin around November 1, 2008 with a completion date expected around February 2010.

Chief Stephens stated that bids for the two substations would occur approximately one to two months behind Fire Station 1.

He advised that an architectural rendering of the new station and a full set of plans were available for Council's review.

Councilman Roberts asked for the estimated cost of the project. Chief Stephens stated that the cost for Fire Station 1 and Administration would be approximately \$3.5 to \$3.8 million dollars.

Chief Stephens advised that two new engines were approved for purchase for the new station. One of the two engines would be delivered within the next two weeks. The other engine and a ladder truck should arrive sometime in December 2008.

Councilwoman Haworth moved to approve construction plans for Fire Station 1 and authorize the solicitation of bids for said project, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AWARDING BID NO. 078-011 "PURCHASE OF LOOSE TOOLS & EQUIPMENT FOR FIRE APPARATUS" TO CASCO INDUSTRIES IN THE AMOUNT OF \$4,128.50; CHIEF FIRE & SAFETY IN THE AMOUNT OF \$11,153.00; NAFECO IN THE AMOUNT OF \$20,476.00; AND WAYEST SAFETY IN THE AMOUNT OF \$12,590.10, FOR A TOTAL BID AWARD OF \$48,347.60.

Chief Stephens advised that Bid No. 078-011 was for the purchase of loose tools and equipment to be installed on the new fire trucks that were discussed under Agenda Item No. 5. He stated that a list of items was provided to potential bidders with the option of bidding on any or all of the items enabling the City to get the best possible prices. A bid tabulation sheet included in the agenda on Pages 52 through 55 lists the low bidder for each item.

Councilman Krows moved to award Bid No. 078-011 "Purchase of Loose Tools & Equipment for Fire Apparatus" to Casco Industries in the amount of \$4,128.50; Chief Fire & Safety in the amount of \$11,153.00; NAFECO in the amount of \$20,476.00; and Wayest Safety in the amount of \$12,590.10, for a total bid award of \$48,347.60, second by Councilwoman McMillan. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING CONVENED AT 6:45 P.M.

Agenda Item Number 7 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 4, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$103,928.95.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:46 P.M.

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 4, 2008.
- B) APPROVE A PAYMENT OF A WORKER'S COMPENSATION SETTLEMENT IN THE AMOUNT OF \$20,230.00 TO JASON ADAMS FOR CLAIM NO. WC000771 AND AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLLS.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 08-09 IN THE AMOUNT OF \$79,235.53.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN DAVID ROBERTS PRESIDING AT 6:47 P.M.

Agenda Item Number 9 being:

ROLL CALL

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

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JULY 21, 2008.

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

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

Agenda Item Number 11 being:

DIRECTOR'S REPORT

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

- Developer for 18 acres of property located south of Gordman's has exciting tenants. Construction would begin late 2008 or early 2009.
- Oklahoma celebrated its centennial in 2007. Moore's project was the commission of a documentary called the "Moore's Stop" which was inspired by a book authored by Clyde Schroyer. To date approximately 1,000 DVDs have been sold for \$5.00 each with additional DVDs being sold every day. OETA televised the documentary and is continuing to air the show periodically. Ms. Ebrey thanked Exchange National Bank for funding for the project, and Brent Wheelbarger with Trifecta Communications for producing the video. She advised that the documentary was entered into a national competition for video production and won first place in the documentary category.

Ms. Ebrey asked Brent Wheelbarger to tell everyone more about the Telly award. He stated that this award is a big deal in the video and film production industries. Mr. Wheelbarger compared it to the Oscar for excellence in the motion picture industry and the Emmy for excellence in television production. The Telly covers the video and film production industry that isn't designed to show in the movie theatre or air as a television show. All the major production companies enter a video for consideration of a Telly award. In the documentary category "Moore's Stop" won a Telly. Mr. Wheelbarger understood that thousands of people enter videos, but only a small percentage wins one. Mr. Wheelbarger formally presented the trophy to the Mayor, City Council, City Manager, and the City of Moore to be placed on display for viewing. Mr. Wheelbarger thanked the citizens of Moore who participated in the documentary and did a fantastic job. He commented that he checked with the program director with OETA and he indicated they track the e-mail or telephone responses to their programming. He said they had received more comments regarding "Moore's Stop" than any other locally produced program that they air. The interesting thing is that they were all positive comments from all over the State of Oklahoma. Mr. Wheelbarger thanked the City Council for their support of the project and congratulated everyone on winning the Telly. Councilman Krows thanked Mr. Wheelbarger for the wonderful job that he did producing the video. Ms. Ebrey indicated that stickers were purchased to place on the DVDs that indicates it is a winner of a Telly award. Another trophy would be presented to Toby Keith for his contribution to the video. An e-mailed photo of the award was sent to Toby Keith who responded back by e-mail with his congratulations.

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:56 P.M.

Agenda Item Number 12 being:

NEW BUSINESS:

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

There were no citizens to be heard.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilwoman McMillan received a phone call from a citizen who lives near the skate park on 12th Street complaining of the trash and debris that the kids are leaving behind for early morning walkers to pick up. She asked that the area be patrolled more frequently.

Councilman Roberts advised that a memo was sent by City Manager Steve Eddy in reference to campaign signs suggesting the possibility of an ordinance being prepared to address the issue. He felt that an ordinance would be beneficial in this regard. Mayor Lewis stated his feeling that campaign signs were technically prohibited under current ordinances. Randy Brink, City Attorney, felt it would depend on the definition of non-accessory signs and their location. He added that it was difficult to catch the individuals erecting the signs in violation of the current ordinance. Steve Eddy, City Manager, stated that it was technically illegal; however, the City had allowed them in the past. This year he noticed many more signs and knew that it was becoming a problem with other cities who had decided to regulate the signs by limiting the period of time before an election that they could be erected and requiring an application process along with a promise that the signs would be removed within a certain length of time. There could also be a possibility of issuing fines if the City removes them. Councilman Krows suggested limiting the number of signs within a certain number of feet. Mr. Eddy felt that regulating that sort of thing would be much more difficult than limiting the time period the signs would be allowed up. He recommending waiting until the election process had been completed before amending the ordinances.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- A story in the national press was picked up by the local papers about FEMA underground fuel storage tanks that could potentially leak making local water undrinkable. The story alluded to one or two tanks being located in Moore. Staff researched the issue and discovered that one tank located at the KOMA site was remediated and filled with sand in 1993. Another tank at the same site was removed in 2000. Neither tank was a concern in relation to the drinking water. Mayor Lewis advised that FEMA assured him that testing would be done around the site to ensure there was not a problem.
- July Financial Statement reflected an increase of approximately 1.3 million over June.
- Complimented the Fire Marshal and Community Development for ensuring that the Southmoore High School project was completed in a timely fashion and making sure they met the necessary codes on the building construction for a successful opening.

Agenda Item Number 13 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) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 7:05 p.m.

C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:15 p.m.

D) 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 authorize staff to proceed as directed in executive session, second by Councilwoman Haworth. Motion carried unanimously.

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

Agenda Item Number 14 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:17 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