

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
SEPTEMBER 2, 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 September 2, 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: McMillan, Haworth, Cavnar, Roberts, Milum, Lewis
ABSENT: Krows

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; Finance Director/City Clerk, Jim Corbett; Economic Development Director, Deidre Ebrey; Fire Chief, Charlie Stephens; Major Gary Tipps; Community Development Director, Elizabeth Jones; Emergency Management Director, Gayland Kitch; Police Chief, Ted Williams; 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 Roger Velasquez with Shekinah Fellowship Church.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 18, 2008.
- B) RECEIVE THE MINUTES OF THE PARKS BOARD MEETINGS HELD APRIL 1, 2008, MAY 6, 2008, JUNE 3, 2008 AND JULY 1, 2008.
- C) APPROVE PAYMENT TO BLISS ELECTRIC IN THE AMOUNT OF \$17,000 FOR POWER PEDESTALS AT BUCK THOMAS PARK.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$1,592,198.49.

Councilwoman Haworth asked if the power pedestals to be purchased under Agenda Item C for Buck Thomas Park were new. Steve Eddy, City Manager, indicated that the power pedestals were new and were necessary for additional power at Buck Thomas Park for the July 4th celebration.

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

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

Agenda Item Number 3 being:

CONSIDER RESOLUTION NO. 659(08) AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION IN THE CITY OF MOORE, OKLAHOMA, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF THE ISSUANCE OF THE GENERAL OBLIGATION BONDS OF SAID CITY IN AN AMOUNT NOT TO EXCEED THE SUM OF EIGHTEEN MILLION DOLLARS (\$18,000,000.00) TO PROVIDE FUNDS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, IMPROVING OR REPAIRING CERTAIN STREETS WITHIN THE CITY; LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL ON SAID BONDS; AND DECLARING AN EMERGENCY.

Councilwoman Haworth moved to approve Resolution No. 659(08), second by Councilman Cavnar. Motion carried unanimously.

Mayor Lewis asked if the City Manager would like to address the issue before a vote was taken. He added that a work study session was held regarding the calling of a bond election for the construction or repair of certain City streets.

Steve Eddy, City Manager, advised that a committee comprised of Planning Commissioners, citizens, and City Council members met to look into various transportation needs and street projects. The culmination of the process resulted in a recommendation to propose a general obligation bond to fund five street projects. The projects would include:

1. Widening the intersection of SW 19th and Telephone Road and widening SW 19th between Telephone Road and the west Service Road.
2. Reconstructing and widening NE 12th Street between Eastern and Bryant.
3. Reconstructing NW 5th Street between Markwell and Telephone Road.
4. Reconstructing and widening NW 12th Street from Janeway to the west Service Road to five lanes to allow for a center turn lane.
5. Reconstructing and widening Broadway from N. 5th to N. 18th.

Mr. Eddy added that the estimated construction costs for the projects would be just under \$18 million including the cost of issuance and increased construction cost estimates due to inflation. The bonds would be issued over a three-year period. He stated that although the last bond issuance in 2002 included five street projects that have all been completed, the need for roadway projects and new construction never goes away. Due to the high cost of street projects a G.O. Bond would be the only way to fund it. The bond issue would be placed on the November 4, 2008 General Election ballot. If the issue passes he would propose issuing the \$18 million in three separate project years. This would result in around \$7.5 million being issued in 2009, \$7 million in 2010, and \$3.6 million in 2011. Mr. Eddy explained that by doing it in this way, there would be less of an immediate impact on the property tax rate because it won't go on the rolls at the same time. He continued by stating that the payoff on each issue would be eight or nine years.

Mayor Lewis expressed his appreciation to the committee members for their participation.

Agenda Item Number 4 being:

CONSIDER AUTHORIZING THE EXECUTION OF ELECTION PROCLAMATION AND NOTICE PERTAINING TO THE PROPOSED GENERAL OBLIGATION BOND ISSUE.

Councilman Cavnar moved to authorize the execution of election proclamation and notice pertaining to the proposed general obligation bond issue, second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF EMPLOYMENT AGREEMENTS WITH PAUL SMITH OF FIRST INTERSTATE FINANCIAL SERVICES, INC. AS FINANCIAL ADVISOR, AND TERRY L. HAWKINS OF PHILLIPS MCFALL MCCAFFREY MCVAY & MURRAH, P.C., AS BOND COUNSEL, CONCERNING PROPOSED GENERAL OBLIGATION BOND ELECTION AND ISSUE OF THE CITY OF MOORE, OKLAHOMA.

Councilwoman Haworth moved to approve employment agreements with Paul Smith of First Interstate Financial Services, Inc. as financial advisor, and Terry L. Hawkins of Phillips McFall McCaffrey McVay & Murrah, P.C., as bond counsel, concerning proposed general obligation bond election and issue of the City of Moore, Oklahoma

Steve Eddy, City Manager, stated that Paul Smith and Terry Hawkins were in attendance at the meeting. He stated that Mr. Smith has been the City's financial advisor for approximately ten to twelve years and Terry Hawkins has been bond counsel for some time. He advised that they are a great team and staff has a good deal of confidence in them and the work that they do for the city. He added that their fees were also very reasonable.

Councilman Roberts moved to approve employment agreements with Paul Smith of First Interstate Financial Services, Inc. as financial advisor, and Terry L. Hawkins of Phillips McFall McCaffrey McVay & Murrah, P.C., as bond counsel, concerning proposed general obligation bond election and issue of the City of Moore, Oklahoma, second by Councilwoman Milum.

Recording Secretary Carol Folsom pointed out that a motion had already been made at which time Mayor Lewis asked if Councilman Roberts would second Councilwoman Haworth's motion.

Councilwoman Haworth moved to approve employment agreements with Paul Smith of First Interstate Financial Services, Inc. as financial advisor, and Terry L. Hawkins of Phillips McFall McCaffrey McVay & Murrah, P.C., as bond counsel, concerning proposed general obligation bond election and issue of the City of Moore, Oklahoma, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER ORDINANCE NO. 629(08) AMENDING PART 10, CHAPTER 4, ARTICLE A, SECTION 10-404 BY ADDING NEW SECTION I DEFINING SPECIAL EVENT; PROVIDING FOR SPECIAL EVENT PERMITS; PROVIDING REASONS FOR DENIAL; PROVIDING FOR DENIAL OF LIABILITY; PROVIDING FOR CLEANING OF SITE; PROVIDING FOR REPEALER; AND PROVIDING FOR SEVERABILITY.

Randy Brink, City Attorney, advised that the City's special events permit form had been revised. Currently, individuals apply for a special events permit under a Parade Permit. However, staff felt that the form needed to be updated since new retail businesses have recently expressed in interest in having special events in their grand openings.

Councilwoman Haworth asked if businesses can serve liquor under a special events permit. Steve Eddy, City Manager, indicated that the new form would allow serving liquor. Mr. Brink advised that an individual must obtain a Special Event Intoxicating Beverage License from Cleveland County to obtain state licensing to serve liquor for a short period of time. Individuals must note on the City's form that approval from the county had been obtained for a temporary liquor license.

Steve Eddy, City Manager, commented that there was a difference between the requirements for selling liquor and non-intoxicating beverages. State law deals with intoxicating beverages such as liquor and the County deals with non-intoxicating beverages such as 3.2 beer. He added that to date the City has never had a request for a liquor license. Staff anticipates most of the requests to be specifically for non-intoxicating beverages. Mr. Eddy advised that the permitting process would also allow the City to be made aware of these situations and set a parameter of when and where the beverages would be served. They would be licensed and permitted yet allow the City some control of the situation.

Mr. Brink stated that the County regulates the sale of the beverages and Ordinance No. 629(08) would allow the City to regulate the method in how it was delivered and ensuring the site is cleaned up.

Councilwoman Haworth asked if this type of event would strain the police department's resources. Police Chief Ted Williams stated that the permit process requires the host of the event to control the event, if that doesn't happen the police department has the ability to disallow the event in the future. He felt that would be sufficient motive to prevent potential problems.

Councilwoman Haworth moved to approve Ordinance No. 629(08), second by Councilwoman Milum. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING CONVENED AT 6:48 P.M.

Agenda Item Number 7 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 18, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$823,676.72.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:49 P.M.

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 18, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2007-2008 IN THE AMOUNT OF \$105,590.31.

Mayor Lewis noted a typographical error in Agenda Items No. 8 which should read FY 2008-2009.

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

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

THE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:50 P.M.

Agenda Item Number 9 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.

There were no comments from the City Council.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- There will be fifteen home football games instead of ten due to the addition of the new high school. Staff is meeting to discuss security for the games beginning with the Southmoore game on September 4, 2008. Mr. Eddy advised that "Moore War" would be held on September 5,

2008. Southmoore and Westmoore would have their game the following week, which should involve a big rivalry.

- Graduation ceremony held for six new firefighter recruits August 29, 2008. He offered his congratulations to the new firefighters and Chief Stephens. Mr. Eddy stated the hiring process would start over and, within another six months to a year, another six firefighters should be on duty.
- Cox Communication advised that they would provide cable service to Belmar.
- The City has been lax in enforcing the sign ordinance pertaining to the small flag signs or real estate signs in front of local businesses. The code allows only one of these signs to be erected. Code Enforcement would begin meeting with the businesses regarding this, which could result in calls. He added that they would likely begin with national companies.

Agenda Item Number 10 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 6:53 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