

**MINUTES OF THE REGULAR MEETING OF  
OF THE MOORE CITY COUNCIL  
THE MOORE PUBLIC WORKS AUTHORITY  
AND THE MOORE RISK MANAGEMENT BOARD  
SEPTEMBER 7, 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 September 7, 2010 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: Blair, McMillan, Cavnar, Roberts, Lewis

ABSENT: Krows, Milum

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

The Pledge of Allegiance was led by Boy Scout Troup 180.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 16, 2010.
- B) RECEIVE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD JULY 13, 2010.
- C) APPROVE OBSERVANCE OF SATURDAY, OCTOBER 30, 2010 AS HALLOWEEN TRICK OR TRICK NIGHT.
- D) APPROVE THE REAPPOINTMENT OF LOUIE WILLIAMS, GARY LUNOW, AND RALPH SHERRARD TO THE PLANNING COMMISSION FOR 3-YEAR TERMS.
- E) APPROVE THE REAPPOINTMENT OF RALPH SHERRARD AND MARK HAMM TO THE BOARD OF ADJUSTMENT FOR 3-YEAR TERMS.
- F) ACCEPT A 15' UTILITY EASEMENT LOCATED IN THE NE/4 OF SECTION 13, T10N, R3W, FOR AN 8" WATERLINE TO SERVE THE HOPE ADVENTIST CHURCH.

- G) GRANT A 10' UTILITY EASEMENT LOCATED IN THE SE/4 OF SECTION 30, T10N, R2W, BEING LOCATED NORTH OF SE 34<sup>TH</sup> STREET AND WEST OF SUNNYLANE ROAD, TO OG&E FOR ELECTRIC LINES AND APPURTENANCES TO SERVE FIRE STATION NO. 3.
- H) APPROVE A REVOCABLE PERMIT FOR RICHARD M. FREEMAN, 1100 SE 19<sup>TH</sup> STREET, TO INSTALL A WATER SERVICE LINE IN THE RIGHT-OF-WAY ALONG SE 19<sup>TH</sup> STREET.
- I) APPROVE JOB DESCRIPTION FOR MARKETING SPECIALIST POSITION TO REPLACE THE EXISTING ECONOMIC DEVELOPMENT SPECIALIST POSITION IN THE MARKETING AND ECONOMIC DEVELOPMENT DEPARTMENT AND APPROVE PLACEMENT IN AFSCME PAY RANGE 64.
- J) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2010-2011 IN THE AMOUNT OF \$1,912,756.89.

Steve Eddy, City Manager, asked that Item J on the Consent Docket be tabled at the request of the applicant Richard Freeman.

**Councilman Roberts moved to table Item J and approve the remaining items on the Consent Docket, second by Councilwoman McMillan. Motion carried unanimously.**

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

**Agenda Item Number 3 being:**

CONSIDER AWARDING BID NO. 910-011 "WASTEWATER TREATMENT PLANT – PHASE II" TO WYNN CONSTRUCTION COMPANY, INC., SUBJECT TO CONCURRENCE BY THE OKLAHOMA WATER RESOURCES BOARD, IN THE AMOUNT OF \$44,074,733.32.

Mayor Lewis noted a change in the bid amount. The new amount should read \$44,272,853.32. Steve Eddy, City Manager, stated that construction of the new Wastewater Treatment Plant was the largest project that the City had ever undertaken. It was the culmination of three to four years of meetings with the Department of Environmental Quality and work on the design of the plant. Mr. Eddy advised that the bids came in approximately ten percent higher on Phase 2 of the project than originally anticipated. However, because all four bids were close together in price he felt that the bids were good. Therefore, staff recommended awarding the bid to Wynn Construction in the new amount of \$44,272,853.32. Mr. Eddy stated that Wynn Construction constructed Phase I of the Wastewater Treatment Plant project and did a good job. He added that they were a local company with a good reputation. Mr. Eddy noted that staff reviewed the low bid submitted by Wynn Construction and was able to use value engineering to reduce the bid amount by \$1.5 million by working through DEQ and shaving a few items off the project. He added that the City was under a Consent Order with a mandatory construction start date of October 1, 2010. Mr. Eddy advised that Satish Dasharathy with Eagle Consultants was in attendance at the meeting to answer questions.

**Councilman Roberts moved to award Bid No. 910-011 "Wastewater Treatment Plant – Phase II" to Wynn Construction Company subject to concurrence by the Oklahoma Water Resources Board in the amount of \$44,272,853.32, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT WITH WYNN CONSTRUCTION COMPANY, INC. FOR PHASE II WASTEWATER TREATMENT PLANT IMPROVEMENTS IN THE AMOUNT OF A DEDUCTION OF \$4,322,521.32.

Steve Eddy, City Manager, advised that under state law a municipality is only allowed to award a bid when funds are available and dedicated to the specific project. The City will have available funds for construction of Phase II of the new Wastewater Treatment Plant when the Oklahoma Water Resources Board approves the additional financing. However, in order to award the bid and get the contractor on site by the October 1, 2010 deadline staff would request that the City Council approve the change order that shows a deduction of \$4,322,521.32. After the financing is approved by the OWRB a future agenda item will have a change order in the same amount adding it back into the contract.

Mayor Lewis asked for an anticipated completion date. Satish Dasharathy, Eagle Consultants, indicated that the term of the project was two years.

**Councilman Roberts moved to approve Change Order No. 1 to contract with Wynn Construction Company, Inc. for Phase II Wastewater Treatment Plant Improvements in the amount of a deduction of \$4,322,521.32, second by Councilwoman McMillan. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER RESOLUTION NO. 709(10) APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MOORE PUBLIC WORKS AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,637,000 TO BE EVIDENCED BY THE AUTHORITY'S CLEAN WATER SRF PROMISSORY NOTE TO THE OKLAHOMA WATER RESOURCES BOARD; APPROVING ACTIONS TAKEN BY THE AUTHORITY IN CONNECTION THEREWITH; APPROVING AND AUTHORIZING THE EXECUTION OF A SALES TAX AGREEMENT.

Steve Eddy, City Manager, stated that approval of Agenda Items No. 5 and 17 are necessary to request additional funding from the Oklahoma Water Resources Board for the entire cost of the Wastewater Treatment Plant construction project.

**Councilman Roberts moved to approve Resolution No. 709(10), second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER REZONING APPLICATION NO. 858, LOCATED IN THE SE/4 OF SECTION 3, T10N, R3W, BEING NORTH OF NW 27<sup>TH</sup> STREET AND EAST OF SHIELDS BLVD. FROM C-5 AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT TO C-5 AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT WITH A

PERMISSIVE USE FOR USED CAR SALES; AND APPROVE ORDINANCE NO. 674(10). APPLICATION BY FREDY PECHECO. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0).

Elizabeth Jones, Community Development Director, stated that the subject property was located east of Shields and north of NE 27<sup>th</sup> Street. The property has existing water and sewer to serve the site with access off of N. Shields. The applicant is currently operating a tire shop at this location and would like to add used car sales to his business. The property is designated in the Moore Vision 20/20 as Heavy Commercial, because the proposed use falls under this designation no amendment to the land use plan is required. Ms. Jones advised that this use is very typical at this location.

**Councilwoman McMillan moved to approve Rezoning Application No. 858 and Ordinance No. 674(10), second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 7 being:**

CONSIDER REZONING APPLICATION NO. 859, LOCATED IN THE NW/4 OF SECTION 35, T10N, R3W, BEING SOUTH OF SW 34<sup>TH</sup> STREET AND WEST OF I-35, FROM I-2 MEDIUM INDUSTRIAL DISTRICT TO I-2 MEDIUM INDUSTRIAL DISTRICT WITH A SPECIAL USE PERMIT FOR A COMMUNICATIONS TOWER; AND APPROVE ORDINANCE NO. 675(10). APPLICATION BY VERIZON WIRELESS/BELINDA BODIE. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0).

Elizabeth Jones, Community Development Director, advised that Rezoning Application No. 859 is for the installation of a cell phone tower in the Buckner Estates Addition located on the Storage-R-Us property south of SW 34<sup>th</sup> Street and west of I-35. Ms. Jones stated that cell phone towers are only allowed with a special use permit if certain conditions are met. A special use permit does not require a change in zoning; however, the permit is good only for that business and at that particular location. She stated that the cell phone tower site will be accessed from the I-35 Service Road via a private access agreement with the owner of the storage business. The proposed tower would be located in the middle of the storage center in an area zoned I-2 which is not adjacent to any residential property. The property is currently designated as Heavy Commercial in the land use plan; therefore, an amendment to the Moore Vision 20/20 is not required. Staff recommended approval of the item.

**Councilman Roberts moved to approve Rezoning Application No. 859 and Ordinance No. 675(10), second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 8 being:**

CONSIDER REZONING APPLICATION NO. 860, LOCATED IN THE SW/4 OF SECTION 22, T10N, R3W, BEING NORTH OF SW 19<sup>TH</sup> STREET AND WEST OF EAGLE DRIVE FROM R-1 SINGLE FAMILY DWELLING DISTRICT TO C-2 NEIGHBORHOOD COMMERCIAL DISTRICT; AND APPROVE ORDINANCE NO. 676(10). APPLICATION BY BRENT IRISH. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0).

Elizabeth Jones, Community Development Director, stated that the subject property was located north of SW 19<sup>th</sup> and west of Eagle Drive. The west side of the property is zoned C-2 with an existing daycare. The east side is zoned R-1 and is currently vacant. The applicant would propose rezoning the entire site as C-2 in order to develop the vacant property with a neighborhood commercial use such as a health club.

The east side of the property was rezoned from A-2 to R-1 with the development of the Foxglove Addition. However, the west side of the property was not included in the final plat of the addition. Given the size, location, and access of the portion zoned R-1, it would be difficult for this property to be developed as a single-family residential addition, and the City strongly discourages single-family homes fronting this portion of 19<sup>th</sup> Street. Ms. Jones stated that the proposed rezoning would allow the property to be developed commercially. The applicant would then be required to meet all commercial development requirements, including platting the property and providing drainage studies on an area of floodplain located on the lot.

Public water and sewer are available to serve the property; however, the property does lie within a sanitary sewer recoupment district which was established in 2004 with the first commercial development along SW 19<sup>th</sup> Street. To utilize the sanitary sewer a fee of \$1,573.64 per acre will be assessed at the platting stage. The fee is collected for the developer who originally installed the sanitary sewer line as reimbursement for his expense. Access will be from SW 19<sup>th</sup> Street, and curb cuts will be reviewed at the time of the building permits. Staff recommended approval of the application contingent upon the property being platted prior to development, and all FEMA and City regulations being met with regard to development within a floodplain.

**Councilman Cavnar moved to approve Rezoning Application No. 860 and Ordinance No. 676(10), second by Councilwoman McMillan. Motion carried unanimously.**

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

**Agenda Item Number 9 being:**

CONSIDER ORDINANCE NO. 679(10) AMENDING PART 12, CHAPTER 3, ARTICLE C OF SECTION 12-397.3, PROVIDING FOR THE CLOSURE OF PUBLIC EASEMENTS AND THE VACATION OF THE MICROTEL ADDITION PLAT. APPLICATION BY THE SHOPS AT MOORE/ BURK COLLINS.

Elizabeth Jones, Community Development Director, stated that The Shops at Moore is close to completion and they are working on filing their final plat. Part of the process involves a vacation of previous plats and easements on the property. The only plat and filed easements are for the Microtel hotel previously located on the site and platted as the Microtel Addition. Ordinance No. 679(10) allows the City to vacate the plat and any public easements. Staff recommended approval of the ordinance but noted that the process would continue through District Court.

Ms. Jones advised that since completion of the agenda the attorney for The Shops at Moore requested additional language to be placed in the ordinance which lists the book and page number of the plat where it was filed in Cleveland County. If Ordinance No. 679(10) is approved the amended ordinance would be available for signature.

**Councilman Roberts moved to approve Ordinance No. 679(10), second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 10 being:**

CONSIDER REQUEST BY HIGHLAND BAPTIST CHURCH AND ROCKY CLARK TO EXTEND A 12" WATER MAIN ALONG SE 4<sup>TH</sup> STREET FOR 1,143.45 LINEAR FEET WHERE 1,443.45 LINEAR FEET IS REQUIRED BY CITY CODE.

Elizabeth Jones, Community Development Director, stated that staff received a request by Highland Baptist Church and Rocky Clark, the developer of the Rock Creek Addition to stop the water line extension short of the required 1,443.45 linear feet. Ms. Jones advised that the developer would be required to extend a 12" water main through his property when Section 5 of Rock Creek Addition is developed. However, in the process it would disturb two of the churches driveways onto 4<sup>th</sup> Street. The church asked the developer to stop the water line approximately 300 feet short of where it should be. Ms. Jones indicated that the City ordinarily would not be opposed to this request; however, the ordinance is in place to ensure that property owners adjacent to the property will have the infrastructure available to them instead of having to go off site to extend the water line. If the request is approved it would mean that Mark Cox who owns the property immediately to the east would be required to go off site and extend the line 300 feet in order to reach his property. However, Ms. Jones indicated that Mark Cox was notified of the request and was in agreement with Rocky Clark stopping the water line 300 feet short. A letter from Mr. Cox to this effect was included for Council's review, along with a letter from Highland Baptist Church. Ms. Jones stated that staff recommended approve since all involved parties were in agreement.

Councilman Cavnar asked Ms. Jones if she perceived a problem occurring five to ten years down the road. Ms. Jones stated that a problem occurring in the future was always a possibility; however, the minutes and tapes of the meeting would be a clear record of everyone's agreement. Councilman Cavnar asked hypothetically, if Mr. Cox sold his property in the future would the new owner would be required to extend the water line at his own expense. Ms. Jones stated that was correct.

**Councilman Roberts moved to approve a request by Highland Baptist Church and Rocky Clark to extend a 12" water main along SE 4<sup>th</sup> Street for 1,143.45 linear feet where 1,443.45 linear feet is required by City Code, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 11 being:**

AUTHORIZE STAFF TO SOLICIT BIDS FOR THE 2009 CDBG PROJECT TO REPLACE 1,713 LINEAR FEET OF SANITARY SEWER IN THE REGENCY PARK NEIGHBORHOOD.

Elizabeth Jones, Community Development Director, stated that the replacement of sanitary sewer in the Regency Park Addition was the last project for the set aside CDBG program administered through the Department of Commerce. The project includes replacing approximately 1,700 feet of sanitary sewer lines that serve the Nottingham and Continental Apartments. The CDBG program is designed to benefit low to

moderate income areas with one to one matching funds. The CDBG grant is in the amount of \$73,000 with matching funds required by the City. Steve Eddy, City Manager, indicated that matching funds were included in the budget.

Mayor Lewis asked if another program would replace the CDBG set aside program. Ms. Jones stated that the City would be awarded up to \$300,000 with no matching funds under the CDBG Entitlement Program. The Entitlement Program is much less restrictive on the uses for the money.

**Councilwoman McMillan moved to authorize staff to solicit bids for the 2009 CDBG Project to replace 1,713 linear feet of sanitary sewer in the Regency Park neighborhood, second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 12 being:**

AUTHORIZE STAFF TO SOLICIT REQUESTS FOR PROPOSALS FOR AN UPDATE TO THE CITY OF MOORE'S ENERGY EFFICIENCY AND CONSERVATION STRATEGY.

Elizabeth Jones, Community Development Director, stated that the item involves the State administered Energy Efficiency Community Block Grant. This was a competitive grant that had to be applied for. After several months of negotiations the City was awarded funds for a project that is amenable to the City of Moore, the Department of Energy, and the Department of Commerce. The proposed project is for the purchase of two CNG sanitation trucks that were recently approved by Council. The purchase price is higher than a gasoline powered truck; however, the incremental costs would be covered by the grant. The trucks would be fueled by natural gas instead of gasoline. The agenda item is for authorization to solicit bids for updating the City's Energy Efficiency and Conservation Strategy. This plan is required by the Department of Energy. The plan must support the proposed project. The current plan does not support the purchase of natural gas trucks; therefore, an update to the plan is necessary. At the end of this the City hopes to have an alternative fuel vehicle replacement plan to open the door for other grant funds available through ACOG to systematically update the fleet with CNG vehicles. Ms. Jones noted that the grant allows \$10,000 for the plan update and \$120,000 for the conversion costs. There are no matching funds required.

**Councilman Roberts moved to authorize staff to solicit requests for proposals for an update to the City of Moore's Energy Efficiency and Conservation Strategy, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 13 being:**

AUTHORIZE STAFF TO SOLICIT REQUESTS FOR PROPOSALS FOR THE "RECYCLE MOORE" EDUCATION CAMPAIGN.

Elizabeth Jones, Community Development Director, stated that this is the Energy Efficiency Conservation Block Grant program. This will be funded entirely through federal funds. "Recycle Moore" is a marketing

plan and marketing materials to be used to increase awareness of the City's recycling center. The City plans to track the usage of the recycling center. There is a goal of reducing the City's contribution to the landfill by 12%. The estimated cost of the education campaign is \$30,000.

**Councilwoman McMillan moved to authorize staff to solicit requests for proposals for the "Recycle Moore" Education Campaign, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 14 being:**

CONSIDER APPROVAL OF ORDINANCE NO. 678(10) AMENDING PART 9, CHAPTER 13, ARTICLE A, SECTION 9-1303 BY ADDING PARAGRAPH 7 ESTABLISHING AN EXEMPTION FOR MESSAGES PERFORMED ON AN OUTCALL BASIS WHEN GIVEN TO EMPLOYEES AT AN EMPLOYER SANCTIONED EVENT; PROVIDING FOR A REPEALER; AND PROVIDING FOR SEVERABILITY.

Randy Brink, City Attorney, advised that the City's current ordinance prohibits any type of outcall massage service. Ordinance No. 678(10) would allow outcall massage in the event an employer was having a health fair for their employees. Mayor Lewis commented that Moore Medical Center holds health fairs and offers things like chair massages. Mr. Brink stated that the exemption would apply to those individuals who have their certifications or who are attending school.

**Councilwoman McMillan moved to approve Ordinance No. 678(10), second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 15 being:**

CONSIDER AWARDED BID NO. 101-001 "PURCHASE AND INSTALLATION OF PACKAGED HEAT AND AIR ROOF TOP UNITS FOR THE COMMUNITY CENTER" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Steve Eddy, City Manager, asked that the City Council table Agenda Item No. 15. Staff is waiting for additional information to ensure the bid is awarded to the most responsible bidder.

**Councilman Roberts moved to table Agenda Item No. 15, second by Councilman Cavnar. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED.**

**Agenda Item Number 16 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 16, 2010.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2010-2011 IN THE AMOUNT OF \$820,232.13.

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

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

**Agenda Item Number 17 being:**

CONSIDER APPROVAL OF RESOLUTION NO. 230(10) AUTHORIZING AN AMENDED FUNDING REQUEST TO THE OKLAHOMA WATER RESOURCES BOARD IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,637,000; APPROVING THE ISSUANCE OF A CLEAN WATER SRF PROMISSORY NOTE IN SAID PRINCIPAL AMOUNT TO BE SECURED BY A PLEDGE OF UTILITY AND SALES TAX REVENUES AND LEASEHOLD INTEREST OF THE AUTHORITY IN UTILITY SYSTEMS AND PROPERTIES; DESIGNATING A LOCAL TRUSTEE; APPROVING AND AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL NOTE INDENTURE, LOAN AGREEMENT, TRUST AGREEMENT, SALES TAX AGREEMENT, AND RELATED LOAN DOCUMENTS, CERTIFICATES, AND AGREEMENTS; APPROVING VARIOUS COVENANTS AND REPRESENTATIONS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Steve Eddy, City Manager, stated that approval of Resolution No. 230(10) was part of the formal process needed by the Moore Public Works Authority to seek additional funding from the Oklahoma Water Resources Board for completion of the wastewater treatment plant. Mr. Eddy pointed out that portions of the resolution require a super majority of the Council, or six affirmative votes, while others require a simple majority or four affirmative votes. Mr. Eddy asked that the City Council approve Resolution No. 230(10) as written; however, he indicated that it may be necessary to submit it again for consideration when six members of the City Council are present.

**Trustee Roberts moved to approve Resolution No. 230(10), second by Trustee McMillan. Motion carried unanimously.**

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

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

**Agenda Item Number 18 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 16, 2010.

- B) APPROVE PAYMENT OF A COURT ORDERED WORKERS' COMPENSATION SETTLEMENT IN THE AMOUNT OF \$27,966.00 TO JEFFREY BRIDGES FOR CLAIM NUMBER WC-2004-00072-H.
- C) APPROVE PAYMENT OF A COURT ORDERED WORKERS' COMPENSATION SETTLEMENT IN THE AMOUNT OF \$11,880.00 TO LYNDALE MILES FOR CLAIM NUMBER WC-2009-10736-Q AND AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLES.
- D) APPROVE A BUDGET SUPPLEMENT FOR THE RISK MANAGEMENT FUND IN THE AMOUNT OF \$940,000.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2010-11 IN THE AMOUNT OF \$234,819.92.

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

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

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:09 P.M.**

**Agenda Item Number 19 being:**

NEW BUSINESS:

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

There were no citizens signed up to speak.

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

There were no items from the City Council.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- Target is making progress on their new site.
- The 19<sup>th</sup> and Telephone Road project is virtually complete. Timing of traffic signals, striping, and sidewalks remain.
- 12<sup>th</sup> Street project between Eastern and Bryant is underway.
- Preliminary plans received on NW 5<sup>th</sup> Street between I-35 and Markwell. Bond Issue No. 3 will be presented to the City Council for authorization to solicit bids within the next few weeks.
- Stimulus project that includes the repaving of SE 34<sup>th</sup> and portions of Bryant have been completed.
- Reminder of a retreat scheduled for October 9, 2010. Councilwoman McMillan has a previous engagement at ACOG. Discussion was held about rescheduling the date. It was determined that the retreat would be held on October 9, 2010. Mayor Lewis congratulated Councilwoman McMillan for being named Chairperson of the ACOG Board of Directors.

**Agenda Item Number 20 being:**

ADJOURNMENT

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

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

**The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:13 p.m.**

TRANSCRIBED BY:

\_\_\_\_\_  
RHONDA BAXTER, Executive Assistant

RECORDED BY:

\_\_\_\_\_  
CAROL FOLSOM, Purchasing Agent

FOR:

\_\_\_\_\_  
JANIE MILUM, MPWA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2010.

ATTEST:

\_\_\_\_\_  
JIM CORBETT, City Clerk