

**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
SEPTEMBER 15, 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 15, 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, Cavnar, Roberts, Milum, Lewis
ABSENT: None

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; 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 Troop 20, who were in attendance at the meeting as part of the requirements for earning their "Citizenship in the Community" merit badge.

Mayor Lewis read a proclamation declaring September 29 through October 3, 2008 as "Options Program Week." Mayor Lewis presented the proclamation to Cara Ditto, Options Program Director with Moore-Norman Technology Center. Ms. Ditto issued an invitation to attend the 30-year anniversary celebration of the Options Program on September 30, 2008 from 4:30 to 6:30 p.m. at the Moore-Norman Technology Center Campus in Norman. Historical information would be on display, videos, former and current clients, and staff.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 2, 2008.

- B) APPROVE CHANGING THE MEN'S BASKETBALL LEAGUE FEE OF \$45.00 FOR MOORE RESIDENTS AND \$55 FOR NON-MOORE RESIDENTS TO A TEAM FEE OF \$350.
- C) ACCEPTANCE OF ROADWAY RIGHT-OF-WAY FOR BROADWAY AVENUE LOCATED IN THE NE/4 OF SECTION 36, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND EAST OF BROADWAY.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$1,036,943.63.

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

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

Agenda Item Number 3 being:

CONSIDER ORDINANCE NO. 630(08) AMENDING PART 12, CHAPTER 4, ARTICLE D, PLANNED UNIT DEVELOPMENTS, BY SETTING STANDARDS AND PROCEDURES AND ADDING MINIMUM AMENITY REQUIREMENTS.

Elizabeth Jones, Community Development Director, stated that in 2007 the Planning Commission discussed the possibility of updating the PUD regulations by changing the requirements for amenities and setting new standards and procedures. Ordinance No. 630(08) would promote the quality of long-term development that enhances or maintains quality of life standards, while still allowing the developer to increase densities in Planned Unit Developments. Ms. Jones included a memo with the proposed changes to the ordinance. She advised that the new requirements have three different categories of Planned Unit Developments (PUDs). They are residential, commercial, and industrial. She reminded everyone that the City receives amenities in exchange for a developer increasing their densities. PUDs are used primarily for apartments, multi-family residential, and commercial situations. Ms. Jones advised that amenities that a developer could choose from were listed for residential PUDs. A few of the amenities include recessed garages, a minimum number of elevations to increase variety within a neighborhood, and side-entry garages. It would also include options for landscaping and open space. One of the changes would be the requirement for irrigation for any landscaping approved as an amenity.

The second category is the commercial PUD. Ms. Jones noted that often times the developer is not certain what the specific use of the property would be and has no conceptual plans. Generally they propose information on what uses would be allowed within a certain area. This requires staff to have a PUD that creatively gives a list of amenities without knowing exactly what the final product will look like. The amenities would include items such as masonry screening for loading docks that face streets, landscaping and architecturally distinctive store fronts.

The last category includes industrial PUDs. To date there has not been a request for an industrial PUD; however, it is conceivable that one could occur in the future. The intent of this PUD is to provide an aesthetically pleasing campus-like setting to compliment the existing streetscape with amenities similar to those of the commercial PUDs.

Ms. Jones added that a list of unacceptable amenities was also included such as stockade or metal fencing, decorative mailboxes, open spaces that are not accessible to the public, and a regular subdivision entry sign. She stated that these items could be used in the development, but would not count toward acceptable amenities during the PUD design statement review. Ms. Jones advised that Ordinance No. 630(08) increases the submittal requirements. This ensures a more detailed view of what is being proposed for staff, Planning Commission, and City Council purposes. Submittal requirements would include a site plan, landscaping plan, and an architectural plan if it is considered an amenity. Color

renderings are also encouraged. She noted that the ordinance would not prevent the City Council from negotiating with the developer to get a specific PUD amenity not included in the list.

Councilman Krows moved to approve Ordinance No. 630(08), second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A RIGHT-OF-WAY AND UTILITY ENCROACHMENT AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STATE PROJECT NO. STP-114C(152)AG, JOB PIECE NO. 225185, BEING THE RECONSTRUCTION AND WIDENING OF THE ONE-LANE BRIDGE ON SE 34TH STREET BETWEEN SUNNYLANE AND BRYANT AVENUE, AND APPROVE RESOLUTION NO. 660(08).

Elizabeth Jones, Community Development Director, stated that the proposed Utility Right-of-Way and Utility Encroachment Agreement was a standard agreement for any federally funded project. The City would be required to pay 20% in matching funds with the remaining 80% being federally funded. Ms. Jones advised that the ACOG project would involve replacing a one-lane bridge on SE 34th Street with a two-lane bridge, including the appropriate drainage structure underneath. It would be a 36-foot wide roadway in order to accommodate the fire trucks to be located at the new station near this location. Ms. Jones anticipated the project to be on the February bid letting. The approved Right-of-Way and Utility Encroachment Agreement is the last requirement from ACOG for project approval.

Councilman Krows asked how long the SE 34th Street bridge would be closed for construction. Ms. Jones indicated that those types of questions would likely be determined when the bid is awarded.

Councilwoman Haworth moved to approve a Right-of-Way and Utility Encroachment Agreement with the Oklahoma Department of Transportation for State Project No. STP-114C(152)AG, Job Piece No. 225185, being the reconstruction and widening of the one-lane bridge on SE 34th Street between Sunnyslane and Bryant Avenue, and approve Resolution No. 660(08), second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF AN UPDATE TO THE EMERGENCY OPERATIONS PLAN.

Gayland Kitch, Emergency Management Director, stated that Agenda Item No. 5 was for consideration of the annual update to the City's Emergency Operations Plan. Mr. Kitch indicated that the changes included reformatting changes to make the document more user friendly. It also incorporated changes from the federal level. A complete rewrite was discussed but then it was determined it would be too large of a task until some things are resolved at the federal level. Mr. Kitch stated that when final approved is received from Homeland Security the Emergency Operations Plan would be posted on the City's webpage.

Mayor Lewis asked if all required personnel are NIMS compliant. He noted that the City would not be eligible for some grants if we did not comply with NIMS requirements. Mr. Kitch stated that the City is

NIMS compliant. Mr. Kitch advised that NIMS stands for National Incident Management System which is required as a result of a Presidential Homeland Security directive.

Councilman Krows moved to approve an update to the Emergency Operations Plan, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER ORDINANCE NO. 631(08) AMENDING PART 13, CHAPTER 1, ARTICLE A OF THE MOORE MUNICIPAL CODE ADOPTING THE 2006 INTERNATIONAL FIRE CODE WHICH REPLACED THE BOCA NATIONAL FIRE PREVENTION CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EMERGENCY.

Randy Brink, City Attorney, stated that Ordinance No. 631(08) replaces the BOCA National Fire Prevention Code with the 2006 International Fire Code. The proposed emergency clause included under Agenda Item No. 7 would allow for the immediate adoption of Ordinance No. 631(08).

Councilman Krows moved to approve Ordinance No. 631(08), second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER ADOPTION OF THE EMERGENCY CLAUSE FOR ORDINANCE NO. 631(08).

Councilman Krows moved to adopt the emergency clause for Ordinance No. 631(08), second by Councilwoman McMillan. Motion carried unanimously.

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

Agenda Item Number 8 being:

DISCUSS AND CONSIDER APPROVAL OF AN EXPENDITURE OF \$68,500 TO RESURFACE S. BRYANT AVENUE BETWEEN SE 34TH STREET AND S. BROADWAY, AND SUPPLEMENT THE BUDGET ACCORDINGLY.

Stan Drake, Assistant City Manager, stated that the City Council approved the resurfacing of a ½ mile of roadway on Bryant between Broadway and Indian Hills Road at the July 21, 2008 City Council meeting. He stated that the Cleveland County Commission requested that the project be extended north from Broadway to SE 34th Street. The proposed expenditure of \$68,500 was for asphalt and deep patching. Mr. Drake advised that the county would provide the labor on the project.

Mayor Lewis expressed his appreciation to County Commissioner Skinner for his assistance on the road project.

Councilman Krows moved to approve an expenditure of \$68,500 to resurface S. Bryant Avenue between SE 34th Street and S. Broadway, and supplement the budget accordingly, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 9 being:

DISCUSS AND CONSIDER APPROVAL OF AN EXPENDITURE OF \$12,000 TO CHIP SEAL SE 34TH STREET BETWEEN SUNNYLANE AND SOONER ROAD, AND SUPPLEMENT THE BUDGET ACCORDINGLY.

Stan Drake, Assistant City Manager, stated that the proposed chip seal project on SE 34th Street between Sunnyslane and Sooner Road was necessary in order to protect the integrity of the mile of roadway. The City applied the stabilization of the subgrade and Oklahoma City has been in the process of laying a 48-inch waterline and the equipment and wear and tear is damaging to the road. Staff would recommend chip sealing the roadway to prevent moisture from penetrating the subgrade.

Councilman Krows asked what a chip seal means. Mr. Drake stated that a thick layer of oil is spread on the street followed by a layer of rock.

Mayor Lewis asked if there was enough traffic on SE 34th to warrant an asphalt overlay and what the cost would be. Mr. Drake estimated the cost to be around \$150,000. Steve Eddy, City Manager, felt that the City should not expend \$12,000 now if we plan to ask the County to assist with an asphalt overlay project. Mr. Drake commented that if Council opted to go with the chip seal it should be scheduled as soon as possible due to the colder temperatures. Mayor Lewis also mentioned that a new fire station would be constructed nearby and would be using SE 34th. He felt that the roadway should be a better roadway to accommodate the expensive pieces of fire equipment. Mr. Eddy advised that there is another mile of roadway that would need to be looked at after the bridge project is completed next year. He recommended approving the chip seal which would give the City a year to determine what to do next.

Councilman Krows moved to approve an expenditure of \$12,000 to chip seal SE 34th Street between Sunnyslane and Sooner Road, and supplement the budget accordingly, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER APPROVAL OF A LETTER OF UNDERSTANDING WITH "THE TEDDY BEAR PARTNERS, LLC" CONCERNING THE DONATION OF LAND SOUTH OF SW 19TH STREET AND EAST OF FRITTS BLVD. TO BE USED AS THE SITE FOR NEW FIRE STATION ONE.

Steve Eddy, City Manager, stated that staff had been visiting with Terry and Jason Fritts for a year or more regarding the donation of land south of SW 19th Street and east of Fritts Blvd. to be used as the future site of Fire Station One. Mr. Eddy felt that this was a tremendously generous offer. The proposed Letter of Understanding with their company "The Teddy Bear Partners, LLC" sets out the agreement that in exchange for the donation of land the City would build a fire station, roadway, and utilities that would

serve the fire station and their property as well. Mr. Eddy stated his opinion that this was a very good deal for the City.

Mayor Lewis thanked the Fritts family for their generous donation.

Councilwoman McMillan moved to approval of a Letter of Understanding with "The Teddy Bear Partners, LLC" concerning the donation of land south of SW 19th Street and east of Fritts Blvd. to be used as the site for new Fire Station One, second by Councilman Krows. Motion carried unanimously.

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

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

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD SEPTEMBER 2, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2008-2009 IN THE AMOUNT OF \$431,638.93.

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

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

Agenda Item Number 12 being:

CONSIDER AUTHORIZING STAFF TO NEGOTIATE WITH CURRENT AGENTS FOR 2009 INSURANCE POLICIES FOR PROPERTY AND CONTENTS, EXCESS PUBLIC OFFICIALS AND EMPLOYMENT PRACTICE LIABILITY, AND BOILER AND MACHINERY COVERAGE.

Gary Benefield, Risk Manager, advised that City staff feels that the current insurance agents offer good rates and would request authorization to negotiate for 2009 insurance polices for property and contents, excess public officials and employment practice liability, and boiler and machinery coverage.

Trustee Krows moved to authorizing staff to negotiate with current agents for 2009 insurance policies for Property and Contents, Excess Public Officials and Employment Practice Liability, and Boiler and Machinery Coverage, second by Trustee McMillan. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING CONVENED AT 6:59 P.M.

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD SEPTEMBER 2, 2008.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 08-09 IN THE AMOUNT OF \$314,185.89.

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

Ayes: Krows, McMillan, Haworth, 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 7:00 P.M.

Agenda Item Number 14 being:

ROLL CALL

PRESENT: Krows, McMillan, Haworth, 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 AUGUST 18, 2008.

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

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

Agenda Item Number 16 being:

DIRECTOR'S REPORT

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

- Commended Cara Ditto for her work as Options Program Director with Moore-Norman Technology Center.
- Fort Thunder Harley-Davidson had a fantastic grand opening of their 40,000 square foot building. They recorded their highest sales that they ever had in the history of the dealership. The owner of the Harley-Davidson building also owns a four acre tract between the dealership and Lowe's. He has already received some calls regarding the property.

- Best Buy has an opening day of November 14, 2008. They are accepting applications for employment.
- Toys-R-Us/Babies-R-Us has been announced by the developer to go in south of J.C. Penney. The store would be approximately 60,000 and construction should begin soon.
- Pet Smart and Bed, Bath & Beyond are under construction at the north end of the Shops at Moore.
- Chick-Fil-A started utility construction on the Fritts property. They anticipate an opening date in April 2009.
- Fall events include:

Pioneer Library System will celebrate their 50th anniversary on September 25, 2008 from 5:00 to 8:00 p.m. at the Moore Public Library.

Moore High School Homecoming game is scheduled for October 10, 2008. Parade starts at 1:30 p.m. with a route going through Old Town. The police and fire departments will donate free hamburgers, hotdogs, and tailgate food after the parade until 5:00 p.m. or until the food is gone.

The Red Ribbon Parade will be October 25, 2008 at 10:00 a.m. Following the parade will be a Red Ribbon Jam Fest at the Library and Community Center parking lots. The United States Air Force Jazz Band "Shades of Blue" will play. An authentic Zydeco band from Louisiana will also play. Authentic Cajun food will be served such as crawfish and gumbo. Arts and crafts and activities for the kids will also be included.

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:07 P.M.

Agenda Item Number 17 being:

NEW BUSINESS:

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

Sandra Combs, 813 NW 8th, voiced concern about the absence of a community shelter in the event of a tornado. She stated that she understood the citizens would not have access to schools where large numbers of people could take shelter. Ms. Combs suggested that the City could apply for grants that might enable those citizens who do not own a shelter to obtain one. Steve Eddy, City Manager, stated that he had talked with Ms. Combs a week ago and did tell her that the City could not grant access to school buildings. He advised that the City did make more than one grant application to the State of Oklahoma and/or FEMA to reinstitute the safe room program. Mr. Eddy indicated that the city has not been successful so far in obtaining the grant monies.

Councilman Krows asked Gayland Kitch, Emergency Management Director, whether other communities have large community shelters. He advised that there was a fairly new shelter at Newcastle. Several problems exist with this type of request, the first being the size and number of public shelters that must be constructed. He also added that people will generally leave a relatively safe location, such as their home, and drive in order to reach a shelter putting themselves and the occupants of the car in extreme danger. Mr. Kitch also stated that a normally constructed home would typically give you enough shelter to survive. In 2003 around 2,000 people were in homes which were in the direct path of an F-3 storm with no fatalities. In 1999 an F-5 tornado hit with approximately 2,000 people in their homes in the direct path of the tornado, and there were only three fatalities. He felt that the vast majority of the people survived these storms doing what they were instructed to do, taking shelter in their homes. He heard

stories of individuals unable to leave their additions because of the gridlock that had occurred. This leaves people unprotected in their cars when a storm hits. However, if Council decides at some point to construct a public shelter, he would recommend having more than one. He suggested that the City would need multiple facilities in various parts of town to limit exposure to the outdoors while attempting to reach the facility. Mr. Kitch also mentioned that the City was the recipient of two FEMA grants for the construction of approximately 1,000 individual storm shelters. He advised that a registry of storm shelters was kept at City Hall.

Mr. Eddy related that community storm shelters were researched in great detail following the May 3, 1999 tornado. Cost would be a major factor in the decision to construct a public shelter. Councilman Roberts commented that there were so many major issues associated with this type of project. Among costs there were also enormous logistical issues, particularly for a city of 52,000.

Mayor Lewis suggested the City check into grand funds to start our own individual storm shelter program. He felt that the topic was too big to discuss during a regular meeting and might require a special study session sometime in the future.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Cavnar commented that he and his wife used the household hazardous waste facility in Oklahoma City. He stated that the facility was very clean and professionally run. Steve Eddy, City Manager, indicated that Moore and Oklahoma City approved an agreement for disposal of household hazardous waste. He noted that any Moore citizen can take up to 7.5 gallons to the facility at 15th and Portland at no cost. Councilman Cavnar advised that Oklahoma City has a trailer to collect household hazardous waste within a community. He suggested Oklahoma City might bring the trailer to Moore once a year.

Councilman Krows stated that he had received an e-mail regarding the transportation committee's recommendations. There appears to be some questions as to why the City needs to raise funds for the repair of various roadways. He stated that costs go up tremendously with a growing city, and some of the project cost much more than what we make in revenues. If he receives any questions he intends to forward a letter that was written by the City Manager explaining the need. Councilman Krows indicated that our millages are actually lower than some of the surrounding cities.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- Financial statement looks good.
- Will hold a work study session regarding Direct Development's proposal regarding a sales tax rebate agreement September 22, 2008 at 6:30 p.m.

Agenda Item Number 18 being:

EXECUTIVE SESSION

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE ACTION REGARDING PENDING LITIGATION STYLED: METROPOLITAN UTILITIES CO., ET. AL. V. CITY OF MOORE, ET. AL., CJ-2002-1397, AND AUTHORIZE LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANTS AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

B) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 7:35 p.m.

C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:51 p.m.

D) ACTION.

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE ACTION REGARDING PENDING LITIGATION STYLED: METROPOLITAN UTILITIES CO., ET. AL. V. CITY OF MOORE, ET. AL., CJ-2002-1397, AND AUTHORIZE LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANTS AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilman Krows moved to authorize staff to proceed as directed in executive session, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 19 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:53 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