

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
JANUARY 7, 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 January 7, 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; Fire Chief Charlie Stephens; Assistant Fire Chief Doug Scott; Deputy Fire Chief, Gary Bird; Police Chief, Ted Williams; Major, Gary Tipps; 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; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 17, 2007.
- B) APPROVE THE MINUTES OF THE SPECIAL WORK STUDY SESSION HELD DECEMBER 7, 2007.
- C) RECEIVE AND APPROVE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD OCTOBER 9, 2007.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2007-2008 IN THE AMOUNT OF \$2,418,689.08.

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 AWARD OF ANNUAL AUDIT SERVICES TO THE FIRM OF DILLON & ASSOCIATES FOR FY 07-08 AT A TOTAL COST OF \$25,700.

Jim Corbett, Finance Director, advised that the City solicited Requests for Proposals in September for auditing services and only received two responses. Mr. Corbett stated that there were a limited number of firms that audit state and local governments because that type of audit isn't as profitable as other types of auditing services, and because each year there are more GASB pronouncements that must be followed. He related that the City received one bid in the amount of \$25,700 and another in the amount of \$40,000. Staff recommended approving the bid from Dillon & Associates in the amount of \$25,700. Mr. Corbett noted that Dillon & Associates prepared the City's annual audit for the past eight years and has done a good job.

Councilman Roberts moved to award of annual auditing services to the firm of Dillon & Associates for FY 07-08 in the amount of \$25,700.00, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER THE FINAL PLAT OF FOREST BROOK LOCATED IN THE SE/4 OF SECTION 13, T10N, R3W, BEING NORTH OF MAIN STREET AND WEST OF BRYANT AVENUE. APPLICATION BY ASHER INVESTMENTS/DAVIN METHVIN.

Elizabeth Jones, Community Development Director, stated that the proposed final plat consisted of 48 residential lots on approximately eleven acres. The plat reflected one common area along Asher Court to be used as open space. Ms. Jones advised that a 100 year floodplain was located on the northeast portion of the property; therefore, the developer would be required to meet all FEMA requirements for development within a floodplain. She added that a fee in lieu of detention would also be required. Ms. Jones noted that access would be from Bryant Avenue and a street connection to NE 2nd Street, with no access provided off of Bryant Avenue for the individual lots. She stated that water and sewer would be extended to serve the site. Staff recommended approval of the item.

Councilwoman McMillan moved to approve the final plat of Forest Brook located in the SE/4 of Section 13. T10N, R3W, being north of Main Street and west of Bryant Avenue, second by Councilwoman Haworth. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER REZONING APPLICATION NO. RZ-817 TO REZONE A PART OF THE NW/4 OF SECTION 34, T10N, R3W, BEING SOUTH OF SW 34TH STREET AND EAST OF SANTA FE AVENUE, FROM A-1 RURAL AGRICULTURAL DISTRICT TO R-1 SINGLE-FAMILY DWELLING DISTRICT; AND APPROVE ORDINANCE NO. 603(07). APPLICATION BY ODOM NORTHWEST, LLC/DAVID ODOM.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 5 and 6 were companion items. She advised that the property contained a 95-acre vacant parcel of land located along Santa Fe Avenue south of SW 34th Street. Water and sewer would be extended to the serve the site. Ms. Jones advised that a 100-year floodplain was located on the northern portion of the property. She added that the developer must comply with all FEMA requirements for development within a floodplain. Detention would be required due to historical problems with the drainage basin. Access would be provided from Santa Fe Avenue and SW 34th Street. Ms. Jones stated that the application was in general compliance with the MOORE VISION 20/20.

Ms. Jones also advised that the proposed preliminary plat included 301 residential lots. No access would be provided from Santa Fe Avenue for individual lots. Staff recommended approval of Agenda Items No. 5 and 6.

Councilman Cavnar asked what the developer intended to do with the retention ponds. Ms. Jones indicated that the portion of the property located in the floodplain contained a big ravine that they proposed to use as detention. She advised that although the developer had not submitted their final detention plans or calculations, it was her opinion that there was adequate land to detain the water.

Councilman Cavnar asked if there would be additional runoff from the new development into a pond located under three lots on Meadow Lane in Park Glen Addition. Ms. Jones stated that the developer would not be allowed to discharge anything into an area that had not been historically discharged there in the past.

Councilwoman McMillan moved to approve Rezoning Application No. RZ-817 and Ordinance No. 603(07), second by Councilwoman Haworth. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER THE PRELIMINARY PLAT OF SENDARA LAKES LOCATED IN THE NW/4 OF SECTION 34, T10N, R3W, BEING SOUTH OF SW 34TH STREET AND EAST OF SANTA FE AVENUE. APPLICATION BY ODOM NORTHWEST LLC/DAVID ODOM.

Councilman Roberts moved to approve the preliminary plat of Sendara Lakes located in the NW/4 of Section 34, T10N, R3W, being south of SW 34th Street and east of Santa Fe Avenue, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER REZONING APPLICATION NO. RZ-818 TO REZONE A PART OF THE SE/4 OF SECTION 32, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND WEST OF SOONER ROAD, FROM A-1/PUD RURAL AGRICULTURAL DISTRICT/PLANNED UNIT DEVELOPMENT TO R-3/PUD GENERAL RESIDENTIAL

DISTRICT/PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 604(07). APPLICATION BY BELMAR GOLF, LLC/HUNTER MILLER.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 7 and 8 were companion items. She advised that the applicant requested that the items be tabled to the February 4, 2008 City Council meeting. The applicant indicated that he had a conflicting meeting out of town and wished to be at the meeting to represent the item to the City Council.

Councilwoman Haworth moved to table Agenda Item No. 7, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER THE FINAL PLAT OF BELMAR NORTH, SECTION 1 LOCATED IN THE NE/4 OF SECTION 32, T10N, R2W, BEING NORTH OF INDIAN HILLS ROAD AND WEST OF SOONER ROAD. APPLICATION BY BELMAR GOLF, LLC/HUNTER MILLER.

Councilwoman McMillan moved to table Agenda Item No. 8, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER THE FINAL PLAT OF ROCK CREEK ESTATES LOCATED IN THE SW/4 OF SECTION 19, T10N, R2W, BEING SOUTH OF SE 4TH STREET AND EAST OF BRYANT AVENUE. APPLICATION BY R & R DEVELOPMENT LLC/ROCKY CLARK.

Elizabeth Jones, Community Development Director, advised that the proposed final plat of Rock Creek Estates contained 40 lots on 13 acres, and was a replat of Blocks 3 through 5. She stated that the lots were located in a developing subdivision that backed up to existing detention ponds. Ms. Jones stated that the applicant proposed to incorporate a 15-foot strip of land behind each of the specified lots, that was currently part of the detention area, into the back yards of the surrounding homes. The proposal would allow for increased rear yards and better yard maintenance by the homeowners instead of the Homeowner's Association. She noted that the area was inspected by staff and conversations were also held with the developer and engineer to make certain that the new detention pond configuration would be maintainable by the Homeowner's Association. Ms. Jones advised that at that time it was determined the proper allocations for detention had also been made. Staff recommended approval of the item.

Councilman Roberts moved to approve the final plat of Rock Creek Estates located in the SW/4 of Section 19, T10N, R2W, being south of SE 4th Street and east of Bryant Avenue, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER AWARDING BID NO. 078-004 "PURCHASE OF FIRE APPARATUS – 75 FOOT AERIAL" TO CHIEF FIRE AND SAFETY IN THE AMOUNT OF \$552,074.

Fire Chief Charles Stephens advised that the proposed ladder truck would be placed at the new Station One. He indicated that the item had been bid out early due to anticipated price increases that typically occur in January of each year. This would lock in the 2007 prices and save the City approximately 5% on the purchase of the equipment. Delivery would occur in time for the opening of the new station which was anticipated to be sometime around December 2008. Chief Stephens recommended awarding the bid to Chief Fire and Safety in the amount of \$552,074. Mayor Lewis noted that Chief Fire and Safety was a local vendor.

Councilwoman Haworth moved to award Bid No. 078-004 "Purchase of Fire Apparatus – 75 Foot Aerial" to Chief Fire and Safety in the amount of \$552,074.00, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AWARDING BID NO. 078-005 "PURCHASE OF FIRE APPARATUS – 1250 GPM PUMPER" TO CHIEF FIRE & SAFETY IN THE AMOUNT OF \$284,975.

Chief Stephens recommended awarding the bid for the purchase of a 1,250 Gallon Per Minute Pumper to Chief Fire and Safety in the amount of \$284,975. This fire truck would be located at the new Station 4 at 12th and Bryant. Chief Stephens advised that this unit would also be purchased using 2007 pricing and delivery would be delayed until completion of the fire station.

Councilwoman Haworth asked if Chief Fire & Safety required payment when the equipment is ordered. Chief Stephens indicated that payment was expected upon delivery. Mayor Lewis asked what the life expectancy was for the engine. Chief Stephens stated that the engine would be placed as a front-line unit for ten years and then moved to a reserve unit for five to ten years.

Councilwoman Haworth moved to award Bid No. 078-005 "Purchase of Fire Apparatus – 1250 GPM Pumper" to Chief Fire & Safety in the amount of \$284,975.00, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER AUTHORIZING THE PURCHASE OF ONE UNBUDGETED 2008 E-ONE 1250 GPM PUMPER IN THE AMOUNT OF \$284,975 FROM CHIEF FIRE & SAFETY UNDER BID NO. 078-005.

Fire Chief Stephens requested purchasing an additional unbudgeted 1250 Gallon Per Minute Pumper in the amount of \$284,975 to replace a 23 year old unit. Chief Stephens anticipated replacing the unit next

budget year; however, with another engine experiencing mechanical problems it became critical that the unit be ordered now. It was anticipated that delivery would take place within five months.

Councilman Cavnar moved to authorize the purchase of one unbudgeted 2008 E-One 1250 GPM Pumper in the amount of \$284,975 from Chief Fire & Safety in the amount of \$284,975.00, second by Councilwoman Milum. Motion carried unanimously.

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

Agenda Item Number 13 being:

RECEIVE A REPORT ON NON-MANAGEMENT NON-UNION EMPLOYEE COMPENSATION AND AUTHORIZE THE CITY MANAGER TO MAKE CHANGES TO THE PAY PLAN AS RECOMMENDED AND DEEMED APPROPRIATE.

Steve Eddy, City Manager, stated that he had not finalized the final pay plan recommendations on non-union non-management positions. He asked that the item be tabled until the next meeting. Mayor Lewis asked what the item was about. Mr. Eddy indicated that it had to do with approximately 15 to 20 employees that were not covered as management and/or union members. Mr. Eddy advised that Council authorized giving those individuals the same pay raises as the AFSCME union received; however, some inequities have developed. The report that he referred to would be a metro average of pay ranges for each job description.

Mayor Lewis felt that setting pay ranges would be the responsibility of the City Manager. Mr. Eddy indicated that Council action would be required if it was determined that the positions should be moved up into a more appropriate pay range.

Councilwoman Haworth moved to table the item to the January 22, 2007 City Council meeting, second by Councilman Roberts. 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 6:55 P.M.

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD DECEMBER 17, 2007.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2007-2008 IN THE AMOUNT OF \$888,189.07.

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

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

Agenda Item Number 15 being:

CONSIDER AUTHORIZING THE SOLICITATION OF REQUESTS FOR PROPOSALS FOR PREPARATION OF A WATER MASTER PLAN.

Steve Eddy, Trust Manager, referred to a memorandum included in the agenda packet which outlined the importance of soliciting requests for proposals for a water master plan. He stated that the last time a water master plan was prepared was in 2001 with an amendment to it in 2003. At that time the City was contemplating drilling additional water wells. Since that time the City experienced a significant increase in population. Mr. Eddy added that a long-term contract with the City of Oklahoma City was entered into for the purchase of water. Population changes would affect the amount of water the City anticipated purchasing. He added that the City received a request from Oklahoma City for 50 year water usage projections. He also felt that the proposed Trust the City discussed entering into with other central Oklahoma metropolitan area cities for surface ground water should be considered. Mr. Eddy suggested soliciting Requests for Proposals for Preparation of a Water Master Plan. He also suggested having a three-member committee listen to the proposals from engineers regarding an update to the master plan. Another part of the plan should include a hydraulic study. Since we now have an idea on where the water could be obtained, we need to ensure we are able to get it here, at the right pressure, and that the lines are located properly.

Trustee Roberts moved to authorize the City Manager to proceed with the solicitation of Requests for Proposals for preparation of a water master plan, second by Trustee Milum. 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 7:00 P.M.

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD DECEMBER 17, 2007.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2007-2008 IN THE AMOUNT OF \$111,962.19.

Trustee Haworth moved to approve the consent docket in its entirety, second by Trustee McMillan. 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 7:01 P.M.

Agenda Item Number 17 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.

Councilwoman Haworth received calls wanting clarification on the tree limb removal process. Steve Eddy, City Manager, indicated that he would explain how the limb removal process was being handled under items from the City Manager.

Councilwoman McMillan asked for an update on the Vaughan Foods odor issue. Robert Pistole, Project Manager with Veolia Water, felt that Vaughan Foods had a better odor control system in place. They ordered a new piece of equipment to help control odors that was due for delivery in mid to late January. Mr. Pistole indicated that he would put some milestone dates for each item to be completed for Vaughan Foods, and copy the City Manager and Council. Mr. Eddy indicated that most of the people that the City had been dealing with are not a part of the operation any more. The company is now publicly owned rather than privately owned. It was his opinion that the people were being much more cooperative in working with the City; however, it would take some time to catch up with what is expected of them.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- The City publicized that tree limb removal would begin the week of January 7, 2007. However, they saw an opportunity and began picking up on January 3, 2007. There would be two passes throughout the community; however, citizens should watch for Code Red messages, the web page, and cable to notify them when the second pass would begin. The City obtained the proper burn permits to begin burning the limbs at the wastewater treatment plant.
- Stan Drake, Assistant City Manager, attended an applicant's briefing with FEMA.
- Citizens must cut the tree limbs in lengths not to exceed 10 feet and move them to the curb for removal. He felt that most citizens are doing a great job with it. Staff anticipated completing the first pass within the month. Currently there are two crews each working in the northeast and northwest quadrants of the City working their way south. When they complete that run they will begin at the same point and start over again. Residents who want to haul their own limbs to the burn site are still able to do so.
- Silver Star Construction was scheduled to start the Santa Fe road project near the new high school. The south end of the roadway would be closed to traffic for a period of time. Notification will be given as to the date it would occur. Stan Drake, Assistant City Manager, indicated the project would take approximately 120 days. Also advised of a scheduled water turn off on January 11, 2008. Code Red would be used for notification purposes. Mr. Eddy encouraged the citizens to register their phone number for Code Red through the City's webpage at www.cityofmoore.com or through Emergency Management at 793-5077.

Agenda Item Number 18 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 7:10 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

SHELIA HAWORTH, MPWA Secretary

FOR:

ROBERT KROWS, MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2008.

ATTEST:

JIM CORBETT, JR., City Clerk