

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
NOVEMBER 4, 2013 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on November 4, 2013 at 6:30 p.m. with Mayor Glenn Lewis presiding.

David Roberts
Councilman, Ward I

Robert Krows
Councilman, Ward I

Scott Singer
Councilman, Ward II

Mark Hamm
Councilman, Ward II

Jason Blair
Councilman, Ward III

Terry Cavnar
Councilman, Ward III

PRESENT: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis

ABSENT: None

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Clerk/Finance Director, Jim Corbett; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Fire Chief, Gary Bird; Manager of Information Technology, David Thompson; Parks and Recreation Director, Todd Jenson; Police Chief, Jerry Stillings; Assistant Police Chief, Todd Strickland; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; Special Projects Coordinator, Jared Jakubowski; and Purchasing Agent, Carol Folsom.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 21, 2013.
- B) RECEIVE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD SEPTEMBER 10, 2013.
- C) RECEIVE THE MINUTES OF THE SPECIAL JOINT WORK STUDY SESSION HELD BY THE MOORE CITY COUNCIL AND THE MOORE PARKS BOARD ON JULY 29, 2013.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$1,746,654.91.

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

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis

Nays: None

Agenda Item Number 3 being:

CONSIDER ADOPTION OF RESOLUTION NO. 780(13) PERTAINING TO THE GENERAL OBLIGATION BONDS OF 2014, APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS AT AN ELECTION HELD ON NOVEMBER 6, 2012, FIXING THE AMOUNT OF BONDS TO MATURE EACH YEAR, FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD, AND AUTHORIZING THE CITY CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW.

Steve Eddy, City Manager, introduced the City's financial advisor, Chris Cochran, who would be presenting information regarding the next scheduled issuance from the 2012 park bonds. Mr. Eddy advised that he would also discuss a proposed lease-purchase financing that Mr. Eddy mentioned in a previous e-mail. He stated that the City's bond counsel, Terry Hawkins, was also in attendance at the meeting to answer any questions.

Mr. Cochran commented this this was the first meeting he attended since early last year and a lot has happened since that time. He wanted to express how proud he was to represent such an outstanding city, with outstanding people, and outstanding leadership.

Mr. Cochran indicated that had provided the City Council with a copy of a financial analysis. The document is updated a couple of times per year and includes information regarding historical outstanding bond issues, its projected general obligation bond issues, tax rates for bond issues, and property valuations.

He stated that the agenda item was for adoption of Resolution No. 780(13) regarding the next issuance of General Obligation bonds that were authorized at the 2012 election. The resolution sets the amount of bonds to be sold, and sets the date and time and place for the City to receive the bids for the bonds.

In November 2012 the voters authorized the City Council to issue \$25.1 million in General Obligation Bonds for the purpose of funding improvements to various parks within the City. The original plan was to issue the bonds over a five year period. The purpose of issuing the bonds over a five year period prevents a spike in the property tax rates. Phase I in the amount of \$6,325,000 was issued in March 2013. The amount to be issued in Phase II is \$9,075,000. Bids will be accepted until 2:00 p.m. on December 16, 2013, and the bid would be awarded at the City Council meeting that evening.

Mr. Cochran stated that the disadvantage to a multi-year issuance is that the money comes in slower. The issuances would occur once a year through 2017. This would result in completion of the projects around 2018 or 2019. He advised that discussions were held with the City Manager to look at ways to provide money more quickly in order to start projects sooner. Currently money received from the five series of bonds is placed into a construction fund. They would propose continuing with the same course of action with the 2014 bonds. Thereafter they would have the Moore Economic Development Authority borrow the amount of money necessary to complete the parks projects. The funds collected from the sale of the G.O. bonds to be issued in 2015, 2016, and 2017 would be used to make lease-purchase payments. The loan would be a three year bank financing. Mr. Cochran indicated that there would be additional issuance costs associated with his work and the work of Terry Hawkins as bond counsel. This is a new financial concept that has not been used very often by municipalities. However, it has been used by school districts throughout the state over the past five to ten years. Mayor Lewis asked what charges for the financial advisor and bond counsel would be included in the issuance. Mr. Cochran indicated that they both charge $\frac{3}{4}$ of 1% of the amount borrowed. Generally, when they do bank financings with the City the bank does not file an origination fee so typically their fees are the only substantive fees.

Steve Eddy, City Manager, indicated that staff was not asking for Council approval on the lease purchase financing at this time. They plan to move forward with the bond issue listed on the schedule of issuances.

The issue of the lease purchase financing would be brought back to Council for consideration at a future meeting. Mr. Eddy stated that there is currently \$4 million in the construction account. Even with the \$9 million being considered for issuance, it would not be sufficient to construct the community center and aquatic center at the same time. The estimate for both structures was around \$20 million. They feel that both projects should be constructed at the same time using the same contractor. Mr. Eddy stated that the lease purchase financing would be advanced funding of the G.O. Bonds. He advised that the City has used lease-purchasing in the past in a simpler form when purchasing large equipment. The City has never used lease purchase financing using general obligation bonds.

Terry Hawkins, bond counsel, stated that the permanent debt is the general obligation bond debt. The lease purchase would not be a debt of MEDA. It would be a ground lease going from the City to MEDA. He stated that MEDA would lease the park facility back to the City, and the City would make the lease payments with G.O. Bonds when issued. Mr. Hawkins advised that this was permitted under 62 Okla. Stat. § 430.1.

Councilman Roberts stated that he was involved in school finance and was familiar with lease purchase financing and felt it was a sound concept. It would allow construction of the facilities and get three years of use out of it before the City could issue all of the bonds. Mr. Hawkins added that it also allows the City to build at today's costs too rather than at inflated costs in the future. Councilman Roberts felt that the fees associated with each issuance could be offset in construction cost savings. Councilman Cavnar agreed that both the community center and aquatic center needed to be built simultaneously.

Councilman Roberts moved to adopt Resolution No. 780(13), second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 4 being:

CONSIDER APPROVAL OF THE JUNE 30, 2013 AUDIT REPORT.

Jim Corbett, Finance Director, stated that the audit report included a complete financial audit, a single-audit which is a summary and report of federal funds, and a management letter that includes significant audit findings among other things. Mr. Corbett advised that the reports have changed slightly. Towards the end of the single audit there is detailed discussion of findings or questioned costs. The auditor, Bob Dillon, would be present the audit report.

Mr. Dillon advised that the audit opinion was an unqualified opinion. This means that there were no items in the financial statements that were material misstatements and in their opinion the financial documents were fairly stated. The format of the reports have changed. In the primary audit the auditor's opinion now includes different sections which include management responsibilities and auditor responsibilities. Primarily management is responsible for the preparation and presentation of the financial statements in accordance with governmental accounting principles. The auditor's responsibility is to audit the financial statements and give an opinion as to whether they are fairly stated.

Mr. Dillon stated that they submitted a management letter which summarizes required communications with the City Council. It included internal control findings and issues related to management representations. He indicated that they did not find any. It also includes information about corrected or uncorrected misstatements in the financial statements. Mr. Dillon advised that all items between the general ledger and actual financial statements were reviewed and they found several correcting entries. However, all of those were made prior to the actual preparation and issuance of the financial statements.

There was one finding related to internal control. It dealt with court fines and citations. They found a computerized file with open citations and court fines. The file includes decades of information and the current computer system cannot generate an open items report. They feel that a report must be generated and reconciled every month. Mr. Dillon stated there were no compliance findings whatsoever.

The single audit included \$5.9 million dollars in federal funds and of that \$4.9 million was related to the tornado disaster. This year will include significantly more federal dollars.

Mayor Lewis asked for information about the court citations. Mr. Dillon indicated they were unpaid citations and tickets. Mr. Eddy indicated that the City has spoken with the software company regarding the issue. Mr. Corbett stated that the file is so large it is difficult for the computer to generate a report. There is no statute of limitations on the tickets. The issue was discussed internally and a form was developed to use for reconciliation resolving the issue of internal control. Mayor Lewis asked how much the unpaid fines totaled. Mr. Corbett estimated over \$500,000. He added that this amount goes back decades to when tickets were first issued. The City utilizes two collection methods. A warrant officer works exclusively on the collection of unpaid fines and warrants. The City also works with a collection agency for accounts older than a year. They consistently are collecting on those accounts, and progress is being made; however, there are a lot of unpaid citations that go back a very long time. Staff feels the situation can be corrected very shortly.

Mr. Eddy referred Council to the end of the full audit where statistical information gives a snapshot view of the growth of the community and what has happened financially within the past ten years. He gave credit to Mr. Corbett and his department for the unqualified opinion. An unqualified opinion is outstanding and is what the City seeks each year. It is necessary to keep the credit rating up for bonds. Mr. Eddy indicated that the City has received an unqualified audit opinion every year since 2002.

Mr. Dillon concurred stating that the finance department is first rate and Mr. Corbett and his staff do an excellent job. Any issues that are identified are quickly resolved.

Councilman Roberts moved to approve the June 30, 2013 audit report, second by Councilman Hamm. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A REVOCABLE PERMIT FOR ONE ACCESSORY SIGN LOCATED ON LOT 6, BLOCK 1 OF THE FRITTS FARM ADDITION, SECTION 2, BEING WEST OF FRITTS BOULEVARD AND SOUTH OF SW 19TH STREET. APPLICATION BY JASON FRITTS.

Elizabeth Jones, Community Development Director, advised that the proposed accessory sign was for the Del Taco currently under construction south of SW 19th and west of Fritts Boulevard. They are seeking a revocable permit to allow the encroachment onto an existing sanitary sewer easement along SW 19th Street. Staff recommended approval of the item because the sign is in keeping with the sign placement along SW 19th Street and would keep the development cohesive. The permit includes a hold harmless clause which would allow the City access to the easement in the event it became necessary, and the City would not be held liable for any damage incurred to the sign. The applicant is agreeable to the conditions contained in the revocable permit. Ms. Jones advised that the permit would be filed with Cleveland County and become a permanent part of the property record.

Councilman Cavnar moved to approve a revocable permit for one accessory sign located on Lot 6, Block 1 of the Fritts Farm Addition, Section 2, being west of Fritts Boulevard and south of SW 19th Street, second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 6 being:

CONSIDER ORDINANCE NO. 759(13) AMENDING PART 12, CHAPTER 5, ARTICLE K, SECTION 12-1106 OF THE MOORE LAND DEVELOPMENT CODE BY AMENDING THE TRANSPORTATION IMPACT FEE SCHEDULE FOR MULTI-FAMILY HOUSING AND BY ADDING AN R-5 ZONING DISTRICT TO THE MULTI-FAMILY HOUSING CATEGORY.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 6, 7, and 8 were companion items. Ms. Jones noted that there was recently a renewed interest in multi-family housing. The City lacks quality apartments within our housing market. However, the developers feel that the fees are a deterrent to this type of housing since surrounding communities do not have these types of fees. Staff reviewed the Transportation Impact and the Sewer Impact Fees as it relates to multi-family housing. Ms. Jones stated that she consulted with Traffic Engineering Consultants who verified that multi-family housing units generate 30% less Average Daily Trips (ADT) than a typical single-family household. They recommended a reduction of the Transportation Impact Fee of 30% reducing it from \$647 for a single-family home to \$453 per living unit for a multi-family project.

The Sanitary Sewer Impact Fee was also reviewed by City staff. They compared water usage between a single-family detached home to a typical apartment unit in The Greens Apartments. There was 44% less water usage for an apartment unit as compared to a single-family home. Staff recommended a 44% discount on the Sewer Impact Fee reducing the fee from \$700 for a single-family home to \$308 per unit.

Ms. Jones felt that the proposed changes to the fee schedule would provide equity in fees on the impact a multi-family housing development would have on the roadway and sewer system when compared to single-family housing.

Councilman Krows commented that it seemed odd that the City planned to implement a sanitary sewer rate increase for single-family homes and then decrease fees for multi-family housing. Mr. Eddy stated that the proposed rate increase was monthly fees that would be raised across the board. Councilman Cavnar confirmed that the fees being discussed were impact fees for new construction. Mr. Eddy added that it would be upfront fees to cover the impact to the City's streets and sanitary sewer system. The City decided to look at the fee structure. It was not at the request of the apartment complex developers. However, two major apartment complexes did mention that the proposed fees seemed onerous. After researching the issue staff agreed that the amount of the fees did not equal the impact. Councilman Krows asked if the fee changes would apply to duplexes as well as apartment complexes. Ms. Jones indicated that duplexes are consider multi-family housing.

Councilman Roberts moved to approve Ordinance No. 759(13), second by Councilman Singer. Motion carried by majority vote.

Ayes: Krows, Blair, Singer, Roberts, Hamm, Lewis
Nays: None
Abstain: Cavnar

Agenda Item Number 7 being:

CONSIDER ORDINANCE NO. 760(13) AMENDING PART 17, CHAPTER 3, SECTION 17-350 OF THE MOORE MUNICIPAL CODE BY ADDING A PER-UNIT MULTI-FAMILY SEWER IMPACT FEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A REPEALER.

Councilman Singer moved to approve Ordinance No. 760(13), second by Councilman Roberts. Motion carried by majority vote.

Ayes: Krows, Blair, Singer, Roberts, Hamm, Lewis
Nays: None
Abstain: Cavnar

Agenda Item Number 8 being:

CONSIDER ADOPTION OF RESOLUTION NO. 781(13) ADOPTING THE SCHEDULE OF FEES AND CHARGES BY AMENDING THE TRANSPORTATION IMPACT FEE AND SEWER IMPACT FEE FOR MULTI-FAMILY DWELLINGS; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Councilman Singer moved to approve Resolution No. 781(13), second by Councilman Roberts. Motion carried by majority vote.

Ayes: Krows, Blair, Singer, Roberts, Hamm, Lewis
Nays: None
Abstain: Cavnar

Agenda Item Number 9 being:

CONSIDER MOORE VISION 20/20 COMPREHENSIVE PLAN AMENDMENT NO. 41, LOCATED IN THE NE/4 OF SECTION 27, T10N, R3W, BEING SOUTH OF 19TH STREET AND WEST OF TELEPHONE ROAD, FROM URBAN RESIDENTIAL/LOW DENSITY TO LIGHT COMMERCIAL/HIGH DENSITY RESIDENTIAL FOR A MIXED-USE COMMERCIAL/RESIDENTIAL DEVELOPMENT. APPLICATION BY TBP, LLC/JASON FRITTS. (PLANNING COMMISSION RECOMMENDED APPROVAL 9-0). WARD 3.

Elizabeth Jones, Community Development Director, advised that Agenda Items No. 9, 10, 11, and 12 were companion items. Mr. Jones stated that the subject property was located south of SW 19th Street and west of Fritts Blvd. The site is vacant and the applicant proposes a live/work environment patterned after traditional downtowns. Tracts 1 and 2 are intended to be office development with Tract 1 being a high end office building for a local software company. Tract 3 is proposed for a mixed use office and light commercial and high density residential development with a mixture of attached residential townhomes and loft-style apartments. To accommodate these land uses the Land Use Plan must be amended to Light Commercial on Tracts 1 and 2 and High Density Residential and Light Commercial on Tract 3. The developer opted to do a Planned Unit Development because of the complex nature of the application.

The Moore Vision 20/20 suggests amenities that provide a high quality of life for the residents such as recreational and open space, quality exterior materials and design, and site design that is safe and pedestrian friendly. The applicant included these items in their design statement. The PUD amenities include the following items:

1. Naturalized detention/retention pond and drainage channel as common area with native plantings and walking trail.

2. Traditional development techniques to encourage pedestrian activity and lessen traffic impacts to the area such as mixed-use buildings and a formalized pedestrian plan.
3. Three outdoor amenity zones in Tracts 2 and 3 to be used for possible public art and/or pocket parks.
4. Building design of varying heights, architectural projections, and materials with zero lot-lines to encourage activity at the sidewalk.

Ms. Jones advised that the preliminary and final plats include four lots. She stated that she included an updated version of their site plan for Council's review. It is the same as the original version except that they have now separated the apartments onto their own tract which is why the site now contains four tracts. Water and sewer will be extended through the site. There is no floodplain and detention will be provided with the on-site detention pond. The plans also include decorations at the driveway intersections along SW 24th Street and possible on-street parking in an attempt to recreate the downtown feel.

Staff recommended approval of the items.

Councilman Singer asked if staff has received any interest from potential residents or retailers that might want to move into this type of environment. Ms. Jones stated that she has seen a lot of interest in the loft-style apartments with retail development below.

Councilman Cavnar stated that he liked the project. He felt it was very progressive and appreciated everyone's work on the item.

Steve Eddy, City Manager, advised that a large software company would be the focal point of the development, and would be bringing several hundred jobs to the community.

Councilman Krows moved to approve the Moore Vision 20/20 Comprehensive Plan Amendment No. 41, located in the NE/4 of Section 27, T10N, R3W, being south of 19th Street and west of Telephone Road, from Urban Residential/Low Density to Light Commercial/High Density Residential for a Mixed-Use Commercial/Residential Development, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 10 being:

CONSIDER REZONING APPLICATION NO. 903, LOCATED IN THE NE/4 OF SECTION 27, T10N, R3W, BEING SOUTH OF 19TH STREET AND WEST OF TELEPHONE ROAD, FROM A-2 SUBURBAN AGRICULTURAL DISTRICT TO C-1 OFFICE DISTRICT, C-2 NEIGHBORHOOD COMMERCIAL DISTRICT, AND R-4 MULTIPLE FAMILY DISTRICT PLANNED UNIT DEVELOPMENT FOR A MIXED USE COMMERCIAL/RESIDENTIAL DEVELOPMENT; AND APPROVE ORDINANCE NO. 756(13). APPLICATION BY TBP, LLC/JASON FRITTS. (PLANNING COMMISSION RECOMMENDED APPROVAL 9-0). WARD 3.

Councilman Krows moved to approve Rezoning Application No. 903, located in the NE/4 of Section 27, T10N, R3W, being south of 19th Street and west of Telephone Road, from A-2 Suburban Agricultural District to C-1 Office District, C-2 Neighborhood Commercial District, and R-4 Multiple Family District Planned Unit Development for a Mixed Use Commercial/Residential Development; and approve Ordinance No. 756(13), second by Councilman Blair. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 11 being:

CONSIDER THE PRELIMINARY PLAT FOR THE PIPELINE AT FRITTS FARM, LOCATED IN THE NE/4 OF SECTION 27, T10N, R3W, BEING SOUTH OF 19TH STREET AND WEST OF TELEPHONE ROAD. APPLICATION BY TBP, LLC/JASON FRITTS. (PLANNING COMMISSION RECOMMENDED APPROVAL 9-0). WARD 3.

Councilman Krows asked when construction would begin on the project. The applicant, Jason Fritts, advised that they were working to obtain easements from the retailers and landowners along 19th Street to relocate the temporary detention pond behind Target into a permanent detention/retention pond. It is a complicated process that moves slowly. Mr. Eddy asked if there was an anticipated completion date for the software company. Mr. Fritts indicated that the company was working on construction plans. The last date that was mentioned was the first quarter of 2014 to start construction.

Councilman Krows moved to approve the Preliminary Plat for The Pipeline at Fritts Farm, located in the NE/4 of Section 27, T10N, R3W, being south of 19th Street and west of Telephone Road, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 12 being:

CONSIDER THE FINAL PLAT FOR THE PIPELINE AT FRITTS FARM, LOCATED IN THE NE/4 OF SECTION 27, T10N, R3W, BEING SOUTH OF 19TH STREET AND WEST OF TELEPHONE ROAD. APPLICATION BY TBP, LLC/JASON FRITTS. (PLANNING COMMISSION RECOMMENDED APPROVAL 9-0). WARD 3.

Councilman Krows moved to approve the Final Plat for The Pipeline at Fritts Farm, located in the NE/4 of Section 27, T10N, R3W, being south of 19th Street and west of Telephone Road, second by Councilman Blair. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 13 being:

CONSIDER AWARDDING BID NO. 1314-005 "PURCHASE AND INSTALLATION OF FURNITURE FOR THE CITY OF MOORE POLICE DEPARTMENT" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Police Chief Jerry Stillings advised that the City received five responses to the bid solicitation for the purchase and installation of furniture for the new Public Safety Center. Three bids were not considered because they did not meet the bid specifications. Chief Stillings requested awarding the total bid which included furniture for the first and second floors. He advised that the bids came in around \$50,000 to \$60,000 below estimates. Staff recommended awarding the bid to the lowest bidder, Business Interiors by Staples, in the amount of \$314,979.38.

Councilman Roberts asked why they did not want to award the bid to Admiral Express. Chief Stillings indicated that their bid did not include chairs. Mayor Lewis asked about the bid from L & M Office Furniture. Chief Stillings advised that their bid was a partial bid and did not include Hahn desks only the Indiana desks. He added that Furniture by William Webb bid the Hahn desks and left out the Indiana desks.

Councilman Krows moved to award Bid No. 1314-005 "Purchase and Installation of Furniture for the City of Moore Police Department" to Business Interiors by staples in the amount of \$314,979.38, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 14 being:

CONSIDER AWARDING BID NO. 1314-006 "PURCHASE AND INSTALLATION OF PHYSICAL FITNESS EQUIPMENT FOR THE CITY OF MOORE POLICE DEPARTMENT" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Chief Stillings indicated that the City received five responses to the bid for the purchase and installation of physical fitness equipment. Power Systems and Push Pedal Pull submitted partial bids or made substitutions for some of the equipment and were considered non-responsive. The lowest bidder was PR Fitness Equipment in the amount of \$39,140.

Councilman Hamm stated that there have been workers compensation claims filed by firefighters due to injuries sustained during exercise programs. He asked if the police officers would be exercising while on duty and if the City would be liable for any injuries sustained. Chief Stillings advised that the physical fitness equipment would be available to the officers on their off-duty time only. Randy Brink, City Attorney, did not feel an employee could file a workers compensation for an injury sustained while off duty. To be eligible for compensation the injury must occur during the course of their employment. Mr. Brink indicated that the situation with the fire department was somewhat different because their injuries were sustained while on duty and the exercise program was included in their union contract.

Councilman Singer commented that the more physically fit the officers are the less chance they will sustain injuries while on duty. Chief Stillings agreed and stated that they will not be doing power lifting. It is more of a fitness program that includes equipment such as ellipticals and treadmills. Councilman Singer asked if the police department had a fitness trainer to assist with implementing a fitness program. Chief Stillings stated that Troy Fulbright is a certified fitness trainer and could possibly serve in that capacity.

Councilman Krows moved to award Bid No. 1314-006 "Purchase and Installation of Physical Fitness Equipment for the City of Moore Police Department" to PR Fitness Equipment in the amount of 39,140, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 15 being:

CONSIDER DECLARING STORM DAMAGED DISC GOLF BASKETS AS SURPLUS AND DONATING THEM TO THE MOORE DISC GOLF ASSOCIATION PURSUANT TO SECTION 7-208(3).

Todd Jenson, Parks and Recreation Director, advised that the May 20, 2013 tornado damaged 18 disc golf baskets at Little River Park. They recovered 17 baskets. All of them were damaged and a few were destroyed. During conversations with the Moore Disc Golf Association they asked if the City would be willing to donate the storm damaged golf baskets to them. They will attempt to fix some of them and put them at the proposed Buck Thomas Park junior course.

Councilman Roberts moved to declare storm damaged disc golf baskets as surplus and approve donating them to the Moore Disc Golf Association pursuant to Section 7-208(3), second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 16 being:

CONSIDER DECLARING ONE (1) BAUER THREE-PHASE 460 VOLT BREATHING AIR COMPRESSOR, MODEL NO. VT20-E3, SERIAL NO. 38238 AND EIGHT (8) DOT 4500 PSI AIR STORAGE CYLINDERS AS SURPLUS AND DONATING IT TO THE CITY OF NEWCASTLE FIRE DEPARTMENT PURSUANT TO SECTION 7-208(3).

Fire Chief Gary Bird indicated that an agenda item to declare one air compressor and eight air storage cylinders as surplus and accept bids was first brought before Council at the October 21, 2013 meeting. At that time the City Council requested that the equipment be donated to a smaller fire department. The City of Newcastle Fire Department expressed an interest and staff would request authorization for the equipment to be declared surplus and donated to the Newcastle Fire Department.

Councilman Hamm asked if any of the county volunteer fire departments were contacted. Chief Bird stated that staff contacted Newcastle because they use the same type of equipment and had expressed an interest in the equipment when the City planned to accept bids for them. He added that Newcastle assisted the City in the past and we have a good working relationship with them. Councilman Hamm asked that next time staff check with the volunteer departments with very little funding first.

Councilman Roberts moved to approve declaring one (1) Bauer Three-Phase 460 volt breathing air compressor, Model No. VT20-E3, Serial No. 38238 and eight (8) DOT 4500 psi air storage cylinders as surplus and donating it to the City of Newcastle Fire Department pursuant to Section 7-208(3), second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 17 being:

RECEIVE A REPORT ON FUNDS DONATED TO THE CITY AFTER THE MAY 20, 2013 TORNADO, DISCUSS POTENTIAL USES OF SAID FUNDS, AND DIRECT STAFF AS DEEMED APPROPRIATE REGARDING THE DISPOSITION OF SAID FUNDS.

Steve Eddy, City Manager, indicated that Council asked about the status of the monies donated toward tornado relief at the October 21, 2013 meeting. An item was placed on the agenda to receive direction on how to distribute the funds. He noted that all of the monies do not have to be earmarked now. He indicated that he wanted to report how the money was distributed to date. Some was distributed per the

donor's wishes and some remain undesignated. Mr. Eddy stated that approximately \$107,000 was donated to the Animal Shelter. It was staff's intent to use the money for the expansion and renovation of the building. The remaining \$272,000 is undesignated funds. Councilman Roberts agreed that there was no urgency to spend the money and it would be good to have it when a need arose that was unfunded. Mayor Lewis commented that Serve Moore doesn't have a funding source. It was his understanding that they would like to continue to serve the community and needed a place to meet. He suggested giving them \$10,000. Councilman Hamm suggested that Serve Moore address the City Council on how they would use any donated funds. He also suggested coming up with a process to consider requests in a uniform manner. Mr. Eddy indicated that an application or justification process could be implemented. However, there have not been any requests for the money. There was some discussion regarding using the money for a storm shelter rebate program. However, he felt that this sort of program could be funded using Red Cross and the CDBG-DR funds.

Councilman Krows stated that he would like to see a memorial for the tornado victims at one of the parks. Mr. Eddy commented that a memorial was planned in the Little River Park Master Plan but there was not a dedicated funding source. Staff will be speaking to the Oklahoma City Community Foundation which expressed an interest in helping with a memorial. Councilman Krows suggested that Mr. Eddy speak to the Moore Public Schools regarding any plans. Mr. Eddy stated that the City would not do anything without involving the schools because of the children who lost their lives at Plaza Towers Elementary.

No action was taken on this item.

Agenda Item Number 18 being:

CONSIDER ACCEPTING MAINTENANCE OF THE PRIVATE DRAINAGE CHANNEL LOCATED IN PARK GLENN, SECTION II AND HIDDEN LAKES ADDITIONS.

Stan Drake, Assistant City Manager, stated that he received letters from the presidents of the Homeowners Associations for Park Glenn, Section II and Hidden Lakes Additions requesting that the City accept the maintenance of the private drainage channel. The water basin carries a large amount of water and the homeowners in the area do not have the heavy equipment necessary to maintain the channel. Mr. Drake recommended accepting maintenance of the drainage channel. An area of the channel located in the City of Norman bottlenecks causing flooding issues. A large amount of silt collects in a portion of the channel which adds to the problem. Mr. Drake indicated that he was discussing the problems with the City of Norman and Cleveland County who might participate in a joint project to correct some of the issues. A new bridge box planned for the area will also work to alleviate some of the problems.

Vicky Davidson, 1604 SW 34th, spoke in support of the item.

Councilman Krows moved to accept maintenance of the private drainage channel located in Park Glenn, Section II and Hidden Lakes Additions, second by Councilman Singer. Motion carried by majority vote.

Ayes: Krows, Blair, Singer, Roberts, Hamm, Lewis
Nays: None
Abstentions: Cavnar

Agenda Item Number 19 being:

CONSIDER AUTHORIZING STAFF TO SOLICIT BIDS FOR RESIDENTIAL TORNADO LOT MAINTENANCE.

Stan Drake, Assistant City Manager, advised that staff was requesting authorization to solicit bids for residential tornado lot maintenance. Approximately 1,075 homes were damaged or destroyed following the May 20, 2013 tornado. Even after the houses were removed the lots cannot be maintained due to remaining debris. A contractor would need to use a box blade to clear the lot and weed eat around meter boxes and utilities. Any debris would be pushed to the curb and the terminator truck would pick up the debris. Mr. Drake felt that the cost could be recouped. The charge will be the same per lot. The City will offer Right of Entry forms for homeowners to allow the contractor, on behalf of the City, to enter the property. The homeowner would be responsible for paying the contractor for the service; however, the City will pay for pickup of the debris by the terminator truck. He felt this will diminish code enforcement complaints in the future and energize redevelopment in the area. Those individuals who do not sign Right of Entry forms will receive a code enforcement complaint if the lots are not cleaned up.

Mayor Lewis asked about those individuals who did not have insurance or money to cover the cost for lot maintenance. Mr. Drake stated that the Code Enforcement process would be followed and a lien placed on the properties.

Councilman Blair asked for clarification on the types of lots in question. Mr. Drake advised that the lots being discussed are those where the slabs have been removed but there is so much remaining concrete debris that the lots cannot be mowed and maintained. Other lots may have slabs in place but the lot has not been cleaned up. Steve Eddy, City Manager, stated that the intent is to get the lots mowable and maintainable by next spring. There are hundreds of lots under different ownership and staff envisions a problem by next May.

Councilman Roberts felt that this could be a legitimate use of the donated funds for tornado relief. It could be handled through a grant process for those individuals who can't afford to pay for the maintenance of the lot. Mayor Lewis agreed that the money should be used to help those individuals directly affected by the tornado. Mr. Eddy asked if the Council would like eligible individuals to apply for assistance. Mayor Lewis did not want to charge individuals for this service after they went through so much already. Councilman Roberts felt that the case managers are assisting a lot of individuals in need. He suggested that the City could receive referrals from the case manager for individuals the City could help with this service.

Councilman Krows moved to authorize staff to solicit bids for residential tornado lot maintenance, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:57 P.M.

Agenda Item Number 20 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD OCTOBER 21, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$643,051.84.

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

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:58 P.M.

Agenda Item Number 21 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD OCTOBER 21, 2013.
- B) APPROVE PAYMENT OF A COURT ORDER WORKER'S COMPENSATION SETTLEMENT IN THE AMOUNT OF \$16,876.75 TO DAVID CRUTCHFIELD FOR CLAIM NO. WC-2013-00129H, AND AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$197,597.37.

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

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:59 P.M.

Agenda Item Number 22 being:

NEW BUSINESS:

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

There were no citizens who appeared to speak.

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

Councilman Roberts stated that he had received inquiries about the plans for CDBG-DR money that the City will be receiving through HUD. He indicated that he did not intend for his comments to be a criticism; however, he felt there was a need for more direct involvement by the City Council into the planning process for expenditure of the funds. He felt it was the Council's responsibility as elected officials to have heavy input into the process. Steve Eddy, City Manager, concurred with Councilman Roberts' opinion on the matter. Mr. Eddy stated that the City has not received any directives from the Department of Housing and Urban Development as of yet. He stated that staff would be contacting the City Council to schedule meetings to begin the discussion. There will be some wonderful opportunities available for the City. Conversations are held with the employees from the local HUD offices daily. There is an appointed committee that was created as a requirement by HUD. Mayor Lewis asked when the guidelines would be distributed to the City. Staff was told they would be available within a few weeks since they were being reviewed by the legal department. Internally staff is working on required financial certifications.

Councilman Hamm suggested an e-mail be sent out periodically updating the Council on the status. Mr. Eddy advised that the City's purchasing and bidding procedures are in conformance with HUD requirements. Mr. Eddy stated that to date the City has not received any money from HUD.

Councilman Hamm congratulated the Southmoore High School SaberCats who won the State Championship in Fast Pitch Softball. He suggested an agenda item to discuss the traffic congestion at the intersections of 19th and Tower, and Broadway and Eastern. Mr. Eddy stated that both intersections need to be redesigned because of the angles and strange turning movements. He suggested applying for STP funds through ACOG for this type of project.

Councilman Krows received complaints regarding the Code Red calls that were sent out in the early morning hours. He noted that Police Chief Stillings wrote a letter which was posted on the City's webpage explaining the situation. He felt that the police department handled the situation appropriately given that it involved a missing child. Councilman Krows indicated that the child was found as a result of the Code Red calls. Councilman Hamm asked if individuals can opt out of the Code Red notification calls. Mr. Eddy stated that Gayland Kitch, Emergency Management Director, can be contacted for removal of numbers from the system. Mr. Eddy advised that it is a very rare situation for the system to be used for a missing person. It is typically used for planned water outages, road closings, and special events, among other things.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City Manager.

Agenda Item Number 23 being:

ADJOURNMENT

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

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

The City Council, Moore Public Works Authority, Moore Risk Management and Moore Economic Development Authority meetings were adjourned at 8:12 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

DAVID ROBERTS, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2013.

ATTEST:

JIM CORBETT, City Clerk