

**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
FEBRUARY 16, 2016 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on February 16, 2016 at 6:30 p.m. with Mayor Glenn Lewis presiding.

*David Roberts
Councilman, Ward I*

*Unfilled Position
Councilman, Ward I*

*Melissa Hunt
Councilwoman, Ward II*

*Mark Hamm
Councilman, Ward II*

*Jason Blair
Councilman, Ward III*

*Terry Cavnar
Councilman, Ward III*

PRESENT: Blair, Hunt, Roberts, Hamm, Lewis
ABSENT: Cavnar

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; City Attorney, Randy Brink; Finance Director, Brooks Mitchell; Associate Planner/Grants Manager, Jared Jakubowski; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Fire Chief, Gary Bird; Human Resources/Risk Management Director, Gary Benefield; Manager of Information Technology, David Thompson; Police Chief, Jerry Stillings; Sergeant Rebecca Miller; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and Administrative Assistant Katie Berhalter.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 1, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2015-2016 IN THE AMOUNT OF \$3,736,760.36.

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

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

Agenda Item Number 3 being:

DISCUSS AND CONSIDER OPTIONS AND COSTS REGARDING THE IMPLEMENTATION OF CURBSIDE RECYCLING AND DIRECT STAFF TO PROCEED AS APPROPRIATE.

Steve Eddy, City Manager, stated that the City Council had been discussing the issue of implementing curbside recycling for some time. Mr. Eddy indicated that if the City Council opts to proceed with this type of service staff would recommend a single stream system similar to what Norman, Midwest City, and Edmond have implemented. Mr. Eddy advised that Allied Waste was the contractor for all three cities, and was the company that Moore currently uses for commercial waste removal. He advised that the program would be paid for by assessing a monthly fee to each single-family resident. A 95-gallon recycle polycart would be delivered to each home for unseparated (single stream) recyclables which would be collected curbside by the contractor. The cost for the service varies. Mr. Eddy advised that 28,000 single family homes in Edmond pay \$3 a month, 19,865 single-family homes in Midwest City pay \$2.75 a month, and 29,000 single-family homes in Norman pay \$1.96 a month for this service. Mr. Eddy explained that Norman residents pay a reduced fee since Norman supplies their own carts at a cost of approximately \$50 each. Allied Waste estimated the cost for a curbside recycling program in Moore at between \$2 and \$4 per month. The exact amount would depend upon how many pickups occur and the types of materials the City chooses to collect. Mr. Eddy estimated that Moore would pay around \$3 a month per single family household.

Councilman Blair asked if that estimate would include the carts. Mr. Eddy confirmed that \$3 a month would be a turnkey price for the carts and a bi-weekly curbside pickup.

Councilwoman Hunt asked if every household would be charged \$3 whether or not they decide to participate in the recycling program. Mr. Eddy advised that all residential sanitation accounts would be charged the \$3 monthly fee; however, they have the option of whether or not they utilize the service. Mr. Eddy indicated that Norman had an 87% participation rate, Edmond a 90% participation rate, and Midwest City a 60% participation rate. He stated that within the industry a 60% participation was very good; however, an 87% and 90% participation rate was incredible.

Councilman Roberts asked if the senior citizens who were eligible for a discounted utility rate would receive a similar discount for this service. Mr. Eddy indicated that a discount would be possible if the City Council chose to offer one.

Councilman Hamm asked if needles or other hazardous waste would be accepted. Mr. Eddy stated that household hazardous waste and medical waste would not be accepted. The items to be collected would be things that are accepted at the recycle center, such as paper, plastics, and aluminum. Councilman Hamm asked if the recycle facility would be closed if curbside recycling were implemented. Mr. Eddy anticipated keeping the facility open to accept items that might not fit in the cart, but he did not see the need to keep the facility fully manned and open extended hours. He stated that at some point the facility may even be repurposed. Mr. Eddy noted that the City pays Allied a tipping fee each time they dump the container at the recycle center. However, the City does not charge citizens a fee for utilizing the service. Councilman Hamm asked if the facility was busy. Mr. Eddy stated that the facility has been remarkably successful. Councilman Hamm asked when the Cleveland County Election Board would need language for a ballot if the item was put before the people for consideration. Mr. Eddy indicated that the language must be submitted 60 days prior to the anticipated election date. Mayor Lewis suggested placing an item on the presidential election ballot in November. Councilman Hamm asked if Mr. Eddy had projections on any proposed water or sewer rate increases to fund mandatory storm water run-off requirements that might be implemented. Mr. Eddy stated that the information Councilman Hamm was requesting was currently not available since staff was in the very early stages of the budget process. He advised that if the City Council decided to place an item on the November ballot for curbside recycling, the City would

not call for the election until late August, by which time the budget process will have been completed. Mr. Eddy noted that extension of the ¼ cent sales tax for Parks would be up for consideration on the November ballot. He added that there was also a possibility that a one cent state wide sales tax would also be included on the November ballot. He stated that the number of issues being proposed for the November ballot might weigh into Council's decision on when to present the item for a vote.

Councilwoman Hunt commented that she had put information about the question of implementing curbside recycling on Facebook and Twitter and received a lot of positive comments. However, she felt it was important to put the issue on a ballot for a vote by the people.

Councilman Roberts commented that when the item was last discussed there were a lot of people who appeared in opposition to curbside recycling. Mr. Eddy agreed but added that a large majority of the individuals who move to Moore from another city or state are surprised to find that we do not offer curbside recycling. Mayor Lewis stated that staff could place an item on the next agenda for consideration of a recycling program without placing it on a ballot. Councilman Hamm encouraged the City Council to move cautiously by distributing information to the residents and allowing an opportunity for citizen comments in order to make an informed decision about what the residents would like to happen. Although the proposed rate for this service was small there are individuals who live on a fixed income that would find a \$5 fee a hardship. Some of the large companies in the metro area may be laying off people. He also felt that Mr. Eddy should be given time to obtain accurate figures on the cost before a decision was made. Mr. Eddy stated that an RFP process was the only way to obtain accurate costs involved with a recycle program; however, there were only two companies that provide this service in the metro area.

Citizen to Speak:

James Morris, 1009 Kelsi Drive, stated that he moved to Moore 3½ years ago from a city in Kansas one-third the size of Moore that provided single-stream curbside recycling. Mr. Morris advised that it was very controversial at first but eventually they had an 85% to 95% participation rate. They offered a discounted rate to senior citizens on a limited income. The recycle program benefited the City by lowering the amount of trash taken to the landfill. Mr. Morris stated that they use the recycle center but would recycle even more with the convenience of a single-stream curbside service.

Leslie Bonebrake stated that following Christmas the recycle center was bombarded with boxes, wrapping paper, and plastic from people who wanted to recycle. People already pay \$5 a month for an extra polycart; however, they do not need a second polycart if they recycle. She felt individuals could save \$1.05 per month if they go to a bi-monthly recycling cart. She also felt that the recycle center should stay open and expand what they accept to include items such as electronics, light bulbs with mercury, and paint. The landfill has doubled in size since the recent tornadic activity that has occurred in Moore. Emory Taylor stated that they addressed the City Council approximately three years previously regarding the need for recycling. She felt that for the most part people want curbside recycling.

Steve Eddy, City Manager, noted that the City contracts with the City of Oklahoma for use of their Household Hazardous Waste Facility located at 1621 S. Portland at no cost to the citizens. He stated that opening a similar facility in Moore was cost prohibitive. Mr. Eddy stated that twice a year the City has a recycling day where people can bring items like electronics to be recycled.

Mr. Eddy indicated that staff should be able to supply more information after the budget process in April. He stated that he would also contact Allied Waste in an attempt to get a better estimate on the monthly cost to the citizens. There would still be time to call an election and/or implement a program. Councilwoman Hunt asked staff to determine alternate election dates since the November ballot was anticipated to be rather full.

No one spoke in opposition to the issue.

There was no action taken on the item.

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A CHANGE ORDER FOR ADVERSE WEATHER DAYS AT CENTRAL PARK WITH ATLAS GENERAL CONTRACTORS IN THE AMOUNT OF \$151,741.90.

Anthony McDermid, Principal of TAP Architecture, addressed the City Council regarding the change order process for the Central Park project. Mr. McDermid stated that it was very normal to receive change orders on a project of this size. He wanted to explain the necessity for a change order due to adverse weather days such as rain and temperature. When it is extraordinarily wet or cold construction activities that would ordinarily take place are delayed. Rain affects the schedule for several days instead of just the day of the event since everything must dry out before construction can begin again. Very cold temperatures prevent concrete from being poured or masonry work from being done since it freezes the mortar.

Mr. McDermid advised that claims were submitted from the contractor for 124 days of adverse weather conditions which equates to an overhead of just over \$150,000. He stated that he reviewed the Mesonet information from Norman since it is the best and most accurate information available regarding the weather. He indicated that the contractor was entitled to the adverse weather days and he recommended approval of the change order.

Mayor Lewis felt that a contractor with experience in Oklahoma should be aware of potential adverse weather days and incorporate that in their bid. Mr. McDermid stated that the weather this year had been extraordinary. The contractor did not claim an adverse weather day when a tornadic event ripped off part of the roof. Although no one likes to see change orders or delay in a project, it was an industry standard that all major contracting entities accept that the contractor cannot be held financially responsible for adverse weather conditions. Councilwoman Hunt asked if contingency was built into the contract and asked if the change order was still within the contingency amount. Mr. McDermid stated that the total amount for all of the change orders total around 1% which is within the contingency amount and is very low for the size and complexity of the project.

Councilman Roberts moved to approve a change order for adverse weather days at Central Park with Atlas General Contractors in the amount of \$151,741.90, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

Agenda Item Number 5 being:

CONSIDER REJECTING BID NO. 1516-10 "PUBLIC WORKS ON-DEMAND TRAFFIC SIGNAL CONSTRUCTION SERVICES" FOR CITY STAFF TO REVISE BID SPECIFICATIONS.

Jared Jakubowski, Associate Planner/Grants Manager, recommended rejecting all bids to allow staff to revise the bid specifications to include traffic signalization, street striping, and construction signage.

Councilman Roberts moved to reject Bid No. 1516-10 "Public Works On-Demand Traffic Signal Construction Services" for City staff to revise bid specifications, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

Agenda Item Number 6 being:

CONSIDER AWARDING BID NO. 1516-011 "CONSTRUCTION SERVICES FOR DEMOLITION FOR ROYAL PARK DEVELOPMENT TRACT" TO K & M DIRT SERVICES, LLC IN THE AMOUNT OF \$88,000.

Jared Jakubowski, Associate Planner/Grants Manager, advised that bids were solicited for demolition services for the redevelopment land located at 17th and Janeway known as the Royal Park Development. The City received six qualified bids for the removal of four structures on-site, debris, streets and approaches, and removal of the pool located at the office and clubhouse. The entire site would be graded to allow maintenance of the site until the property was developed. Staff recommended awarding the bid to the low bidder, K & M Dirt Services, in the amount of \$88,000.

Mayor Lewis asked if the bid included the asbestos removal that was previously discussed. Mr. Jakubowski indicated that the asbestos removal already occurred and the property was inspected and was ready for demolition.

Councilman Blair moved to award Bid No. 1516-011 "Construction Services for Demolition for Royal Park Development Tract" to K & M Dirt Services, LLC in the amount of \$88,000, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

Agenda Item Number 7 being:

CONSIDER EXTENDING THE TEMPORARY EMPLOYEE SERVICE CONTRACT WITH 1ST STAFFING GROUP USA, LTD. FOR ONE YEAR WITH NO INCREASE IN RATES.

Richard Sandefur, Public Works Director, stated that the City has been contracted with 1ST Staffing Group USA for temporary employee services and has been very satisfied. Staff requested extending the contract for one year with no increase in rates.

Councilman Blair moved to extend the Temporary Employee Service Contract with 1st Staffing Group USA, Ltd. for one year with no increase in rates, second by Councilman Roberts. Motion carried unanimously.

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

Agenda Item Number 8 being:

CONSIDER A RENEWABLE CONTRACT FOR THE JULY 4TH PYROTECHNIC PRODUCTION IN THE AMOUNT OF \$45,000 WITH ARC PYROTECHNICS.

Todd Jenson, Assistant City Manager, stated that the item was for the renewal of a contract for the City's annual July 4th Fireworks show at Buck Thomas Park. The City had been contracting with Extreme

Pyrotechnics, but they no longer do shows in Oklahoma. ARC Pyrotechnics split from Extreme Pyrotechnics and can offer the same staff, expertise, and quality show. Mr. Jenson advised that this would be a budgeted item in the amount of \$45,000 which is the same amount as the 2015 fireworks show.

Councilman Hamm asked City Manager Steve Eddy if the City's budget allowed for an expenditure of this amount. Mr. Eddy stated that the fireworks show was a signature event that the citizens have come to expect. Councilman Roberts commented that the PR the City receives from the event was amazing. Mr. Eddy agreed stating that it would be difficult to quantify the huge number of people who come to the event and the tax dollars they likely generate. Councilman Hamm asked that next year the City see if a corporation might want to sponsor a portion of the event since it does appear so expensive.

Councilman Hamm moved to approve a renewable contract for the July 4th pyrotechnic production in the amount of \$45,000 with ARC Pyrotechnics, second by Councilman Roberts. Motion carried unanimously.

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:11 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD FEBRUARY 1, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2015-2016 IN THE AMOUNT OF \$984,325.52.

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

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:12 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD FEBRUARY 1, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2015-2016 IN THE AMOUNT OF \$198,893.91.

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

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH VICE-CHAIRMAN DAVID ROBERTS PRESIDING AT 7:13 P.M.

Agenda Item Number 11 being:

ROLL CALL

PRESENT: Blair, Hunt, Lewis, Hamm, Roberts
ABSENT: Cavnar

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JANUARY 19, 2016.

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

Ayes: Blair, Hunt, Lewis, Hamm, Roberts
Nays: None

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:13 P.M.

Agenda Item Number 13 being:

NEW BUSINESS:

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

A comment from the audience was that the City should close the dog park on July 4th during the fireworks display.

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

Councilman Roberts stated that he received several comments regarding the membership fees at Central Park. He requested that staff look at the fee structure to see if adjustments could be made. Mayor Lewis agreed stating that the fees are higher than he anticipated, especially since the citizenry voted for the bonds to pay for the construction of the new park. Councilman Roberts added that the bonds were for the construction of the park and the fees pay for the operation of the facility. He wondered if the City could pay for a portion of the operating costs in order to reduce the membership fees. Councilwoman Hunt stated that for an individual the fee is \$32 a month she felt that someone could pay almost that amount in gym membership fees. For the \$32 you can use the aquatic center as much as someone would want and there is daycare. She assumed that staff really looked at the cost to operate the facility and if the cost can be lowered that would be great but she did not feel it was exorbitant for what you get at the

facility. Councilman Roberts remembered being comfortable with the figures when it was originally being discussed but he would still like staff to look at it again. He agreed that the City could have provided the citizens with additional information since there appears to be some confusion.

Councilman Hamm indicated that some of the City Council recently toured the new recreation center at Central Park. He discussed renting space at the facility for birthday parties, banquets, and weddings as other ways to generate revenue to reduce costs to operate the facility. Councilwoman Hunt concurred stating the City would be supplementing the operational costs. Steve Eddy, City Manager, stated that ultimately the City Council must decide how much they are willing to subsidize the operation of the facility. The issue can be revisited during the budgeting process to establish priorities. He noted that the marketing materials have been published and made available to the public with an anticipated opening date in 30 to 45 days. The cost to operate the facility was based on projections since the facility hasn't yet opened. Mr. Eddy stated that the intent of the membership fees was not to generate revenues, but for the users of the facility to pay for the operating costs. There are competing interests in the budget and revenue used to supplement the operating costs at the recreation center must be taken from another department.

Councilman Hamm toured the Armstrong Addition where water lines were being replaced. He commented that it was great to see the City make improvements in the older neighborhoods. Councilman Hamm advised that CDBG funds were used to pay for the improvements. He stated that he appreciated the City stretching its resources across all 23 square miles.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City/Trust Manager.

Agenda Item Number 14 being:

ADJOURNMENT

Councilman Hamm moved to adjourn the City Council meeting, second by Councilman Blair. Motion carried unanimously.

Ayes: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Cavnar

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:25 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

KATIE BERHALTER, Administrative Assistant

FOR:

DAVID ROBERTS, MPWA Secretary

FOR:

JASON BLAIR, MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2016.

ATTEST:

BROOKS MITCHELL, City Clerk