

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
JUNE 3, 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 June 3, 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; Assistant City Controller, Cheryl McConnell; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Fire Chief, Gary Bird; Parks and Recreation Director, Todd Jenson; Police Chief, Jerry Stillings; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; Manager of Information Technology, David Thompson; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 6, 2013.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD APRIL 9, 2013.
- C) APPROVE TRAFFIC SIGNS AT THE FOLLOWING LOCATIONS: "STOP HERE ON RED" AT SW 4TH AND WILSON; "STOP" SIGN ON NEW STREET GRACE WAY AND NW 12TH; "STOP" SIGN ON NEW STREET GRACE POINT DRIVE AND NW 12TH; "STOP" SIGN ON NEW STREET SENDERA LAKES AND SW 34TH STREET; AND "NO LEFT TURN" AT RENITA WAY AND WIMBERLY CREEK.
- D) APPROVE A MEMORANDUM AGREEMENT FOR FY 2014 WITH THE OKLAHOMA WATER RESOURCES BOARD AND THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGING.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$4,735,706.17 (CARRYOVER FROM MAY 20, 2013 MEETING); APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$1,452,001.73.

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

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

THE CITY COUNCIL MEETING WAS RECESSED AND A PUBLIC HEARING CONVENED AT 6:33 P.M.

Agenda Item Number 3 being:

REVIEW, DISCUSS AND RECEIVE CITIZEN INPUT AND COMMENTS REGARDING THE FISCAL YEAR 2013-2014 BUDGET AS REQUIRED BY 11 OKLA. STAT. § 17-208 (1992).

Cheryl McConnell, Assistant City Controller, stated that the 2013-2014 budget was being presented for a public hearing as required by the Municipal Budget Act. The proposed budget totaled \$89.7 million and was in compliance with all legal requirements. Ms. McConnell advised that no fund balance from the General or MPWA funds were used to balance the budget.

Councilman Hamm asked if the tornado damage would require the budget to be amended. Steve Eddy, City Manager, advised that no changes were being proposed at this time. He stated that the revenue stream would be monitored closely, and once FEMA funds are received decisions can be made regarding budget amendments.

Councilman Krows inquired whether replacement vehicles for those damaged or destroyed in the tornado would need to be purchased. Mr. Eddy indicated that many vehicles sustained damage, particularly in the police department, although there are already new vehicles included in the 2013-2014 budget. If additional vehicles are deemed necessary funds are available through the Public Safety Tax monies.

Mayor Lewis asked if there were any questions or comments from the public. Finding none he declared the Public Hearing closed.

THE PUBLIC HEARING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:37 P.M.

Agenda Item Number 4 being:

CONSIDER APPROVAL OF THE FY 2013-2014 ANNUAL BUDGET AND ADOPT RESOLUTION NO. 764(13).

Councilman Krows moved to approve the FY 2013-2014 Annual Budget and adopt Resolution No. 764(13), second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AWARDED G.O. BOND ISSUE PROJECT NO. 5 "RECONSTRUCTION OF BROADWAY AVENUE FROM NE 5TH STREET TO NE 18TH STREET" UTILIZING THE BASE BID OF CONCRETE PAVEMENT, TO SILVER STAR CONSTRUCTION IN THE AMOUNT OF \$2,601,637.45.

Stan Drake, Assistant City Manager, advised that bids were solicited for the reconstruction of Broadway Avenue from NE 5th to NE 18th Street. The City received bids from Silver Star Construction and Haskell-Lemons Construction. Staff recommended awarding the bid to Silver Star Construction, who was the low bidder, utilizing the base bid for concrete pavement.

Mayor Lewis asked if the project should be postponed since Silver Star Construction was working on debris removal from the May 20, 2013 tornado. Steve Eddy, City Manager, recommended awarding the bid and waiting to issue a work order until Silver Star Construction has completed debris removal and the 12th Street project was finished. Mr. Eddy estimated completion of the 12th Street roadway project within approximately 60 days.

Councilman Krows moved to award G.O. Bond Issue Project No. 5 "Reconstruction of Broadway Avenue from NE 5th Street to NE 18th Street" utilizing the Base Bid of Concrete Pavement, to Silver Star Construction in the amount of \$2,601,637.45, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AN INCREASE IN MATCHING FUNDS (FROM \$15,000 TO \$30,000) PAID TO METRO TRANSIT IN FY 12-13 IN SUPPORT OF THE NON-EMERGENCY MEDICAL TRANSPORTATION PROGRAM.

Steve Eddy, City Manager, stated that the City has contributed \$15,000 to the Metro Transit non-emergency medical transportation program for the past several years. Mr. Eddy was informed by Metro Transit that they inadvertently neglected to bill the City last year. The City has already received the bill for this year's services. He felt that this program was beneficial to the senior population in providing transportation to doctor appointments. Metro typically provides around 800 transports per year, a service that the City could not otherwise provide. Mr. Eddy advised that the agenda item was a request to pay Metro Transit \$30,000, which would include bills for this year and last year.

Councilman Roberts moved to approve an increase in matching funds (from \$15,000 to \$30,000) paid to METRO Transit in FY 12-13 in support of the non-emergency medical transportation program, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER THE MOORE VISION 20/20 COMPREHENSIVE PLAN AMENDMENT NO. 39, LOCATED IN THE NW/4 OF SECTION 12, T10N, R3W, BEING SOUTH OF NE 27TH STREET AND EAST OF N. EASTERN AVENUE, FROM URBAN RESIDENTIAL/LOW DENSITY TO LIGHT COMMERCIAL. APPLICATION BY BISON DEVELOPMENT, LLC/GREG MCALISTER. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 2.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 7, 8, and 9 are companion items. The vacant property is located south of NE 27th Street and east of Eastern Avenue and is zoned A-2. The applicant proposes to develop the site as a single-family residential addition with the

frontage along Eastern Avenue reserved for C-2 neighborhood commercial uses. Ms. Jones advised that public water was available along the west side of Eastern Avenue and would be extended to serve the property. Public sewer is available to the north and east of the property and would also be extended to serve the site. She stated that access would be provided by N. Eastern Avenue. All curb cuts for the commercial lots will be limited and must be reviewed for approval at the time of the building permit submittal. There is no floodplain located on the property. The site naturally drains to the south and east; however, a drainage study will be required with the final plat to determine the need and/or location for on-site detention.

Although Rezoning Application No. 900 is in compliance with the Moore Vision 20/20, a comprehensive plan amendment is required for the neighborhood commercial request. Because the property fronts Eastern Avenue, a 4-lane urban arterial roadway, the plan supports development of underutilized frontage to a commercial land use. Staff recommended approval of the comprehensive plan amendment.

Ms. Jones noted that the plat includes 46 residential lots on 13 acres. The commercial area includes two commercial lots on approximately two acres along Eastern Avenue.

Property owners that abut the subject site to the south appeared at the May 14, 2013 Planning Commission Meeting to express their concerns regarding drainage. City staff contacted the developer and his engineer to discuss different requirements for drainage and detention. Staff recommended approval of Agenda Items No. 7, 8, and 9 with the understanding that drainage calculations and plans will be required with the final plat submittal which may result in a requirement for on-site detention.

Council asked if the project could be denied if it was later determined that the drainage calculations reflect a need for additional drainage. Ms. Jones indicated that if the applicants have not adequately addressed the concerns for drainage or detention at the final plat stage the City Council can certainly deny the item.

Councilman Hamm indicated that he had received two phone calls from residents who oppose the item due to drainage concerns.

Mayor Lewis asked if there were any comments from citizens in attendance at the meeting. Finding none he asked for a motion.

Councilman Hamm moved to approve Moore Vision 20/20 Comprehensive Plan Amendment No. 39, located in the NW/4 of Section 12, T10N, R3W, being south of NE 27th Street and east of N. Eastern Avenue, from Urban Residential/Low Density to Light Commercial, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER REZONING APPLICATION NO. 900, LOCATED IN THE NW/4 OF SECTION 12, T10N, R3W, BEING SOUTH OF NE 27TH STREET AND EAST OF EASTERN AVENUE, FROM A-2 SUBURBAN AGRICULTURAL DISTRICT TO R-1/C-2 SINGLE FAMILY DWELLING DISTRICT/NEIGHBORHOOD COMMERCIAL DISTRICT; AND APPROVE ORDINANCE NO. 746(13). APPLICATION BY BISON DEVELOPMENT, LLC/GREG MCALISTER. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 2.

Councilman Roberts moved to approve Rezoning Application No. 900, located in the NW/4 of Section 12, T10N, R3W, being south of NE 27th Street and east of Eastern Avenue, from A-2 Suburban Agricultural District to R-1/C-2 Single Family Dwelling District/Neighborhood Commercial District; and approve Ordinance No. 746(13), second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER THE PRELIMINARY PLAT FOR AVONDALE ADDITION, LOCATED IN THE NW/4 OF SECTION 12, T10N, R3W, BEING SOUTH OF SE 27TH STREET AND EAST OF EASTERN AVENUE. APPLICATION BY BISON DEVELOPMENT LLC/GREG MCALISTER. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 2.

Councilman Blair moved to approve the preliminary plat for Avondale Addition, located in the NW/4 of Section 12, T10N, R3W, being south of SE 27th Street and east of Eastern Avenue, second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER THE FINAL PLAT FOR BELMAR NORTH, SECTION 2, LOCATED IN THE NE/4 OF SECTION 32, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND WEST OF SOONER ROAD. APPLICATION BY BELMAR GOLF, LLC. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 1.

Elizabeth Jones, Community Development Director, advised that the subject property was zoned R-1 as a PUD for a single-family residential community. The plat includes 115 residential lots with a density of 3.9 homes per acre. Primary access will be provided by Sooner Road with secondary access from Indian Hills Road, through the existing Belmar development. A notation on the plat that reads, "Limits of No Access" will be required for lots that abut Sooner Road. Ms. Jones stated that no curb cuts are approved for access to Sooner Road. No floodplain is located on the property and detention will be provided through ponds currently located on the Belmar Golf Course. She advised that this was a gated community with private streets. Public water and sewer would be extended through the site. Ms. Jones noted that the final plat was in compliance with the preliminary plat; therefore staff recommended approval of the item.

Councilman Hamm stated that a citizen recently attended a City Council meeting to talk about the curbs in his addition. He asked if staff had an opportunity to investigate the situation. Ms. Jones stated that since the individual who appeared before the Council to complain about the curbs lives in an addition with private streets, it is up to the homeowner's association to police their addition. Stan Drake, Assistant City Manager, advised that what was being done to the curbs was protecting the integrity of the gutter section of the drainage system. They are not disturbing it other than making a saw cut. Aesthetically it may not be as pleasing to the eye; however, in his opinion it was a better process since it prevented the stabilization beneath the roadway from being damaged. If you remove the gutter section it allows settling of the street over time causing potholes.

Councilman Krows asked if there was a different process that could be used that would protect the gutter section but be more aesthetically pleasing. Mr. Drake felt that the look of the curb was caused by the radius the concrete finisher used resulting in the curbs being offset.

Councilman Hamm moved to approve the final plat for Belmar North, Section 2, located in the NE/4 of Section 32, T10N, R2W, being south of SE 34th Street and west of Sooner Road, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AWARDING BID NO. 1213-012 "ACCESS CONTROL SYSTEM FOR THE CITY OF MOORE PUBLIC SAFETY CENTER" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

David Thompson, Manager of Information Technology, indicated that the agenda language for Bid No. 1213-012 should read "Audio Visual Systems" instead of "Access Control System". The bid information was correct. Randy Brink, City Attorney, felt that the City Council could hear the item since the bid number in the language was correct. Mr. Thompson stated that the bid includes televisions, projectors, and sound systems for the new Public Safety Building. The low bidder was Audio/Video Designs, Inc. in the amount of \$230,260.80. He advised that Audio Visual is located in Moore; the City has used them in the past and been happy with their service.

Councilman Krows moved to award Bid No. 1213-012 "Access Control System for the City of Moore Public Safety Center" to Audio/Video Systems in the amount of \$230,260.80, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER AWARDING A CONTRACT FOR DISASTER DEBRIS MONITORING SERVICES BASED UPON RECEIVED REQUEST FOR PROPOSALS AND WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 7-205(A)(7), CONTRACTUAL SERVICES OF A PROFESSIONAL NATURE, OF THE MOORE MUNICIPAL CODE.

Mayor Lewis confirmed with City Attorney Randy Brink that the City can legally waive competitive bidding. Steve Eddy, City Manager, advised that the City sent out a Request for Proposals for Debris Monitoring services. Six proposals were received. The proposals were opened and he and Assistant City Manager Stan Drake interviewed three of the firms by telephone. The three firms were True North Emergency Management Services, Thompson Consulting Services, and Executive Recovery Group. Mr. Eddy felt that any of the six firms would be qualified to provide the service; however, staff would recommend awarding the contract to Executive Recovery Group.

Councilman Krows asked what debris monitoring services involved. Mr. Eddy indicated that the company would be responsible for ensuring the debris collected is eligible debris under FEMA regulations. Since the debris contractor is being paid by weight the debris monitor will track the weight of the trucks and observe the trucks being weighed again at the landfill. There is newer technology available since the last

major disaster experienced by the City. It is done electronically rather than using paper tickets. The debris contractor and FEMA felt it would be a better way to ensure the debris collection is being done appropriately and per FEMA requirements.

Councilman Roberts indicated that process is the mechanism used to receive reimbursement from FEMA. Mr. Eddy responded that if there are debris loads in question FEMA may not pay for reimbursement.

Councilman Hamm asked if this process would make it easier if the City were audited in the future. Mr. Eddy stated that, although we have not had any problems in the past when the City did its own debris monitoring, it is a time consuming, tedious process that requires lots of paper. In the event an audit occurs two or three years in the future, a DVD could be supplied rather than boxes of paper.

There were no comments or questions from the audience.

Councilman Krows moved to award a contract for Disaster Debris Monitoring Services to Executive Recovery Group based upon received Request for Proposals and waive competitive bidding pursuant to Section 7-205(A)(7), Contractual Services of a Professional Nature, of the Moore Municipal Code, second by Councilman Hamm. Motion carried unanimously.

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

Addendum Item Number 12.1 being:

CONSIDER ADOPTION OF RESOLUTION NO. 773(13) AUTHORIZING THE CITY OF MOORE TO REMOVE DEBRIS FROM PRIVATE PROPERTY IN THE CITY OF MOORE AND FOR THE CITY MANAGER OF THE CITY OF MOORE TO REQUEST PUBLIC ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA") FOR SUCH REMOVAL.

Steve Eddy, City Manager, advised that adoption of Resolution No. 773(13) was the first step required by FEMA for Private Property Debris Removal ("PPDR") with Rights of Entry. Mr. Eddy stated that the adopted resolution would be forwarded with a letter to FEMA formally requesting public assistance for debris from private property, along with documentation required from the State Health Department and the Attorney General's Office. Once approval is obtained from FEMA the City will begin to implement a Right of Entry ("ROE") process.

Councilman Blair asked about language included in paragraph 5 which relates to situations wherein the City would have to access private property without permission. Mr. Eddy stated that at the very end of the debris cleanup process there would likely be a very small number of abandoned properties. After every effort has been made to locate property owners, the City would abate the nuisance. Following the tornadoes in 1999 and 2003 notice was given to two or three property owners with a 30-day notice before the City intervened.

Councilman Roberts moved to adopt Resolution No. 773(13) authorizing the City of Moore to remove debris from private property in the City of Moore and for the City Manager of the City of Moore to request public assistance from the Federal Emergency Management Agency ("FEMA") for such removal, second by Councilman Krows. 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 7:07 P.M.

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD MAY 6, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$132,558.20 (CARRYOVER FROM MAY 20, 2013 MEETING); APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$740,942.77.

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

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

Agenda Item Number 14 being:

CONSIDER APPROVAL OF THE FY 2013-2014 ANNUAL BUDGET AND ADOPT RESOLUTION NO. 234(13).

Trustee Krows moved to approve the FY 2013-2014 Annual Budget and adopt Resolution No. 234(13), second by Trustee Singer. 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 7:09 P.M.

Agenda Item Number 15 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD MAY 6, 2013.
- B) APPROVE PAYMENT OF A GENERAL LIABILITY SETTLEMENT IN THE AMOUNT OF \$60,000.00 TO RONNIE BIGWHIP, INDIVIDUALLY AND AS FATHER AND NEXT FRIEND TO TAZIA BIGWHIP, FOR CLAIM NO. CJ-2011-1115-L, AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLL, AND SUPPLEMENT THE BUDGET ACCORDINGLY.
- C) APPROVE PAYMENT OF A GENERAL LIABILITY SETTLEMENT IN THE AMOUNT OF \$106,200.00 TO SUMMIT QUALITY HOMES, INC. AND PEPPER MACKEY BUILDING COMPANY, L.L.C., FOR CLAIM NO. CJ-2012-154-L AND AUTHORIZE PLACEMENT ON THE TAX ROLL, AND SUPPLEMENT THE BUDGET ACCORDINGLY.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$253,655.62 (CARRYOVER FROM MAY 20, 2013 MEETING); APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$122,288.57.

Trustee Singer 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 RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN TERRY CAVNAR PRESIDING AT 7:11 P.M.

Agenda Item Number 16 being:

ROLL CALL

PRESENT: Krows, Blair, Singer, Lewis, Roberts, Hamm, Cavnar
ABSENT: None

Agenda Item Number 17 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD APRIL 15, 2013.

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

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

Agenda Item Number 18 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A CHAIR OF THE AUTHORITY.

Trustee Roberts moved to re-elect Terry Cavnar as Chair of the Authority, second by Trustee Krows. Motion carried unanimously.

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

Agenda Item Number 19 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A VICE-CHAIR OF THE AUTHORITY.

Trustee Krows moved to nominate David Roberts as Vice-Chair of the Authority, second by Trustee Hamm. Motion carried unanimously.

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

Agenda Item Number 20 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A SECRETARY OF THE AUTHORITY.

Trustee Krows moved to nominate Jason Blair as Secretary of the Authority, second by Trustee Roberts. Motion carried unanimously.

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

MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:14 P.M.

Agenda Item Number 21 being:

NEW BUSINESS:

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

Ralph Marshall, 1048 NW 10th, stated that he would like to put a storm shelter in his front yard which is prohibited by City Code. Mr. Marshall presented Council with examples of shelters. He stated that he would like to cut a hole in his vinyl fence put the storm shelter in the backyard protruding through to the front yard by approximately 3 feet. After installation he would continue the fence row across the storm shelter. Mr. Marshall said that his request was due to the condition of his wife's health which prevents her from walking through a locked gate to access the shelter. Councilman Hamm asked why the code was changed to prevent front yard shelters. Steve Eddy, City Manager, indicated that it was primarily due to complaints from residents regarding aesthetic issues. He advised that there is a process through the Board of Adjustment where unique situations can be heard and the Board of Adjustment can provide the relief if it is determined to be necessary.

Rebecca Parsons, 1113 S. Morgan Drive, appeared before Council because she has a situation where the size of the storm shelter she would like to purchase cannot fit into her backyard. Her side yards are only 7 to 8 feet wide and there is no room for a crane to lower the shelter into the yard. Ms. Parsons also stated that her garage has been converted and they cannot install a flat top safe. She mentioned that a neighbor has an underground shelter in her garage and by the time the storm stopped there was so much water in the safe that they only had about 4 inches of headroom left. Ms. Parsons wanted a sloped front shelter because it would prevent water from coming into the shelter. Councilman Krows suggested that Ms. Parsons appear before the Board of Adjustment who would take into consideration the flooding issues. He stated that the flooding issues that occurred recently is not typical of the weather in Oklahoma and was not considered when making changes to the ordinance.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Krows advised that he had received a call from an angry gentleman who was unable to gain entrance to his home following the tornado. He stated that there were valid reasons why property owners were not allowed back to their additions such as safety issues and ongoing searches for missing people. The City was working with several different law enforcement agencies and it would be impossible to have flawless communication between them. He knew that the citizens were allowed back into their homes as soon as possible. Councilman Krows expressed his appreciation to Police Chief Jerry Stillings and Fire Chief Gary Bird for the wonderful job they did.

Councilman Hamm asked staff to research the City requiring shelters in new construction versus making storm shelters an option. He felt that the subject would be coming up more in the future and would like staff to report their findings at a future Council meeting. Mayor Lewis felt that the subject came about after a comment he made to the media about making mandatory storm shelters in apartments or senior/assisted living centers.

Councilman Hamm stated that there was a moratorium on building in Cleveland Heights. He understood there is now the capability of providing water and sewer to the development. Councilman Hamm felt that the moratorium should be extended in light of the tornado. Mr. Eddy agreed, adding that a study session should be held to discuss the situation in more detail. Councilman Hamm asked that an item be placed on the June 17, 2013 to consider extending the moratorium.

Councilman Hamm stated that a lot of governmental entities and non-profit organizations have put on fundraisers to collect money for victims of the tornado. Councilman Hamm wanted to ensure that those funds would benefit those affected by the storm. He asked if a process could be implemented so those in need could apply for assistance. Mr. Eddy stated that the Red Cross has received millions of dollars to go toward disaster recovery. Therefore, the Red Cross will be able to provide long-term recovery for the victims. They can assist with any gaps or needs that are not being met. Mr. Eddy stated that the City has received around \$90,000 in donations. A possible use would be partially funded storm shelters. He would like to see each of the 800 homes destroyed rebuilt with shelters. Mayor Lewis indicated that he spoke with City Attorney Randy Brink about what the City can legally do to assist the victims. He stated that the City cannot give out cash money or gifts, and are looking into what the City can legally do to assist the victims. Mayor Lewis and the City Council stated that they want the victims to receive the money. Councilman Roberts stated that some people were underinsured and might need help. Councilman Cavnar stated that the biggest problem is the renters and people leasing apartments that did not have any coverage. Councilman Hamm thanked all of the City staff that helped following the tornado. Everyone knew what needed to be done and did it. He said that FEMA told him that the City learned from past tornados and put that into practice. Each department was overwhelmed but continued to function. Councilman Hamm felt it was an honor to be a part of the City Council and the current leadership.

Ralph Marshall, 1048 NW 10th, stated that the City should include a community shelter in the new park off Broadway. Mayor Lewis indicated that the City could not provide a shelter big enough to house the entire population of Moore. It would be cost prohibitive and would be difficult to conform to ADA regulations. He felt it was dangerous for the citizens to be out in a storm trying to access a storm shelter. Councilman Krows asked what would happen if 10,000 people show up at a shelter that only holds 4,000. Then there are 6,000 standing outside when a tornado hit.

Councilman Cavnar stated that FEMA has been awesome throughout the disaster. Mr. Eddy introduced Lee Foresman who is the FEMA representative who has been assisting the City following the tornado. Mr. Foresman has been spectacular. Councilman Cavnar expressed his appreciation to FEMA and the work they are doing.

Councilman Cavnar advised that a concert was held in Jacksonville, Florida to benefit the City of Moore. They charged \$5 per ticket and raised \$1,700. Mr. Eddy indicated that similar benefits have occurred all over the country. The response has truly been amazing.

Councilman Krows has been coordinating cleanup crews to clean up the school properties. He commented that a busload of kids from Yukon and Edmond came to Moore to assist with the effort.

Gayland Kitch, Emergency Management Director, indicated huge numbers of volunteers have come to Moore to assist with the cleanup. He noted that after another weather event occurred May 31, 2013 an

army of volunteers from Murfreesboro, Tennessee were at the parking lot the following morning at 8:00 a.m. and by 10:00 a.m. had everything cleaned up. He stated that it was truly amazing.

Councilman Singer thanked Gayland Kitch, Emergency Management Director, for his service to the City of Moore and making sure the City is storm ready.

Mayor Lewis commented on the special assistance from OG&E, OEC, and all of the local churches.

Steve Shawn with Silver Star Construction commented that the Oklahoma Highway Department and the Oklahoma Turnpike Authority sent more trucks than he has ever seen at one time.

Mayor Lewis thanked the City Council for their help. He stated that several entities sent law enforcement personnel to ensure that the few belongings left to the residents who lost their homes following the tornado were protected. Mayor Lewis thanked President Obama for his attendance at the memorial service for the victims of the tornado. He thanked Governor Fallin for her assistance and her presence immediately following the tornado. He expressed his appreciation to the State legislators who worked to obtain appropriations for cleanup efforts. Mayor Lewis thanked Blake Shelton and all of the other country music stars who donated their time and money for the recovery effort. He stated that although he likely neglected to acknowledge someone, he wanted everyone to know that he very much appreciated their efforts.

Councilman Hamm thanked Mayor Lewis for his leadership.

Councilman Roberts thanked Congressman Cole for his interest and concern.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City Manager.

Agenda Item Number 22 being:

EXECUTIVE SESSION

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED WILLIAM THOMASON, INDIVIDUALLY AND AS LEGAL GUARDIAN AND NEXT FRIEND OF DESARAE SOLIS, A MINOR CHILD V. SHEENA BIGWHIP, INDIVIDUALLY, AND THE CITY OF MOORE, CJ-2011-1761, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

B) CONVENE INTO EXECUTIVE SESSION

Councilman Krows moved to convene into executive session, second by Councilman Blair. Motion carried unanimously.

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

The City Council convened into executive session at 7:54 p.m.

C) RECONVENE FROM EXECUTIVE SESSION

PRESENT: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
ABSENT: None

The City Council reconvened from executive session at 8:09 p.m.

D) ACTION.

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED WILLIAM THOMASON, INDIVIDUALLY AND AS LEGAL GUARDIAN AND NEXT FRIEND OF DESARAE SOLIS, A MINOR CHILD V. SHEENA BIGWHIP, INDIVIDUALLY, AND THE CITY OF MOORE, CJ-2011-1761, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT 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 Cavnar. Motion carried unanimously.

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

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 8:10 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

DAVID ROBERTS, MPWA Secretary

FOR:

MARK HAMM, MEDA Secretary

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

ATTEST:

JIM CORBETT, City Clerk