

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
SEPTEMBER 6, 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 September 6, 2016 at 6:30 p.m. with Mayor Glenn Lewis presiding.

Adam Webb
Councilman, Ward I

Danielle McKenzie
Councilwoman, Ward I

Melissa Hunt
Councilwoman, Ward II

Mark Hamm
Councilman, Ward II

Jason Blair
Councilman, Ward III

Terry Cavnar
Councilman, Ward III

PRESENT: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
ABSENT: Blair

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; Finance Director, Brooks Mitchell; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Fire Chief, Gary Bird; Manager of Information Technology, David Thompson; Police Chief, Jerry Stillings; Sergeant David Dickinson; Risk Manager, Gary Benefield; Veolia Water Project Manager, Robert Pistole; and Administrative Assistant, Katie Berhalter.

Mayor Lewis read a proclamation recognizing the 50th Anniversary of Randall University previously known as Hillsdale College. The proclamation was presented to Timothy Eaton, President of Randall University, who stated that they have worked with various employees of the City over the years and have never had a bad experience. Mr. Eaton commented that the people of Moore are what keeps them here to serve. Mayor Lewis expressed his appreciation to Mr. Eaton and Randall University for their assistance during the tornado and all of the work they do for the community since they have been here.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 15, 2016.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD JULY 12, 2016.
- C) APPROVE OBSERVANCE OF MONDAY, OCTOBER 31, 2016 AS HALLOWEEN TRICK OR TREAT NIGHT.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$5,918,316.27.

Councilwoman Hunt moved to approve the Consent Docket in its entirety, second by Councilman Webb. Motion carried unanimously.

Ayes: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
Nays: None
Absent: Blair

Agenda Item Number 3 being:

CONSIDER REZONING APPLICATION NO. RZ-941, LOCATED IN THE SW/4 OF SECTION 23, T10N, R3W, BEING NORTH OF SW 19TH STREET AND WEST OF I-35 SERVICE ROAD, FROM C-3 GENERAL COMMERCIAL DISTRICT TO C-3/PU GENERAL COMMERCIAL DISTRICT WITH A PERMISSIVE USE FOR A TATTOO PARLOR; AND APPROVE ORDINANCE NO. 826(16). APPLICATION BY KEVIN BRANDON. (PLANNING COMMISSION RECOMMENDED APPROVAL 6-1). WARD 3.

Elizabeth Jones, Community Development Director, stated that the subject site contained 2.3 acres and was located west of the I-35 Corridor and north SW 19th Street. The property was developed as an in-line shopping center with lease spaces. Ms. Jones indicated that the applicant, Kevin Brandon, was not proposing changes to the underlying uses, but was instead asking for a permissive use to operate a tattoo parlor in a lease space within the shopping center. She advised that public water and sewer were available to serve the site, and access would be provided from the S. I-35 Service Road. She noted that no floodplain was located on the property.

Ms. Jones advised that permissive uses are uses that may not be appropriate in all areas within the underlying zoning due to potentially undesirable characteristics. Although tattoo parlors in the past have been seen as undesirable, today's tattoo parlors do not seem to have the same characteristics. She indicated that staff did not anticipate adverse effects to the surrounding properties from this application since the subject site was located in a developed part of Moore surrounded by retail and commercial land uses. She noted that several tattoo parlors have been located in Moore in the past under C-5 zoning with no conflicts with surrounding businesses.

She stated that the Comprehensive Plan designated the subject site as Medium Commercial. Because a tattoo parlor was considered to be Medium Commercial in nature, a Comprehensive Plan Amendment would not be required. Ms. Jones advised that staff recommended approval of the item.

Councilman Hamm asked Mr. Brandon if anything else would be sold in the shop and if he had other tattoo businesses. Mr. Brandon indicated that this was his first business and stated that he might sell hats or t-shirts with the shop's logo on it. Councilman Hamm asked if there were health codes regulating his business. Mr. Brandon indicated that there were several requirements for licensing and inspections by the Oklahoma State Department of Health to ensure, among other things, proper needle disposal and sterilization procedures.

Councilwoman Hunt moved to approve Rezoning Application No. RZ-941 located in the SW/4 of Section 23, T10N, R3W, being north of SW 19th Street and west of I-35 Service Road, from C-3 General Commercial District to C-3/PU General Commercial District with a Permissive Use for a Tattoo Parlor; and approve Ordinance No. 826(16), second by Councilwoman McKenzie. Motion carried by majority vote.

Ayes: McKenzie, Hunt, Webb, Hamm, Lewis
Nays: Cavnar
Absent: Blair

Agenda Item Number 4 being:

CONSIDER REZONING APPLICATION NO. RZ-942, LOCATED IN THE SE/4 OF SECTION 3, T10N, R3W, BEING NORTH OF NW 27TH STREET AND EAST OF SHIELDS BLVD., FROM R-1 SINGLE FAMILY DWELLING DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT; AND APPROVE ORDINANCE NO. 827(16). APPLICATION BY RUTH DEANE AND MARK ENGLISH. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 2.

Elizabeth Jones, Community Development Director, advised that the subject site consisted of approximately 1.3 acres located north of NW 27th Street and east of Shields Blvd. which contained two existing residential homes. Ms. Jones stated that the applicant proposed rezoning the property to C-3 General Commercial District to market for sale. The existing homes would be removed prior to commercial redevelopment. She advised that public water and sewer were available to serve the site, and access would be provided from NW 27th Street. The site was not located in a flood zone.

Ms. Jones advised that the subject property was located in an urbanized area with similar land uses to the east, west, and south. She stated that staff recommended approval contingent upon removal of the residential structures, due to similar growth trends in the area and compliance with the Comprehensive Plan.

Mayor Lewis asked if the applicant knew what commercial development would locate on the property. Ms. Jones advised that the applicant was putting the property up for sale and did not have a buyer at this time.

Councilman Hamm requested that staff ensure drainage concerns were addressed on any construction that does not require prior approval by the City Council.

Councilman Hamm moved to approve Rezoning Application No. RZ-942, located in the SE/4 of Section 3, T10N, R3W, being north of NW 27th Street and east of Shields Blvd., from R-1 Single Family Dwelling District to C-3 General Commercial District; and approve Ordinance No. 827(16), second by Councilman Webb. Motion carried unanimously.

Ayes: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
Nays: None
Absent: Blair

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:42 P.M.

Agenda Item Number 5 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 15, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$795,292.10.

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

Ayes: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
Nays: None
Absent: Blair

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:43 P.M.

Agenda Item Number 6 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 15, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$196,586.19.

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

Ayes: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
Nays: None
Absent: Blair

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:44 P.M.

Agenda Item Number 7 being:

NEW BUSINESS:

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

There were no citizens to speak.

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

Councilman Hamm announced that Moore War Run was held on August 27, 2016 in downtown Moore. Proceeds from the race were used to provide scholarship programs for the City's high schools. He stated that he and Councilwoman Hunt manned one of the water stations.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City Manager.

Agenda Item Number 8 being:

EXECUTIVE SESSION:

- A) DISCUSS POTENTIAL ACQUISITION OF CERTAIN REAL PROPERTY AND EASEMENTS IN THE CITY OF MOORE RELATED TO THE S. 34TH/I-35 BRIDGE PROJECT; AND AUTHORIZE STAFF TO PROCEED AS APPROPRIATE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(3).

B) DISCUSS AND CONSIDER THE APPROPRIATE STEPS/ACTIONS TO TAKE REGARDING THE PENDING RETIREMENT OF CITY MANAGER STEVE EDDY, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1).

C) CONVENE INTO EXECUTIVE SESSION

Councilman Cavnar moved to convene into executive session, second by Councilwoman McKenzie. Motion carried unanimously.

Ayes: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
Nays: None
Absent: Blair

The City Council convened into executive session at 6:46 p.m.

D) RECONVENE FROM EXECUTIVE SESSION

PRESENT: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
ABSENT: Blair

The City Council reconvened from executive session at 8:07 p.m.

E) ACTION.

A) DISCUSS POTENTIAL ACQUISITION OF CERTAIN REAL PROPERTY AND EASEMENTS IN THE CITY OF MOORE RELATED TO THE S. 34TH/I-35 BRIDGE PROJECT; AND AUTHORIZE STAFF TO PROCEED AS APPROPRIATE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(3).

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

Ayes: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
Nays: None
Absent: Blair

B) DISCUSS AND CONSIDER THE APPROPRIATE STEPS/ACTIONS TO TAKE REGARDING THE PENDING RETIREMENT OF CITY MANAGER STEVE EDDY, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1).

No action was taken on the item.

Agenda Item Number 9 being:

ADJOURNMENT

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

Ayes: McKenzie, Hunt, Cavnar, Webb, Hamm, Lewis
Nays: None
Absent: Blair

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 8:08 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

KATIE BERHALTER, Administrative Assistant

FOR:

ADAM WEBB, MPWA Secretary

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

ATTEST:

BROOKS MITCHELL, City Clerk