

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
SEPTEMBER 4, 2018 – 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 4, 2018 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

Louie Williams
Councilman, Ward III

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

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; City Attorney, Randy Brink; Kahley Gilbert, Administrative Assistant (Capital Planning & Resiliency); City Clerk, Linda Stewart; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief, Gary Bird; Network Technician, Mike Marti; Police Chief, Jerry Stillings; Sergeant David Dickinson; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 20, 2018.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD JULY 10, 2018.
- C) ACCEPT A UTILITY EASEMENT FOR A SANITARY SEWER EXTENSION TO SERVE THE INTEGRIS HOSPITAL LOCATED IN THE SW/4 OF SECTION 26, T10N, R3W. APPLICATION BY NXE MOORE/AARON BREWSTER.
- D) APPROVE A CONTRACT EXTENSION WITH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS ("ACOG") FOR A PUBLIC FLEET CONVERSION GRANT IN THE AMOUNT OF \$103,056.
- E) APPROVE REZONING APPLICATION NO. RZ-938, LOCATED IN THE SE/4 OF SECTION 25, T10N, R3W, BEING NORTH OF SE 34TH STREET AND EAST OF BROADWAY AVENUE, FROM A-1 RURAL AGRICULTURAL DISTRICT TO R-1 SINGLE-FAMILY DWELLING DISTRICT; AND APPROVE ORDINANCE NO. 890(18). APPLICATION BY BROADMOORE GOLF CLUB. (AS DIRECTED BY ORDER OF THE DISTRICT COURT ON JULY 25, 2018 IN CASE NO. CJ-2016-749).

- F) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2017-2018 IN THE AMOUNT OF \$8,607.20 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$2,970,801.77.

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

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

Agenda Item Number 3 being:

CONSIDER REZONING APPLICATION NO. RZ-975, LOCATED IN THE SW/4 OF SECTION 36, T10N, R3W, BEING NORTH OF INDIAN HILLS ROAD AND EAST OF EASTERN AVENUE, FROM A-1 RURAL AGRICULTURAL DISTRICT TO A-2 SUBURBAN AGRICULTURAL DISTRICT; AND APPROVE ORDINANCE NO. 891(18). APPLICATION BY ANNETTE GUNTER. (PLANNING COMMISSION RECOMMENDED APPROVAL 6-0). WARD 1.

Elizabeth Weitman, Community Development Director, stated that the subject site, zoned A-1 Rural Agricultural District, was located along the southern boundary of the Moore city limits at 4700 S. Eastern Avenue. The lot contained an existing residential home with multiple outbuildings. Ms. Weitman indicated that the applicant proposed rezoning the property to A-2 Suburban Agricultural District in order to split the property into two individual lots with a home being constructed on the north lot. She advised that public water and sewer were not available to serve the site; therefore, a private water well and septic system would be utilized. Ms. Weitman stated that stormwater detention would not be required. Access would be provided from S. Eastern Avenue by a single driveway, with a second driveway proposed from S. Eastern Avenue with the lot split.

Ms. Weitman stated that the site contained a FEMA regulated floodplain. However, the floodplain would be contained on the south lot. She added that there were no proposed changes to the floodplain, and any future changes in the floodplain must comply with all FEMA Floodplain Regulations at the time of development.

She advised that the Envision Moore 2040 Plan designed the area as Open Space Residential described as existing rural residential home sites and neighborhoods where homes have been developed on lots of $\frac{3}{4}$ acre and above. Ms. Weitman stated that the application was reviewed and found to be in general compliance with the plan; therefore, staff recommended approval of the item.

Councilman Williams moved to approve Rezoning Application No. RZ-975 and Ordinance No. 891(18), second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE SW/4 OF SECTION 3, T10N, R3W, BEING NORTH OF NW 27TH STREET AND EAST OF SANTA FE AVENUE. APPLICATION BY BABU THOMAS.

Elizabeth Weitman, Community Development Director, stated that the subject property located at 3000 N. Santa Fe contained approximately two acres and was zoned R-1 Single-Family Residential. Ms. Weitman advised that the west portion of the lot was developed with the Crossover Church, while the east portion of the lot fronting Larkspur contained a newly constructed home. The applicant was requesting the lot split in order to have separate legal descriptions for the church and the residence. Ms. Weitman indicated that the lot split would be in conformance with the R-1 zoning requirements; therefore, staff recommended approval of the item.

Councilman Hamm moved to approve a lot split located in the SW/4 of Section 3, T10N, R3W, being north of NW 27th Street and east of Santa Fe Avenue, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A RIGHT-OF-WAY USE AGREEMENT WITH MCIMETRO TO LAY AND MAINTAIN A FIBER OPTIC COMMUNICATIONS NETWORK WITHIN THE CITY OWNED RIGHT-OF-WAY.

Elizabeth Weitman, Community Development Director, advised that the proposed Right-of-Way Agreement was prepared following a request from a utility company to utilize the City right-of-way for telecommunication fiber optics for a 5G network. Ms. Weitman stated that staff would ensure adequate space existed within the right-of-way and that a minimum of 3' of horizontal separation would exist between the utility company's cable and the City's utilities. She noted that the utility company must agree to these terms which were included in the Use Agreement.

Mayor Lewis asked what the City's liability would be if one of the utility company's fiber optic cables were damaged. Ms. Weitman stated that there was a hold harmless clause that would prevent the City from being held accountable for damages occurring within the City's right-of-way.

Councilman Webb moved to approve a Right-of-Way Use Agreement with MCImetro to lay and maintain a fiber optic communications network within the City owned right-of-way, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF BUDGET SUPPLEMENTS FOR FY 18-19 FOR PRIOR YEAR PURCHASE ORDER CARRYOVERS AS FOLLOWS: RISK MANAGEMENT \$416.00; MEDA \$2,842,388.50; STREET BOND IMPROVEMENTS \$640,256.32; MOORE PUBLIC WORKS AUTHORITY \$483,172.97; GENERAL FUND \$716,475.32; SPECIAL REVENUE FUND \$164,366.77; 1/2 CENT SALES TAX PUBLIC SAFETY EQUIPMENT/RESIDENTIAL STREETS \$292,185.19; 1/4 CENT PARKS/FIRE STATION \$188,463.95; CDBG-DR GRANT \$1,753,250.21.

Betty Koehn, Finance Director, advised that the proposed budget supplement was necessary to budget outstanding purchase orders from FY 17-18 into the FY 18-19 budget.

Councilman Webb moved to approve budget supplements for FY 18-19 for prior year purchase order carryovers as follows: Risk Management \$416.00; MEDA \$2,842,388.50; Street Bond Improvements \$640,256.32; Moore Public Works Authority \$483,172.97; General Fund \$716,475.32; Special Revenue Fund \$164,366.77; 1/2 Cent Sales Tax Public Safety Equipment/Residential Streets \$292,185.19; 1/4 Cent Parks/Fire Station \$188,463.95; CDBG-DR Grant \$1,753,250.21, second by Councilman Williams. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:44 P.M.

Agenda Item Number 7 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 20, 2018.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2017-2018 IN THE AMOUNT OF \$201,480.88; AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$454,470.59.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:45 P.M.

Agenda Item Number 8 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 20, 2018.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2017-2018 IN THE AMOUNT OF \$237,838.12.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:46 P.M.

Agenda Item Number 9 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.

Mayor Lewis expressed his appreciation to a Moore police officer who was dispatched to a residence to capture an alligator found at that location.

Councilman Hamm announced that Mark Sweeney was named as the new Executive Director of the Association of Central Oklahoma Governments ("ACOG").

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, noted that the City was behind on mowing the City's parks and rights-of-way due to the unusual amount of rain the City experienced during the month of August.

Agenda Item Number 10 being:

ADJOURNMENT

Councilwoman Hunt moved to adjourn the City Council meeting, second by Councilman Williams. Motion carried unanimously.

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 6:48 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

ADAM WEBB, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2018.

ATTEST:

LINDA STEWART, City Clerk