

**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
NOVEMBER 18, 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 18, 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: Singer, Cavnar, Roberts (arrived at 6:40 p.m.), Hamm, Lewis

ABSENT: Krows, Blair

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; Finance Director, Jim Corbett; Assistant City Attorney, K.O. Williams; Captain Greg Anderson; Communications Supervisor, Tammy Koehn; Community Development Director, Elizabeth Jones; Fire Chief, Gary Bird; Human Resources/Risk Management Director, Gary Benefield; Manager of Information Technology, David Thompson; Parks and Recreation Director, Todd Jenson; Police Chief, Jerry Stillings; Public Works Director, Richard Sandefur; 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 NOVEMBER 4, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$2,116,924.00.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE NE/4 OF SECTION 25, T10N, R3W, BEING WEST OF BRYANT AND SOUTH OF SE 4TH STREET. APPLICATION BY DR. RICHARD HOMSEY.

Elizabeth Jones, Community Development Director, advised that the subject property was located in an existing office complex located at SE 4th Street west of the Highland East Junior High School. The applicant was proposing a lot split is for the construction of a new dental office. Ms. Jones stated that since the applicant was proposing to use the same approach to SE 4th, an access easement must be filed in Cleveland County before a building permit can be issued.

Councilman Cavnar moved to approve a lot split located in the NE/4 of Section 25, T10N, R3W, being west of Bryant and south of SE 4th Street, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A REVOCABLE PERMIT FOR A GAS PUMP CANOPY LOCATED ON LOT 1A OF THE SHOPS AT MOORE ADDITION, BEING SOUTH OF SW 19TH STREET AND EAST OF BROADWAY. APPLICATION BY SAM'S REAL ESTATE BUSINESS TRUST.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 4 and 5 were companion items. Ms. Jones advised that Sam's Club proposed converting the old Convergys building into a new facility with a gas pump installed on the south side of 19th Street directly across the driveway to the east from Jimmy John's restaurant. The applicant was requesting two revocable permits. One is for the encroachment upon the air space of a utility easement with a portion of the gas pump canopy. The second is for a fiber optic line to be located in the SW 19th Street right-of-way which will allow Sam's Club to communicate with the gas pump location. Staff reviewed the permits and recommended approval of the items. Ms. Jones noted that the revocable permits would be filed with the County and contain a clause which allows the City to revoke their right to be in the City's easement or right-of-way if the need ever arose.

Councilman Hamm moved to approval of a revocable permit for a gas pump canopy located on Lot 1A of the Shops at Moore Addition, being south of SW 19th Street and east of Broadway, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A REVOCABLE PERMIT FOR A FIBER OPTIC LINE TO BE LOCATED WITHIN THE SW 19TH STREET RIGHT-OF-WAY. APPLICATION BY SAM'S REAL ESTATE BUSINESS TRUST.

Councilman Cavnar moved to approve a revocable permit for a fiber optic line to be located within the SW 19th Street right-of-way, second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AWARDING BID NO. 1314-003 "PURCHASE OF COURTROOM FURNITURE FOR THE COURT FACILITY IN THE NEW CITY OF MOORE PUBLIC SAFETY BUILDING" TO SOLID ROCK CHURCH FURNITURE IN THE AMOUNT OF \$29,925.40.

Assistant City Attorney K.O. Williams recommended awarding the bid for courtroom furniture at the new Public Safety Center to the low bidder, Solid Rock Church Furniture, in the amount of \$29,925.40.

Councilman Hamm moved to award Bid No. 1314-003 "Purchase of Courtroom Furniture for the Court Facility in the new City of Moore Public Safety Building" to Solid Rock Church Furniture in the amount of \$29,925.40, second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AWARDING BID NO. 1314-004A "PURCHASE AND INSTALLATION OF CONSOLES FOR OPERATION IN A 24/7 MISSION CRITICAL ENVIRONMENT IN THE NEW CITY OF MOORE PUBLIC SAFETY BUILDING" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Tammy Koehn, Communications Supervisor, advised that the City received four bids for the purchase and installation of dispatch consoles for the new Public Safety Center. Ms. Koehn noted that one company did not meet the bid specifications and one bid was significantly higher than the others. The two remaining bids were from Xybix Systems out of Littleton, Colorado and Stolz Telecom out of Oklahoma City. The low bidder was Xybix Systems in the amount of \$95,058.40. Ms. Koehn indicated that the consoles would be paid for using a portion of the \$216,251 currently available in the 911 Fund.

Mayor Lewis noted that Xybix Systems will charge \$120 per hour for travel expense. He asked if staff took that into consideration when making their recommendation. Ms. Koehn indicated that travel expense charges would only be necessary for work needed outside of the warranty period.

Ms. Koehn noted a correction on the total bid for Stolz Telecom. A personal comfort system was included in the bid and was not an add-on as they originally thought. Therefore, their total bid amount with options would be \$97,148.51 instead of the \$110,646.74 listed on the bid tabulation sheet.

Mayor Lewis asked what company the City used in the past. Ms. Koehn stated that currently the dispatchers use desks instead of consoles. The equipment they bid out is ergonomic consoles that are specifically made for a dispatch environment.

Councilman Hamm moved to award Bid No. 1314-004A "Purchase and Installation of Consoles for Operation in a 24/7 Mission Critical Environment in the new City of Moore Public Safety Building" to Xybix Systems in the amount of \$95,058.40, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 8 being:

DISCUSSION REGARDING TRAFFIC DESIGN OF THE S. 19TH AND TOWER DRIVE AND THE BROADWAY AND EASTERN INTERSECTIONS.

Mayor Lewis stated that the item was placed on the agenda to discuss issues regarding the design and function of the intersections. He stated that asphalt roadways must be maintained regularly, the timing of the traffic lights fixed, and the intersection straightened.

Steve Eddy, City Manager, indicated that the City could make some temporary improvements to the intersections; however, the best solution would be to initiate an ACOG STP project from 19th and Tower to Eastern or 34th Street. He noted that numerous parcels of right-of-way must be obtained before a project could be started. Elizabeth Jones, Community Development Director, advised that some of the parcels have buildings on them making it much more expensive to acquire the necessary right-of-way. Ms. Jones noted that approximately a year ago the City Council approved a list of future roadway projects. The project list included Telephone Road, SW 34th Street, and the two sections of Broadway being discussed. The estimated completion time for an ACOG project was one to two years.

Mayor Lewis stated his opinion that an ACOG project for this location would be a good decision. However, he felt that replacing the signal lights to allow for alternating turn movements should occur now to fix the potentially danger situation.

Councilman Cavnar mentioned a left turn from 19th onto Tower was recently added to the intersection which helped significantly, but with additional traffic congestion he agreed that something else should be done.

Councilman Hamm suggested a turnabout for the Broadway/Eastern intersection. Mayor Lewis stated that staff could check into this option but a turnabout would require the acquisition of additional land further increasing the cost of the project. Councilman Hamm asked that staff look at the possibility of a roundabout and widening the street to a minimum of four-lanes. Mr. Eddy felt that Broadway south of 19th Street could even be expanded to five-lanes. He suggested looking at engineers for the design of a project to be submitted to ACOG as an STP project. In the meantime, the City can have a local company look at the turning movements of the signal light to suggest some changes. Stan Drake, Assistant City Manager, advised that staff would check the equipment inventory to see if there is a signal light that can alternate movements.

Councilman Hamm asked if a dual left turn lane could be added to the Broadway/Tower and 19th Street intersection for northbound traffic turning onto 19th Street. Mr. Eddy stated that staff would look at the situation and see what could be done.

Mayor Lewis stated that the item was placed on the agenda for discussion purposes and it did not require any action.

Addendum Item Number 8.1 being:

DISCUSS AND CONSIDER AUTHORIZING THE CREATION OF AN ADDITIONAL BUILDING INSPECTOR POSITION IN THE COMMUNITY DEVELOPMENT DEPARTMENT.

Steve Eddy, City Manager, stated that staff rarely makes requests mid-year for the creation of an unbudgeted position. The Community Development Department currently has two building inspectors and one building official. For the past several weeks the City of Midwest City has offered the use of one of their building inspectors. Staff has been working without time off since the tornado just to stay up with their present workload. Mr. Eddy indicated that with large construction projects anticipated for the future and additional work anticipated in the private sector, he believed that an additional building inspector was necessary. Mayor Lewis asked if there was more of a need for commercial or residential inspections. Mr. Eddy felt that there was more of a need for residential inspections; however, inspectors must have State certification in all trade areas. Staff anticipates hiring an individual capable of performing simple inspections who will need to obtain the proper certifications.

Councilman Roberts moved to authorize the creation of an additional Building Inspector position in the Community Development Department, second by Councilman Singer. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:56 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD NOVEMBER 4, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$590,177.92.

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

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

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:57 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD NOVEMBER 4, 2013.

- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$145,826.94.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN TERRY CAVNAR PRESIDING AT 6:58 P.M.

Agenda Item Number 11 being:

ROLL CALL

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

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD OCTOBER 21, 2013.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:59 P.M.

Agenda Item Number 13 being:

NEW BUSINESS:

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

Mike Atkisson stated that he worked at the City garage for almost eight years. This year he had two shoulder surgeries followed by a heart attack and open heart surgery. While he was in the hospital his employment was terminated by the City. He was told that the reason he was terminated was because he didn't call in for two days. He stated that his mother notified the City of his whereabouts. His health insurance was immediately cut off and he was forced to obtain COBRA insurance. He stated that he was concerned about how the circumstances of his termination would look to a potential employer. Mr. Atkisson indicated that the Personnel Rules and Regulations indicate that employees must use all accrued sick and vacation leave for such absences or it must be an approved absence. He stated that he used all

of his leave and is on short-term disability. He did not feel that the City's actions were morally right. Mayor Lewis sympathized with Mr. Atkisson and his situation but informed him that the City Council is not in charge of personnel issues. The City Manager handles issues pertaining to employees. He indicated that there was an appeal process through the Personnel Board that he can utilize. Councilman Cavnar indicated that personnel issues could not be discussed in a public meeting but did feel that the City Manager should check into the situation further.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Hamm announced that he had attended the National League of Cities Conference in Seattle, Washington. He stated that he learned a lot and hoped it would make him a better councilman. Councilman Hamm stated that he was collecting information on the sessions he felt would be beneficial in order to present them to the City Council at a later date.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Steve Eddy, City Manager, advised the City Council of the following items:

- The October financial statement reflects an improvement in the MPWA fund and that the General Fund was very strong.
- An e-mail was sent to the City Council updating them on various issues. Included in the e-mail was Category A money totaling close to \$1 million that will not be reimbursed.
- Offered condolences to those affected by the tornado in Illinois.
- Requested authorization to close City Hall on Christmas Eve. Although the employees typically do not have Christmas Eve off, he felt that the employees deserved the extra day off this year.

Mayor Lewis agreed that the employees have worked hard and deserve an extra day off. Mr. Eddy expressed his appreciation to the employees for all that they do.

Agenda Item Number 14 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:09 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

DAVID ROBERTS, MPWA Secretary

FOR:

JASON BLAIR, MEDA Secretary

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

ATTEST:

JIM CORBETT, City Clerk