

**MINUTES OF THE REGULAR MEETING OF  
OF THE MOORE CITY COUNCIL  
THE MOORE PUBLIC WORKS AUTHORITY  
AND THE MOORE RISK MANAGEMENT BOARD  
FEBRUARY 4, 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 February 4, 2013 at 6:30 p.m. with Mayor Glenn Lewis presiding.

*David Roberts*  
*Councilman, Ward I*

*Robert Krows*  
*Councilman, Ward I*

*Kathy Griffith*  
*Councilwoman, Ward II*

*Mark Hamm*  
*Councilman, Ward II*

*Jason Blair*  
*Councilman, Ward III*

*Terry Cavnar*  
*Councilman, Ward III*

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

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Clerk/Finance Director, Jim Corbett; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Fire Chief, Gary Bird; Manager of Information Technology, David Thompson; Parks and Recreation Director, Todd Jenson; Police Chief, Jerry Stillings; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Mayor Lewis introduced Robert Romines, Assistant Superintendent for Moore Public Schools, who would be speaking on the upcoming school bond issue. Mr. Romines distributed a flyer that outlined two propositions totaling approximately \$127 million that would be voted on at the February 12, 2013 election.

Proposition 1 included the construction of two new elementary schools and a junior high school. Mr. Romines commented that the new schools would provide much needed classroom space due to recent growth. He advised that there are five preschool additions planned at existing school sites, concessions at Westmoore High School, and gymnasiums at Moore and Southmoore High Schools. Also included are reoccurring costs for repair or replacement of roofs. Mr. Romines advised that if the bond issue passes they will be looking to acquire land for future growth. They will purchase athletic equipment, computers, and software. Mr. Romines commented that security is an issue that the school district must look at differently now and money would be set aside for that. Other items included in the proposition are acquisition of textbooks and educational materials, equipment for the Child Nutrition Program, and media equipment. He noted that the items included in Proposition 1 are estimated to cost around \$122 million.

Proposition 2 totals \$4.2 million and includes school buses, vans, and transportation related equipment, such as camera surveillance systems for safety and security, and purchase of student activity buses.

Mr. Romines noted that this election was unique in that it will be the largest bond issue ever to be voted on for the school district, and the bond would be on a five-year cycle instead of the historical three-year cycle. This would permit the school to collect more money up front on the revenue bonds which in turn would allow them to begin construction immediately on the new schools.

Mr. Romines estimated that the bond issue would raise property taxes 1 mill or \$1 a month on a \$100,000 home. This is viewed as a minimal tax increase in view of all the issues the bond money would address. He ended his presentation by advising that any questions regarding the election could be referred to the office of Superintendent Susan Pierce or additional information can be obtained on the school's website at [www.mooreschools.com](http://www.mooreschools.com).

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JANUARY 22, 2013.
- B) ACCEPT A 15-FOOT SEWER LINE EASEMENT LOCATED IN LOT 6, BLOCK 1, OF THE FRITTS ADDITION SECTION 2, BEING SOUTH OF SW 19<sup>TH</sup> STREET AND WEST OF TELEPHONE ROAD.
- C) ACCEPT A 15-FOOT WATERLINE EASEMENT LOCATED IN NE/4 OF SECTION 27, T10N, R3W, BEING SOUTH OF SW 19<sup>TH</sup> STREET AND WEST OF TELEPHONE ROAD.
- D) ACCEPT THREE SEPARATE 15-FOOT WATERLINE EASEMENTS LOCATED IN LOT 6, BLOCK 1, OF THE FRITTS ADDITION SECTION 2, BEING SOUTH OF SW 19<sup>TH</sup> STREET AND WEST OF TELEPHONE ROAD.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$1,548,897.66.

Councilman Hamm asked that more attention be paid to the wording of the claims particularly those pertaining to oil changes. It is apparent by the fairly large amount of the claim that some vehicles taken in for routine maintenance, such as oil changes, had additional work done on them that was included on the same purchase order.

**Councilman Krows moved to approve the consent docket in its entirety, second by Councilwoman Griffith. Motion carried unanimously.**

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

**Agenda Item Number 3 being:**

CONSIDER ORDINANCE NO. 741(13) GRANTING TO OKLAHOMA GAS AND ELECTRIC COMPANY A FRANCHISE FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF AN ELECTRIC DISTRIBUTION SYSTEM IN THE CITY OF MOORE AND THE SELLING OF ELECTRICITY THEREIN FOR A TERM OF 25 YEARS.

Steve Eddy, City Manager, advised that Agenda Items No. 3 and 4 were companion items. Mr. Eddy stated that once approved it would allow the City to call a Special Election for the renewal of OG&E's franchise agreement which would allow them use of the City's utility rights-of-way for distribution of electric service within the City. He stated that the agreements were historically long-term, noting that the last franchise agreement was approved over 24 years ago. He introduced James Chappel with OG&E who

was in attendance at the meeting and available for questions. Mr. Eddy indicated that the agreement would be placed on the May 14, 2013 ballot. The election would be paid for by OG&E. Under the terms of the agreement the City would receive 3% in franchise fees resulting in a significant source of revenue for the City.

Mayor Lewis thanked OG&E for the service they provide to the City.

**Councilman Roberts moved to approve Ordinance No. 741(13), second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER ADOPTING RESOLUTION NO. 759(13) CALLING AND HOLDING AN ELECTION IN THE CITY OF MOORE FOR THE PURPOSE OF GRANTING A FRANCHISE TO OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE INSTALLATION, OPERATION, AND MAINTENANCE OF AN ELECTRIC DISTRIBUTION SYSTEM AND THE SELLING OF ELECTRICITY THEREIN FOR A TERM OF 25 YEARS.

Steve Eddy, City Manager, noted that the franchise agreement with OG&E would not go into effect until approved by the voters at the May 14, 2013 election.

**Councilman Hamm moved to adopt Resolution No. 759(13), second by Councilman Krows. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER ORDINANCE NO. 737(13), AMENDING PART 5, CHAPTER 1, ARTICLE A, SECTION 5-201 ADOPTION OF BUILDING CODE AND SECTION 5-202 AMENDMENTS TO BUILDING CODE, OF THE CITY OF MOORE CODE, ADOPTING THE INTERNATIONAL CODE COUNCIL'S 2009 INTERNATIONAL BUILDING CODE, WITH LOCAL AMENDMENTS.

Elizabeth Jones, Community Development Director, noted that Agenda Items Nos. 5, 6, 7, and 8 were companion items on the agenda. They are routine updates to the City's Building Code which occurs every three years. Ms. Jones advised that the City stays three years behind the newest version of the International Building Code, which allows other cities to work out the bugs. She stated that Agenda Items 5, 6, 7 and 8 are the International Code Council's 2009 updates to the various trades last updated in 2006.

Steve Eddy, City Manager, indicated that the City has an Electrical Board, Mechanical Board, and a Plumbing Board which reviews the proposed Codes prior to their submittal to the City Council for approval.

**Councilman Krows moved to approve Ordinance No. 737(13), second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER ORDINANCE NO. 738(13), AMENDING PART 5, CHAPTER 5, ARTICLE A, SECTIONS 5-501, 5-502 AND 5-504 OF THE CITY OF MOORE CODE, ADOPTING THE INTERNATIONAL CODE COUNCIL'S 2009 INTERNATIONAL MECHANICAL CODE, WITH LOCAL AMENDMENTS.

**Councilman Krows moved to approve Ordinance No. 738(13), second by Councilman Roberts. Motion carried unanimously.**

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

**Agenda Item Number 7 being:**

CONSIDER ORDINANCE NO. 739(13), AMENDING PART 5, CHAPTER 3, ARTICLE A, SECTION 5-301 AND SECTION 5-302, OF THE CITY OF MOORE CODE, ADOPTING THE INTERNATIONAL CODE COUNCIL'S 2009 INTERNATIONAL PLUMBING CODE, WITH LOCAL AMENDMENTS.

**Councilman Krows moved to approve Ordinance No. 739(13), second by Councilwoman Griffith. Motion carried unanimously.**

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

**Agenda Item Number 8 being:**

CONSIDER ORDINANCE NO. 740(13), AMENDING PART 5, CHAPTER 4, ARTICLE A, SECTION 5-401 OF THE MOORE CITY CODE, ADOPTING THE 2011 NATIONAL ELECTRICAL CODE, WITH LOCAL AMENDMENTS.

Mayor Lewis pointed out that the item was requesting the adoption of the 2011 National Electrical Code. Elizabeth Jones, Community Development Director, advised that the Electrical Code was on a different schedule.

**Councilman Krows moved to approve Ordinance No. 740(13), second by Councilwoman Griffith. Motion carried unanimously.**

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

**Agenda Item Number 9 being:**

CONSIDER ADOPTING RESOLUTION NO. 757(13) REQUESTING INCLUSION OF PHASE I OF THE CITY-WIDE STREET STRIPING PROGRAM TO THE SURFACE TRANSPORTATION PROGRAM-URBANIZED AREA (STP-UZA) PROJECTS, AND SUBMITTING THE SAME TO THE OKLAHOMA TRANSPORTATION COMMISSION AND FEDERAL HIGHWAY ADMINISTRATION FOR APPROVAL.

Elizabeth Jones, Community Development Director, indicated that the City received federal funding from ACOG for street striping projects for federal fiscal year 2014-2015. The project would be fully funded by ACOG with the City being responsible for the engineering. Ms. Jones noted that staff is working on a comprehensive five-year street striping plan. Each year a new street striping project will occur. Phase I

includes striping a nine mile section of roadway at an approximate cost of \$186,528. Phase II, which was included under Agenda Item No. 10, included 8.5 miles at a cost of \$145,050.

Mayor Lewis asked if the City was required to bid the projects out. Ms. Jones indicated that ACOG would make the bid solicitation.

Councilman Hamm inquired what specific area of roadway would be restriped. Ms. Jones indicated that the grant application included particular locations to be restriped. She indicated that the 2014 projects included the 19<sup>th</sup> Street Corridor, NW 12<sup>th</sup> Street, and N. Santa Fe. Several other areas located throughout the City were also included in the application. Ms. Jones presented a color coded map that reflected the various project locations.

**Councilman Krows moved to adopt Resolution No. 757(13), second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 10 being:**

CONSIDER ADOPTING RESOLUTION NO. 758(13) REQUESTING INCLUSION OF PHASE II OF THE CITY-WIDE STREET STRIPING PROGRAM TO THE SURFACE TRANSPORTATION PROGRAM-URBANIZED AREA (STP-UZA) PROJECTS, AND SUBMITTING THE SAME TO THE OKLAHOMA TRANSPORTATION COMMISSION AND FEDERAL HIGHWAY ADMINISTRATION FOR APPROVAL.

**Councilman Krows moved to adopt Resolution No. 758(13), second by Councilwoman Griffith. Motion carried unanimously.**

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

**Agenda Item Number 11 being:**

CONSIDER ORDINANCE NO. 742(13) AMENDING PART 4, ARTICLE C, SECTION 4-131 OF THE MOORE MUNICIPAL CODE (2012 SUPP.) BY AMENDING THE LENGTH OF TIME AN OWNER HAS TO RECLAIM AN ANIMAL FROM IMPOUND; AMENDING THE CIRCUMSTANCES ALLOWING IMPOUND; PROVIDING FOR REPEALER; AND PROVIDING FOR SEVERABILITY.

Richard Sandefur, Public Works Director, advised that the City is required to impound animals for five days before they can be entered into the adoption process. Ordinance No. 742(13) would reduce that time to three days. If an animal has a microchip or a tag the City will continue to hold the animal for five days while attempting to contact the owner.

Councilman Hamm asked what the benefit would be in reducing the impound time. Mr. Sandefur stated that it would allow the animal to be placed for adoption sooner. Councilman Hamm wondered if three days was a sufficient period of time in which to contact the animal's owner. Mayor Lewis felt that was a very short period of time for individuals who may be on vacation. Mr. Sandefur stated that with today's technology it was a sufficient amount of time and, in fact, is the timeframe most of the surrounding cities use. Steve Eddy, City Manager, indicated that this would also alleviate some of the overcrowding concerns and the need for a bigger shelter. In the meantime the change in the impound time would allow for the animals to be sent to a rescue agency, be adopted, or euthanized. In any event this would assist with the overcrowding problem.

Councilman Roberts felt that three days was a very short period of time. Mr. Eddy stated that the shelter was having great success with its adoption program. Typically the only animals that are euthanized are those that are considered unadoptable. He noted that the three day holding period does not include weekends or holidays.

Councilman Krows asked what the capacity of the shelter was currently. Mr. Sandefur estimated the shelter would hold approximately 60 to 70 animals. Councilman Krows asked how many animals on average the shelter takes in. Mr. Sandefur felt on average there were around 50 animals. Councilman Krows asked how many animals are euthanized a year. Mr. Sandefur indicated that records are kept on the euthanizations but he did not have the information with him. The subject of dog registrations came up also. Councilman Hamm asked if the item could be tabled until additional information could be obtained.

**Councilman Krows moved to table Agenda Item No. 11, second by Councilwoman Griffith. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:04 P.M.**

**Agenda Item Number 12 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JANUARY 22, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$587,206.16.

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

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

**Agenda Item Number 13 being:**

CONSIDER APPROVAL OF CHANGE ORDER NO. 6 TO CONTRACT WITH WYNN CONSTRUCTION COMPANY, INC. FOR PHASE II WASTEWATER TREATMENT PLANT IMPROVEMENTS IN THE AMOUNT OF \$506,103.90.

Steve Eddy, City Manager, indicated that Kevin Lang with Wynn Construction and Satish Dasharathy with Eagle Consultants were available to update the Council on the status of the new wastewater treatment plant construction.

Mr. Eddy advised that the proposed Change Order in the amount of \$506,103.90 included nine relatively small items that came up during the construction process. They are items that were either overlooked or deemed necessary during construction. Approval of the change order would add additional construction time to the project to an anticipated completion date of May 14, 2013. Mr. Eddy indicated that a letter

from DEQ was received approving the City's request to extend the date the plant would be fully operational under the Consent Order to November or December 2013 without the assessment of penalties. Mr. Eddy advised that the original estimated completion date was set for November or December 2012.

Satish Dasharathy, engineer with Eagle Consultants, stated that the last time he appeared before the City Council with a progress report from the contractor he estimated a completion date of March 2013. Since that time they have had a series of events that extended that date.

**Trustee Roberts moved to approve Change Order No. 6 to contract with Wynn Construction Company, Inc. for Phase II Wastewater Treatment Plant Improvements in the amount of \$506,103.90, second by Trustee Griffith. Motion carried unanimously.**

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

**THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:10 P.M.**

**Agenda Item Number 14 being:**

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JANUARY 22, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$179,615.19.

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

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

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:11 P.M.**

**Agenda Item Number 15 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 stated that he had reported some graffiti at the last meeting and he commented that staff did a good job cleaning that up.

Councilwoman Griffith announced that she would not be seeking re-election since she recently purchased a home outside her ward. She indicated that she would continue serving on the Veterans Memorial Committee, and expressed appreciation to everyone for their confidence in her as she served on the City Council.

Councilman Hamm asked for an update on the 12<sup>th</sup> Street construction. Stan Drake, Assistant City Manager, indicated that AT&T was on site and should be finished by the end of the week. OG&E would move in the following week to remove the existing electrical poles at which time construction on the roadway would continue.

Councilwoman Griffith stated that she had received calls about the condition of the landscaping along 12<sup>th</sup> Street. She asked who was responsible for the replacement of dead trees and shrubs. Mr. Drake indicated that the contractor was responsible for the landscaping until the project was complete. He noted that the City had already received several complaints about the landscaping obstructing the view of oncoming traffic. He advised the staff drove each of the approaches onto 12<sup>th</sup> Street and as a result moved three shrubs. After construction is complete the issue will be revisited to determine if more landscaping will need to be removed.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City Manager.

**Agenda Item Number 16 being:**

ADJOURNMENT

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

Ayes: Krows, Blair, Griffith, 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 7:14 p.m.**

TRANSCRIBED BY:

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RHONDA BAXTER, Executive Assistant

RECORDED BY:

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CAROL FOLSOM, Purchasing Agent

FOR:

\_\_\_\_\_  
DAVID ROBERTS, MPWA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
JIM CORBETT, City Clerk