

**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
FEBRUARY 19, 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 19, 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, Griffith, Cavnar, Roberts, Hamm, Lewis
ABSENT: Blair

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; City Clerk/Finance Director, Jim Corbett; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Fire Chief Gary Bird; Human Resources and 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 FEBRUARY 4, 2013.
- B) APPROVE PAYMENT TO JERLOW CONSTRUCTION IN THE AMOUNT OF \$44,252.50 FOR A SANITARY SEWER LIFT STATION AND FORCE MAINS IN ACCORDANCE WITH RECOUPMENT DISTRICT NO. 2-12.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$2,065,507.11.

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

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

Agenda Item Number 3 being:

RECEIVE A PRESENTATION FROM BRIAN DAVIS WITH UTILITY SERVICE PARTNERS, INC. REGARDING THE NLC (NATIONAL LEAGUE OF CITIES) SERVICE LINE WARRANTY PROGRAM AND DIRECT STAFF AS DEEMED APPROPRIATE.

Steve Eddy, City Manager, advised that Brian Davis with Utility Service Partners will be making a presentation regarding an insurance or warranty program for homeowners' private service lines. Mr. Eddy stated that homeowners are responsible for the portion of water or sewer line that runs from their home to the main. When a service line breaks it can be very costly to repair or replace. Mr. Eddy asked Mr. Davis to address the City Council regarding the program to determine if there was any interest in participating.

Brian Davis advised that the Service Line Warranty program was endorsed by the National League of Cities and the Oklahoma Municipal League. Over 165 cities participate nationwide. He stated that some of the participating cities are as large as Milwaukee, Atlanta, Las Vegas, San Diego, and Phoenix, and as small as Crandall, Texas. He added that in Oklahoma the cities of Lawton and Stillwater are enrolled in the program.

Mr. Davis stated that less than 1% of households will have any type of warranty protection for their lateral water and sewer lines. The past two years more claims have been submitted due to drought conditions and ground shifting than for aging infrastructure. So many homeowners do not realize they are responsible for the line until they fail. Replacements can run as high as \$3,000 to \$4,000. He advised that around 35% of homes in Lawton are enrolled in the program. In 18 months almost \$200,000 has been spent on water line repairs. Those 200 citizens with processed claims paid zero out of pocket expense. There is a \$4,000 cap on water and sewer service line repairs per incident. Typically that type of cost would be for a very large home with a large concrete drive that required concrete work to make the repair. He related that only City based licensed plumbing contractors would be used to make the necessary repairs and the repairs must be made to code. Because homeowners insurance does not cover this type of repair there is a true gap in coverage.

If the City opts to participate in the program the National League of Cities would mail out a letter to homeowners that are signed by City staff. The sewer line letter would go out in the spring and the water line letter would go out in the fall. He noted that the City of Lawton opted to have Utility Service Partners sign the letter with a blurb at the top indicating that the City of Lawton wished to make the homeowner aware of this optional program. The City of Stillwater had the Mayor sign the letter and their company handled the mail out. The key is City involvement. Mr. Davis stated that they do not make telephone solicitations. Enrollment can be done on-line or by phone. Utility Service Partners will do the billing. Mr. Davis indicated that they would not be a burden on the City; they simply want to make the program available to the homeowners with the City's backing.

Mr. Davis indicated that Utility Service Partners is an A+ Better Business Bureau rated company. A customer satisfaction survey is sent to every homeowner that has a repair done. Around 43% of the surveys are returned with a 97% customer satisfaction rating. The survey shows 100% of the respondents felt the City was strengthened by the partnership and 100% of the cities would recommend the program to another city.

Mr. Davis advised that 10% of the collected funds from the participants could be donated to the City for beautification or sustainability projects. This would generate around \$10,000 to \$20,000 per year in revenue. Around 50% of the cities take the royalty. The other 50% opt out. For those cities who opt out

of receiving the royalty Utility Service Partners would discount the water line warranty fee from \$6 per month to \$5.50 and the sewer line warranty from \$8 per month to \$7.50. If a homeowner signs up for a year then they will receive a 10% discount.

Councilman Hamm asked if damage from natural disasters such as earthquakes would be covered. Mr. Davis stated that immediate damage from earthquakes would not be covered since it is considered an act of God. But if lines were weakened due to an earthquake but continued to work and then ultimately failed Utility Service Partners would cover the loss. Over a seven year period less than 2% of claims were denied. Most of those were due to nonpayment or a claim for a branch line that services a swimming pool or hot tub. Since they only service the main water and sewer service lines those claims would be denied.

Stan Drake, Assistant City Manager, pointed out that some homes in Moore have two service lines serving the home. Such as a 2" trunk line that services the kitchen sink and utility rooms. He asked about the coverage for those lines. Mr. Davis stated that they would pay those claims. Mr. Drake asked if the homeowner has the option of choosing their plumber. Mr. Davis stated that the homeowner could use any of the plumbers that are included in their network.

Councilman Hamm asked if there are problems caused from roots in the pipes would a claim be disqualified. Mr. Davis stated that participants are asked to sign a form stating that their lines are in working order. Following that there is a 30 day waiting period before coverage takes effect to prevent claims from being filed on a preexisting condition.

Mayor Lewis asked if commercial businesses could enroll in the program. Mr. Davis stated that Utility Service Partners is currently serving only residential homes.

Mr. Eddy felt that this program could be very beneficial, particularly to homeowners with older homes. The fact that it is supported by NLC and OML makes him feel more secure with the company. Mr. Eddy indicated that this type of program could be beneficial to the City in cases where homeowners have a sewer leak and simply can't afford to repair it. Those situations involve a health and safety issue. Mr. Eddy indicated that a lot of the citizens would be well served for \$5 to \$8 dollars per month for this type of service.

Mr. Davis explained that when a homeowner has a problem they contact Utility Service Partners first and a plumber is dispatched out to determine if the problem is on the service line or the main line. Even if the problem is on the City side, they will pay the plumber and the homeowner never pays a service call or deductible. They will then contact Public Works to advise them of the problem with the City line.

Councilman Cavnar confirmed that a homeowner's policy specifically excludes normal wear and tear damage. He added that most of the repairs are estimated to cost around \$2,500.

Councilman Hamm asked if references could be obtained from the City of Lawton and the City of Stillwater. Mr. Eddy indicated that he had not called the participating cities for information because he was confident of the program due in part to the backing of OML and NLC. However, he would be happy to make contact with the cities. If Council wishes to proceed a proposed contract would be brought back to the City Council for final approval.

Councilman Krows moved to receive a presentation from Brian Davis with Utility Service Partners, Inc. regarding the NLC (National League of Cities) Service Line Warranty Program, second by Councilman Hamm. Motion carried unanimously.

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

Steve Eddy, City Manager, indicated that Agenda Items No. 4 and 5 were companion items that were approved at the February 4, 2013 City Council meeting. They are on the agenda for consideration as amended items due to an error in the publication information. The content will remain the same other than the amended ordinance and resolution will list the Norman Transcript instead of the Moore American as the newspaper that the publication was printed it.

Agenda Item Number 4 being:

CONSIDER AMENDED 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.

Councilman Roberts moved to approve amended 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, second by Councilwoman Griffith. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER ADOPTING AMENDED 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.

Councilman Krows moved to adopt amended 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, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER A LOT SPLIT IN THE SE/4 OF SECTION 7, T10N, R2W, BEING NORTH OF NE 12TH STREET AND WEST OF SUNNYLANE. APPLICATION BY JUSTIN RHODES.

Stan Drake, Assistant City Manager, advised that he would be addressing the item since Elizabeth Jones, Community Development Director, was out sick. Mr. Drake stated that the R-1 property was located north of NE 12th Street and west of Sunnyslane as part of the Sonoma Lakes Addition. The applicant was proposing a lot split for an acre of land located in the southeast corner of the tract that was incorporated into the R-1 subdivision but was later determined that an existing Conoco pipeline easement located on the property rendered it unbuildable. The applicant must either use the property as a common area or sell the property as a separate lot for a private residence. Staff recommended selling the property since it is located off of NE 12th and water and sewer is available to serve the site.

Councilman Cavnar moved to approve a lot split in the SE/4 of Section 7, T10N, R2W, being north of NE 12th Street and west of Sunnyslane, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER REJECTING ALL BIDS ON BID NO. 1213-008 "COMMUNICATION INFRASTRUCTURE SERVICES FOR THE CITY OF MOORE PUBLIC SAFETY BUILDING" AND REBID "CABLING SYSTEM", "AUDIO/VISUAL SYSTEM", AND "SECURITY SYSTEM" SEPARATELY.

David Thompson, Manager of Information Technology, advised that the City received one response that included all three parts of the bid. Two other bids were received incomplete. It was determined that most of the companies that were solicited could not perform the work on all three areas but would bid if the items were separated. Therefore, it was determined that the bids should be rejected due to the low response and rebid the items separately.

Councilman Hamm asked how the rebid would affect the timeline on the construction of the new Public Safety Center. Both City Manager Steve Eddy and Mr. Thompson indicated that it might cause them to complete the project a little closer to the deadline but felt at this point they can still meet their deadlines.

Councilman Roberts moved to reject all bids on Bid No. 1213-008 "Communication Infrastructure Services for the City of Moore Public Safety Building" and rebid "Cabling System", "Audio/Visual System", and "Security System" separately, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AUTHORIZING CITY STAFF TO NEGOTIATE A CONTRACT AND FEES FOR THE ARCHITECTURAL DESIGN AND ENGINEERING FOR THE NEW COMMUNITY/RECREATION CENTER, OUTDOOR AQUATICS FACILITY, FARMERS MARKET/MULTI-PURPOSE STRUCTURES, AMPHITHEATER, HANDICAP ACCESSIBLE PLAYGROUND AND WALKING TRAIL IN THE NEW CENTRAL MOORE PARK.

Todd Jenson, Parks and Recreation Director, advised that following the November 6, 2012 Park election staff began steps to develop the new Central Moore Park. Interviews were held with various design teams that would perform the necessary architectural and engineering work. An RFO was published in December which included the requirements that each team include a lead architect firm, an aquatics designer, a landscape architect, and a civil engineer. Members of the committee included Councilman Jason Blair, Parks Board Chairman Charles Payne, Parks Board Member Eddie Vickers, Assistant City Manager Stan Drake, Community Development Director Elizabeth Jones, and Parks and Recreation Director Todd Jenson. Five of the 16 teams who submitted proposals were interviewed. Although all five teams seemed highly qualified it appeared that TAP Architecture in Oklahoma City was the best for the project. Anthony McDermid, principal of TAP Architecture, was in attendance at the meeting. Mr. Jenson advised that the proposed agenda item was for authorization to negotiate a contract and fees for the design of the park. Mr. Jenson stated that he anticipated bringing the contract back to Council for approval sometime in March.

Councilman Hamm asked what made the committee recommend TAP Architecture. Mr. Jenson stated that Mr. McDermid's team was second to none. He is familiar with Moore since his children went to school here. He has an understanding of the project. Their team appears very creative with wonderful ideas. Their aquatic designer is one of the most well-known within the State. Ballard-King & Associates would prepare a feasibility study for the aquatic center and the new Community Center. They have prepared over 500 to 600 of these studies. The landscape architect also had exceptional ideas for the project. Mr. Jenson felt that they stood out.

Councilman Cavnar expressed his appreciation to those individuals who served on the committee. He was aware of how much time and effort goes into the process.

Steve Eddy, City Manager, indicated that he spoke with Councilman Blair this afternoon and he was in full support of negotiating a contract with TAP Architecture.

Councilman Roberts moved to authorize staff to negotiate a contract and fees for the architectural design and engineering for the new Community/Recreation Center, Outdoor Aquatics Facility, Farmers Market/Multi-Purpose structures, Amphitheater, Handicap Accessible Playground and Walking Trail in the new Central Moore Park with TAP Architecture, second by Councilwoman Griffith. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER ADOPTION OF RESOLUTION NO. 760(13) PERTAINING TO THE GENERAL OBLIGATION BONDS OF 2013B, APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS AT AN ELECTION HELD ON NOVEMBER 6, 2012, FIXING THE AMOUNT OF BONDS TO MATURE EACH YEAR, FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW.

Steve Eddy, City Manager, advised that this item pertains to the first issuance of bonds for the new park project. The bond money will be used to pay Mr. McDermid's fees, the land acquisition, and much of the site work up front. This is the balance of what the City can issue this calendar year and still be bank qualified. Chris Cochran, financial advisor, gave a short presentation regarding the item.

Mr. Cochran indicated that Resolution No. 760(13) sets the date, time, and place for when the City will accept bids for the first round of bonds. Bids will be accepted through 2:00 p.m. on March 18, 2013 and submitted to the City Council that evening at the City Council meeting.

Mr. Eddy stated that staff anticipates a rate structure similar to the last issuance. Mr. Cochran advised that he sold bonds for Norman Schools the previous week and received a .85% interest on a 5 year bond. The City of Moore's bond will be 12 years so he anticipates the interest to be something like 1.25%.

Councilman Roberts moved to adopt Resolution No. 760(13), second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER APPROVAL OF EMPLOYMENT AGREEMENTS WITH CHRIS COCHRAN AND CHRIS GANDER OF BOSCO, INC., AS FINANCIAL ADVISOR (CONCERNING GENERAL OBLIGATION BONDS AUTHORIZED AT NOVEMBER 6, 2012 ELECTION).

Steve Eddy, City Manager, indicated that the employment agreements for Chris Cochran and Chris Gander will be for the entire amount of the bonds, which will be paid out incrementally as the bonds are sold over the next four to five years.

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

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:06 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD FEBRUARY 4, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$525,071.39.

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

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

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:07 P.M.

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD FEBRUARY 4, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$111,300.28.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN TERRY CAVNAR PRESIDING AT 7:08 P.M.

Agenda Item Number 13 being:

ROLL CALL

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

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JANUARY 22, 2013.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:09 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 received a phone call from a citizen regarding the length of school zones. They specified the school zones for Highland West, Santa Fe Elementary, and Winding Creek Elementary. He asked how much the double flashing yellow lights would be to install around those areas. Mr. Eddy stated that the ones that are installed around Southmoore High School are very expensive. Councilman Hamm indicated that when streets are being rehabilitated maybe similar lights could be installed or some additional markings. Steve Eddy, City Manager, indicated that pavement markings and additional signage could be erected as a reminder that drivers are still in a school zone.

Mayor Lewis asked when newly elected council members would be sworn into office. Mr. Eddy advised that it would be April 15, 2013. Mayor Lewis welcomed Scott Singer to the City Council. Mr. Singer will be taking Councilwoman Griffith's seat since she is not running for re-election and he did not receive an opponent.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- The residential street crew has been in the Crestmoore Addition for several weeks. Most of the addition has been completed. However, the crew will be returning at some point for the completion of small repairs. The crew will be moving to the future site of Parmele Park at 12th and Janeway. This will include parking, a splash pad, a gazebo, walking track, restroom, and a playground. Work will begin within the next few weeks. This is a new park that was approved as part of the park projects at the election.
- Staff met with the traffic engineers due to the number of complaint calls the City has received regarding the signal lights at NW 5th and Telephone Road/I-35 Service Road. They recommended the light be changed from a five phase operation to a three phase operation to move traffic through the intersection more quickly. Those changes should occur over the next few weeks.
- The construction on the Public Safety Center is still on schedule. If any of the City Council would like to tour the facility please contact his office.

Agenda Item Number 16 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:15 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 _____, 2012.

ATTEST:

JIM CORBETT, City Clerk