

**MINUTES OF THE REGULAR MEETING OF  
OF THE MOORE CITY COUNCIL  
THE MOORE PUBLIC WORKS AUTHORITY  
AND THE MOORE RISK MANAGEMENT BOARD  
JANUARY 6, 2014 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on January 6, 2014 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: Krows, Blair, Singer, 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; Sergeant Michael Leonard; Risk Manager, Gary Benefield; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 16, 2013.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD NOVEMBER 12, 2013.
- C) APPROVE EXTENDING AN AGREEMENT WITH DEARBORN NATIONAL FOR ONE YEAR FOR GROUP TERM LIFE INSURANCE.
- D) APPROVE A CONTRACT WITH THE YMCA FOR USE OF A ROOM AT THE MOORE COMMUNITY CENTER FOR BEFORE AND AFTER SCHOOL CARE, SUMMER CAMP, AND VACATION CARE.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$3,306,981.04.

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

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

**Agenda Item Number 3 being:**

CONSIDER REZONING APPLICATION NO. 909 LOCATED IN THE SE/4 OF SECTION 22, T10N, R3W, BEING NORTH OF SW 19<sup>TH</sup> STREET AND WEST OF TELEPHONE ROAD, FROM C-3/R-5 GENERAL COMMERCIAL DISTRICT/MANUFACTURED HOME DISTRICT TO R-4/PUD MULTIPLE FAMILY DISTRICT/PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 765(13). APPLICATION BY ROYAL PARK BUSINESS DEVELOPMENT LLC/PAT BROADFOOT. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 3.

Elizabeth Jones, Community Development, stated that the subject property contained 17 acres and was located north of SW 19<sup>th</sup> Street and west of Yule Drive. Ms. Jones indicated that the applicant proposed to develop the vacant site as a Planned Unit Development with a 314-unit multi-family apartment complex. To accommodate this use the property must be rezoned from R-5 Manufactured Housing District and C-3 General Commercial District to R-4 Multiple Family District as a Planned Unit Development. She advised that public water would be extended from the southeast to serve the development, and sanitary sewer would be provided from an 8" sanitary sewer extension to the south. Access would be provided from SW 19<sup>th</sup> Street through a private roadway. Secondary access would be provided from SW 17<sup>th</sup> Street, a collector street, with access to Max Morgan Boulevard and Telephone Road. She stated that the community would be gated and must comply with the Gated Communities Ordinance.

Ms. Jones advised that the applicant was utilizing a Planned Unit Development to achieve higher densities. She stated that the City could relax certain density requirements in exchange for amenities that would not otherwise be required. The PUD included the following amenities:

- A clubhouse with fitness center, lounges, and leasing offices.
- Outdoor swimming pool with grills, television, and sunbathing area.
- Recreational areas for tennis, basketball or similar recreational activities.
- Enhanced architectural detailing that includes brick, masonry, and facade accents. There is a 70% masonry requirement for the first floor.
- R-1 setback protections, include a 25' setback for all dumpster/trash compactors from any single-family residential property. A 50' setback for all three-story buildings. A 6-8' wooden sight-proof fencing. They propose two-story garage units on the west side as a buffer to the R-1 neighborhood.

Ms. Jones stated that in 2008 the Comprehensive Plan was amended from Medium Density Residential to High Density Residential for an expansion of the Royal Park mobile home community. The current proposal meets the requirements for a High Density Residential land use, and is therefore in compliance with the Moore Vision 20/20.

Ms. Jones noted that the application was a downzoning from the current R-5 zoning. She indicated that if the Planning Commission and City Council felt that the proposed buffering and transitioning techniques provided adequate protection to the abutting residential properties, staff would recommend approval of the item. She advised that five residents spoke in opposition to the item at the December 14, 2013 Planning Commission meeting. A summary of their comments, which included concerns regarding potential increases in crime and traffic, a decrease in property values, and concerns that the development was not in keeping with the single-family character of the neighborhood, was e-mailed to the City Council for their review. Ms. Jones stated that the Planning Commission recommended approval 7-0.

Councilman Hamm asked when construction would begin. Ms. Jones advised that the applicant would have to obtain approval of a final plat but the correct zoning would give them the right to begin development of the property immediately.

Mayor Lewis asked how much rent would be for the apartments. Greg Simmons with S & K Multi-Family Construction appeared on behalf of the applicant. Mr. Simmons indicated that the apartments would rent for \$850 for a single bedroom and around \$1,200 to \$1,300 for a two bedroom. Mayor Lewis asked if the apartments would be tax credit units. Mr. Simmons indicated that they would not.

Councilman Hamm asked for additional information regarding the development. Mr. Simmons stated that the apartments would be type A units which cater to professionals. They have a sharper edge to them with more rock, masonry, and metal detailing. The units have granite countertops, dome light fixtures, and faucets that typically go into a \$200,000 to \$300,000 home. He indicated that they try to provide a community in which the tenants can live and play by locating near retailers to make it more convenient for their renters. He felt the crime rate was more dependent upon how the apartment complex was managed. They provide on staff security primarily for the residents' protection. Mr. Simmons stated that the applicant will own and operate the complex. The rent amount requires a certain stature and are not considered entry level apartments. They have maintenance schedules which include small things like repainting the front doors when a resident moves out. Those types of things keep the complex looking nice. Mr. Simmons indicated that the total project cost was around \$27 million. Councilman Hamm inquired about increased traffic congestion on 19<sup>th</sup> Street. Ms. Jones stated that apartment complexes don't typically have as many drivers as single-family homes. She felt it would cause an increase in traffic congestion, but not as much as a mobile home park or some of the allowable commercial uses. Councilman Roberts agreed that apartment complexes do not generate enough traffic to create a tremendous burden on the roadway.

Councilman Cavnar stated that his only issues dealt with long-term ownership and long-term maintenance. He felt that Mr. Simmons had addressed his concerns and he was not opposed to the development.

Councilman Hamm stated his opinion that the traffic problems would become worse with the continuing retail development and felt the City should be prepared with creative solutions. Steve Eddy, City Manager, advised that two traffic studies were prepared on the area. He felt that it should be updated to incorporate current traffic patterns created with continued development. However, he did not believe that the complex would create an untenable situation.

Councilman Blair stated that the conceptual site plan reflected secondary access off 17<sup>th</sup> Street. He asked if staff felt it would help with additional traffic flow onto 19<sup>th</sup> Street. Ms. Jones commented that individuals familiar with the traffic in the area would prefer using 17<sup>th</sup> Street since it has direct access to Max Morgan Blvd., which is signalized, or to Telephone Road.

**Councilman Krows moved to approve Rezoning Application No. 909 and Ordinance No. 765(13), second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER EXTENDING THE CURRENT CONTRACT WITH APOLLO BUILDING SYSTEMS, INC. FOR CONSTRUCTION MANAGER SERVICES FOR ONE YEAR.

Steve Eddy, City Manager, stated that the City currently contracts with Apollo Building Systems, Inc. for construction manager services for smaller construction projects.

**Councilman Roberts moved to extend the current contract with Apollo Building Systems, Inc. for construction manager services for one year, second by Councilman Krows. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:51 P.M.**

**Agenda Item Number 5 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD DECEMBER 16, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$311,604.17.

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

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

**Agenda Item Number 6 being:**

CONSIDER THE PURCHASE OF 425 POLYCARTS FROM THE LOWEST QUOTING VENDOR.

Mayor Lewis indicated that the City did not receive quotes for the purchase of polycarts and asked that the item be tabled.

**Trustee Krows moved to table Agenda Item No. 6, second by Trustee Singer. Motion carried unanimously.**

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

**THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:53 P.M.**

**Agenda Item Number 7 being:**

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD DECEMBER 16, 2013.

- B) APPROVE PAYMENT OF A WORKERS' COMPENSATION SETTLEMENT IN THE AMOUNT OF \$37,145.00 TO CHARLES STEPHENS FOR CLAIM NO. 2012-08842-Q, AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLL, AND SUPPLEMENT THE BUDGET ACCORDINGLY.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$519,512.32.

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

Ayes: Krows, Blair, Singer, 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 6:54 P.M.**

**Agenda Item Number 8 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 asked that additional funded could be budgeted for street striping.

Mayor Lewis expressed his appreciation to the employees who worked so hard to clear the streets during the recent snow and ice storms.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Steve Eddy, City Manager, discussed the following items:

- Storm area abatement letters will be mailed out this week. He encouraged recipients to call with questions or concerns.
- A special meeting would be posted for January 13, 2014 at 6:30 p.m. for consideration and approval of items regarding Disaster Recovery funds the City was awarded through the Department of Housing and Urban Development.
- Tree limbs will be collected by the City from the recent ice storm. Residents do not need to call to schedule a pick up but they must put them at the curb as soon as possible.
- Congratulated David Jones, owner of the new Dairy Queen, for their very successful grand opening.

**Agenda Item Number 9 being:**

EXECUTIVE SESSION

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING A TORT CLAIM FILED BY SILAS GROVES; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

B) CONVENE INTO EXECUTIVE SESSION

**Councilman Krows moved to convene to executive session, second by Councilman Cavnar. Motion carried unanimously.**

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

**The City Council convened into executive session at 7:00 p.m.**

C) RECONVENE FROM EXECUTIVE SESSION

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

**The City Council reconvened from executive session at 7:09 p.m.**

D) ACTION.

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING A TORT CLAIM FILED BY SILAS GROVES; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

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

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

**Agenda Item Number 10 being:**

ADJOURNMENT

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

Ayes: Krows, Blair, Singer, 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 7:10 p.m.**

TRANSCRIBED BY:

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RHONDA BAXTER, Executive Assistant

RECORDED BY:

\_\_\_\_\_  
CAROL FOLSOM, Purchasing Agent

FOR:

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

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

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