

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
NOVEMBER 3, 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 November 3, 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; 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; Parks and Recreation Director, Todd Jenson; Police Chief, Jerry Stillings; Officer Crystal Landowski; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; 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 OCTOBER 20, 2014.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD AUGUST 12, 2014.
- C) DECLARE CERTAIN VEHICLES AS SURPLUS.
- D) AUTHORIZE STAFF TO SOLICIT BIDS FOR A CODE ENFORCEMENT NUISANCE ABATEMENT CONTRACTOR(S).
- E) APPROVE A BUDGET SUPPLEMENT TO THE GENERAL FUND IN THE AMOUNT OF \$5,590,000, AND A RESIDUAL EQUITY TRANSFER OF \$450,000 FROM THE SPECIAL REVENUE FUND.
- F) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$1,855,168.62.

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

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

Agenda Item Number 3 being:

CONSIDER ACCEPTANCE OF A GRANT AWARD FROM THE DEPARTMENT OF JUSTICE FOR TWO POLICE OFFICER POSITIONS THROUGH THE COMMUNITY ORIENTED POLICING ("COPS") HIRING PROGRAM.

Chief Stillings indicated that in June the police department applied for a COPS grant through the Justice Department to fund a hiring program. Notification was received in September that the City was awarded funding for two police officer positions that would be assigned full-time to the Community Policing Unit to implement the Crime Free Zones and Crime Prevention Through Environmental Design ("CPTED") Programs. Chief Stillings advised that the Community Policing Unit will primarily work on crime prevention and building relationships within the community. Chief Stilling advised that the grant amount of \$408,000 would be paid out over a three-year period, with a total contribution from the City in the amount of \$50,000. The City would be required to retain the officers for one year after the three year program ends; however, Chief Stillings advised that if the program is successful he would like to retain the positions.

Councilman Hamm asked how the officers would foster relationships within the community. Chief Stillings indicated that each of the three officers in the Community Policing Unit would be assigned a section of the City for which they would be responsible. The officers would assist with such things as with crime prevention by working with apartment managers and making safety suggestions, implementing Neighborhood Watch Associations, and giving safety talks at the schools.

Councilman Krows moved to approve to accept a grant award from the Department of Justice for two police officer positions through the Community Oriented Policing ("COPS") Hiring Program, second by Councilman Singer. Motion carried unanimously.

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

Mayor Lewis asked that Chief Stillings pass along his appreciation to Major Yandell for preparing the grant application.

Agenda Item Number 4 being:

CONSIDER REZONING APPLICATION NO. RZ-919 LOCATED IN THE NE/4 OF SECTION 10, T10N, R3W, BEING SOUTH OF NW 27TH STREET AND WEST OF SHIELDS BOULEVARD, FROM C-5 AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT TO C-5/PU AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT WITH A PERMISSIVE USE FOR USED CAR SALES; AND APPROVE ORDINANCE NO. 784(14). APPLICATION BY ROBERT JEWELL. (PLANNING COMMISSION RECOMMENDED APPROVAL 8-0).

Elizabeth Jones, Community Development Director, stated that the subject property at 2417 N. Shields is located south of NW 27th Street and west of Shields. The applicant was requesting a rezoning from C-5 to C-5 with permissive use for used car sales. Ms. Jones stated that since the property was already developed, water and sewer are available to the site. Access would be provided by southbound Shields Blvd.

Ms. Jones noted that the property is designated in the Moore Vision 20/20 as Light Industrial. Since the proposed use is of lesser intensity than Light Industrial, no amendments to the land use plan would be required.

Ms. Jones advised that the property has been used for automotive repair purposes since 1987. The light auto sales use would be an extension of the existing and adjacent uses. She stated that staff recommended approval of the item since the uses are compatible in nature and the proposed application would be a logical progression of the zoning.

No one appeared in protest to the item.

Councilman Hamm moved to approve Rezoning Application No. RZ-919 located in the NE/4 of Section 10, T10N, R3W, being south of NW 27th Street and west of Shields Boulevard, from C-5 Automotive and Commercial Recreation District to C-5/PU Automotive and Commercial Recreation District with a Permissive Use for Used Car Sales; and approve Ordinance No. 784(14), second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER REZONING APPLICATION NO. 920 LOCATED IN THE NE/4 OF SECTION 32, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND WEST OF SOONER ROAD, FROM A-1 RURAL AGRICULTURAL DISTRICT TO RE RESIDENTIAL ESTATES DISTRICT; AND APPROVE ORDINANCE NO. 785(14). APPLICATION BY CHARLES AND DOROTHY HOWELL. (PLANNING COMMISSION RECOMMENDED APPROVAL 8-0).

Elizabeth Jones, Community Development Director, advised that Agenda Items No. 5 and 6 are companion items. The subject site consists of approximately $\frac{3}{4}$ of an acre and is located south of SE 34th Street and west of Sooner Road. The property is currently part of a larger tract of land that has been split over the years creating a series of rural residential lots that front SE 34th Street. The applicant was requesting to split the property to allow for the construction of a single-family home, which would require the property to be rezoned to RE Residential Estates District. Ms. Jones advised water can be accessed through a 12" water main that exists on SE 34th. Sanitary sewer is not available, and an approved septic system would be utilized. Access would be provided from SE 34th Street.

Ms. Jones advised that an amendment to the Moore Vision 20/20 is not necessary since RE uses are considered rural in nature and the application compliments the existing residential development. Staff recommended approval of the rezoning contingent upon the approval of the companion lot split. Ms. Jones noted that the Moore Subdivision Regulations limits the number of lot splits which may be obtained before the property must be platted. Approval of the rezoning and lot split will maximize the allowable lot splits, and any future lot splits would be subject to platting and public improvement installation as required by City Code.

No one appeared in protest to the item.

Councilman Roberts moved to approve Rezoning Application No. 920 located in the NE/4 of Section 32, T10N, R2W, being south of SE 34th Street and west of Sooner Road, from A-1 Rural Agricultural District to RE Residential Estates District; and approve Ordinance No. 785(14), second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE NE/4 OF SECTION 32, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND WEST OF SOONER ROAD. APPLICATION BY CHARLES AND DOROTHY HOWELL.

Councilman Roberts moved to approve a lot split located in the NE/4 of Section 32, T10N, R2W, being south of SE 34th Street and west of Sooner Road, second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AWARDDING BID NO. 1415-001 "SALE OF LOTS 2 AND 3 IN OLDTOWNE INDUSTRIAL ADDITION" TO MUNSEY INSULATION IN THE AMOUNT OF \$103,000.

Steve Eddy, City Manager, indicated that the City owns two lots in the OldTowne Industrial Addition located near Vaughan Foods on NE 12th Street. The City Council authorized staff to solicit sealed bids for sale of the property. The City received one bid from Munsey Insulation in the amount of \$103,000. Munsey Insulation, which is located in the same addition, would like to expand their business. Mr. Eddy indicated that the property was appraised for \$102,000; therefore, the bid of \$103,000 would meet the minimum requirement for what the City would need on the sale of the lots. Mr. Eddy noted that the item would be subject to passage of Ordinance No. 783(14) to be considered under Agenda Item No. 8. Mr. Eddy stated that the Charter requires the City Council to authorize the sale of land valued over \$25,000 by ordinance with a 30-day effective date.

Mayor Lewis asked if Agenda Items No. 7 and 8 were legal. Randy Brink, City Attorney, indicated that there was no legal issue prohibiting Council from taking action on the items.

Councilman Krows moved to award Bid No. 1415-001 "Sale of Lots 2 and 3 in Oldtowne Industrial Addition" to Munsey Insulation in the amount of \$103,000, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER ORDINANCE NO. 783(14) AMENDING PART 7, CHAPTER 2 OF THE MOORE MUNICIPAL CODE (2013 SUPP.) BY ADDING NEW SECTION 7-211; PROVIDING FOR THE SALE OF CERTAIN REAL PROPERTY PURSUANT TO ARTICLE IV, SECTION 4-4 OF THE CHARTER OF THE CITY OF MOORE; PROVIDING FOR AN ELECTION IF A LEGAL AND SUFFICIENT REFERENDUM PETITION IS PROPERLY FILED; REPEALING INCONSISTENT PROVISIONS; AND PROVIDING FOR SEVERABILITY.

Councilman Roberts moved to approve Ordinance No. 783(14) amending Part 7, Chapter 2 of the Moore Municipal Code (2013 Supp.) by adding new Section 7-211; providing for the sale of certain real property pursuant to Article IV, Section 4-4 of the Charter of the City of Moore; providing for an election if a legal and sufficient referendum petition is properly filed; repealing inconsistent provisions; and providing for severability, second by Councilman Singer. 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 6:46 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD OCTOBER 20, 2014.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$763,248.14.

Trustee Blair moved to approve the consent docket in its entirety, 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 CONVENE 6:47 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD OCTOBER 20, 2014.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$146,868.93. PAGE

Trustee Krows moved to approve the consent docket in its entirety, second by Trustee Singer. 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 6:48 P.M.

Agenda Item Number 11 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 attended the reopening of the newly renovated HeyDay. He commented that he was very impressed with the changes that were made. The Broadway and NE 12th medians look good. Councilman indicated that the Storage One facility located at Main and Eastern looks very good. He complimented the builders on the project stating that it did not look like a storage facility. Councilman Hamm indicated that he attended an ACOG meeting where a Commuter Corridor Study was presented. He indicated that there was a possibility of one day having a light rail commuter train.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Steve Eddy, City Manager, reminded everyone to vote in the State wide election to be held November 4, 2014.

Chief Stillings introduced Officer Crystal Landowski who has been with the police department for two years. She came to Moore from west Texas. Her husband retired from the Air Force at which time she, her husband, and their three children moved to Moore. Officer Landowski is bilingual. The physical agility portion of the hiring requirements is difficult and she passed it with ease. Councilman Hamm stated he had the opportunity to meet Officer Landowski during a routine traffic stop and stated that she was very professional.

Agenda Item Number 12 being:

EXECUTIVE SESSION:

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING LEGAL ACTION IN FEDERAL ARBITRATION AND CONCILIATION SERVICE CASE STYLED FMCS 120530-56008-1-R43, KARRI ANDREWS V. CITY OF MOORE, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1);(2);(4);(7).

B) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 6:57 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 7:29 p.m.

D) ACTION.

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING LEGAL ACTION IN FEDERAL ARBITRATION AND CONCILIATION SERVICE CASE STYLED FMCS 120530-56008-1-R43, KARRI ANDREWS V. CITY OF MOORE, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1);(2);(4);(7).

Councilman Hamm moved to authorize staff to proceed as directed in case styled FMCS 120530-56008-1-R43, Karri Andrews v. City of Moore, second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 13 being:

ADJOURNMENT

Councilman Cavnar moved to adjourn the City Council meeting, second by Councilman Roberts. 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 7:30 p.m.

TRANSCRIBED BY:

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