

**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 17, 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 17, 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: Blair, Singer, Cavnar, Roberts, Lewis
ABSENT: Krows, Hamm

STAFF MEMBERS PRESENT: Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; Finance Director, Jim Corbett; City Attorney, Randy Brink; Assistant City Attorney, K.O. Williams; Economic Development Director, Deidre Ebrey; Fire Chief, Gary Bird; Human Resources/Risk Management Director, Gary Benefield; Manager of Information Technology, David Thompson; Assistant Police Chief, Todd Strickland; Public Works Director, Richard Sandefur; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 3, 2014.
- B) RENEW MEMORANDUM OF UNDERSTANDING WITH HERITAGE COLLEGE VETERINARY TECHNOLOGY TRAINING PROGRAM TO PROVIDE VETERINARY TECHNOLOGY TRAINING OPPORTUNITIES FOR STUDENTS AND TO PROVIDE ADDITIONAL ANIMAL CARE AT THE MOORE ANIMAL ADOPTION CENTER/SHELTER.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$3,055,958.40.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH THE CENTER FOR ECONOMIC DEVELOPMENT LAW TO PROVIDE LEGAL CONSULTING SERVICES FOR REVIEW AND ANALYSIS OF ANY PROPOSED REDEVELOPMENT PROJECTS OR SIMILAR PROJECTS PERMITTED UNDER OKLAHOMA LAW.

Stan Drake, Assistant City Manager, indicated that the City had previously retained the Center for Economic Development Law to provide consulting services regarding the possible redevelopment of the Cleveland Heights Addition. Mr. Drake stated that staff felt it would be prudent to enter into a contractual agreement with the law firm in the event of land acquisition using HUD funds to ensure compliance with HUD regulations.

Councilman Singer moved to approve an agreement with the Center for Economic Development Law to provide legal consulting services for review and analysis of any proposed redevelopment projects or similar projects permitted under Oklahoma law, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A JOB DESCRIPTION FOR THE NEW POSITION OF "GIS ANALYST" AND PLACEMENT IN PAY RANGE 64 OF THE NON-UNION PAY TABLE TO REPLACE THE PREVIOUS POSITION OF ASSOCIATE PLANNER/GIS.

David Thompson, Manager of Information Technology, advised that the position of GIS Analyst was included in the budget and filled approximately two months ago by an employee from the Community Development department. The item was for approval of the job description and placement in the non-union pay table.

Councilman Blair moved to approve a job description for the new position of "GIS Analyst" and placement in Pay Range 64 of the non-union pay table to replace the previous position of Associate Planner/GIS, second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF UPGRADES TO THE CITY'S INFORMATION TECHNOLOGY SYSTEMS, IN THE ESTIMATED AMOUNT OF \$94,000, IN ORDER TO COMPLY WITH NEW PAYMENT CARD INDUSTRY COMPLIANCE RULES FOR ACCEPTANCE OF DEBIT/CREDIT CARD TRANSACTIONS; AND SUPPLEMENT THE BUDGET ACCORDINGLY.

David Thompson, Manager of Information Technology, indicated that the proposed upgrades for hardware and software were necessary to comply with new Payment Card Industry (“PCI”) regulations which go into effect January 1, 2015. Mr. Thompson advised that the City processes about \$14 million in credit and debit card payments per year. It is the City’s responsibility to secure the credit card information from the time the information enters our system until it leaves the fire wall.

Mayor Lewis asked why the item was not being bid out. Mr. Thompson indicated that there were several items included in the upgrades that total approximately \$94,000. Most of the items would come from different vendors. The most expensive item would be around \$30,000 which would require the City to obtain three quotes but would not require bids.

Councilman Singer asked who regulates compliance. Mr. Thompson stated that it is self-regulating. PCI was formed by credit card companies such as American Express, Discover Financial Services, JCB International, MasterCard, and Visa Inc. to implement data security standards. Fines can be assessed for noncompliance and they have the option of prohibiting the City from accepting credit card payments.

Mayor Lewis stated that the Oklahoma Department of Consumer Credit regulates credit cards and he does not see how PCI comes into play. Mr. Thompson advised that the City uses ATS to process the credit card transactions who then sends it on to the credit card company. If the City refuses to comply with PCI regulations the transactions will not be processed.

Councilman Cavnar commented that he was issued new cards recently due to security problems at Home Depot and Target, which makes him aware of how important security is when dealing with credit card transactions.

Mayor Lewis asked if the item was budgeted. Mr. Thompson stated that it was not a budgeted item. Councilman Cavnar stated that the City must be in compliance by January 1, 2015. Mayor Lewis indicated that compliance is not a governmental agency mandate. It is a private industry requirement. Councilman Cavnar agreed but pointed out that if we do not comply with the regulations then the major credit companies will not allow the City to accept credit card payments.

Mayor Lewis asked Jim Corbett, Finance Director, if there were available funds to purchase the upgrades. Mr. Corbett stated that the money was available in the contingency fund.

Councilman Roberts moved to approve upgrades to the City’s information technology systems, in the estimated amount of \$94,000, in order to comply with new Payment Card Industry compliance rules for acceptance of debit/credit card transactions; and supplement the budget accordingly, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AWARDING BID NO. 1415-003 “PURCHASE AND INSTALLATION OF FENCING FOR GIRLS SOFTBALL FIELDS” TO ALL STATE FENCE IN THE AMOUNT OF \$110,325.

Todd Jenson, Assistant City Manager, stated that this is the first project to be done at the Buck Thomas Athletic Complex using the quarter cent sales tax. The project is the replacement of fencing for six of the Girls’ Softball fields. All State Fence’s bid amount of \$110,325 includes the base bid plus three alternates.

Mr. Jenson indicated that two of the alternates were suggestions made by the contractor at the pre-bid meeting. Staff recommended that the bid be awarded to All State Fence, whose bid was \$69 higher than the lowest bid submitted by Rock Valley Fence out of Illinois. Service after installation is critical and since All State Fence is a local company with whom the City has previously done business, and with a tight timeline to complete the project, staff believes a local contractor would be best.

Mayor Lewis asked if the bid could be awarded to a company other than the lowest bidder. Randy Brink, City Attorney, advised that the bid could legally be awarded to All State Fence since there was sufficient justification to determine it is the best bid.

Councilman Cavnar moved to award Bid No. 1415-003 "Purchase and Installation of Fencing for Girls Softball Fields" to All State Fence in the amount of \$110,325, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF A JOB DESCRIPTION FOR THE NEW POSITION OF "RECREATION CENTER SUPERVISOR" AND APPROVE PLACEMENT IN PAY RANGE 57 OF THE NON-UNION PAY TABLE.

Todd Jenson, Assistant City Manager, advised that the new position of Recreation Center Supervisor is the first position to be hired for the new Recreation Center currently under construction. It is a budgeted position with a pay range of 57.

Mayor Lewis asked when the new recreation center would be open. Mr. Jenson estimated that the recreation center should be completed by October 2015 if there are no significant weather or construction delays. Mr. Jenson stated that the job duties would involve the development of operations, hiring of staff, implementing programming, and preparation of an operation manual. The new position would be filled by January 2015.

Mayor Lewis asked if the position would be filled from within or if applications would be accepted. Mr. Jenson felt that applications should be accepted.

Councilman Singer moved to approve a job description for the new position of "Recreation Center Supervisor" and approve placement in Pay Range 57 of the non-union pay table, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF AN AGREEMENT BETWEEN THE OKLAHOMA DEPARTMENT OF TRANSPORTATION AND THE CITIES OF MOORE AND NORMAN FOR PARTICIPATION IN A JOINTLY FUNDED TRAFFIC STUDY ON THE I-35 CORRIDOR FROM S. 4TH STREET TO TECUMSEH ROAD, WITH THE CITY OF MOORE'S PORTION NOT TO EXCEED \$75,000.

Stan Drake, Assistant City Manager, advised that ODOT recommended a change in the Agreement with the Oklahoma Department of Transportation and the City of Norman for participation in a traffic study. The agreement states that the study would be on the I-35 corridor from S. 4th Street to Tecumseh Road; however, the agreement should read that the study will be from S. 4th to Robinson.

Mr. Drake advised that approximately a year ago the City met in the City of Norman with ODOT and the Cleveland County Commissioners to discuss Indian Hills Road and 34th Street. It was decided that an RFP would be submitted to engineering firms for a traffic study along the I-35 Corridor. ODOT would pay for 50% of the study and the City of Moore and the City of Norman would split the remaining 50%. Approximately 10 to 12 engineering firms submitted their proposals. Mr. Drake advised that he is on the selection committee along with Shawn O’Leary with the City of Norman, Tim Tegeler with ODOT, and an ODOT engineer. The committee will make a recommendation to the Transportation Commission meeting for an engineer to perform the study.

Councilman Roberts asked if this study could be used to show the need for off-ramps for the newly approved 34th Street Bridge. Mayor Lewis confirmed that this study was being done in order to prove a need for the off-ramps. Mr. Drake agreed that if the City would like to see an interchange in Moore the study must be completed.

Councilman Roberts moved to approve an agreement between the Oklahoma Department of Transportation and the Cities of Moore and Norman for participation in a jointly funded traffic study on the I-35 Corridor from S. 4th Street to Tecumseh Road, with the City of Moore’s portion not to exceed \$75,000, second by Councilman Cavnar.

Randy Brink, City Attorney, indicated that a motion should be made amending the agenda item to read from S. 4th Street to Robinson.

Councilman Roberts moved to amend the agenda item to change the location of the study to the I-35 Corridor from S. 4th Street to Robison, second by Councilman Cavnar.

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

Councilman Roberts moved to approve an agreement between the Oklahoma Department of Transportation and the Cities of Moore and Norman for participation in a jointly funded traffic study on the I-35 Corridor from S. 4th Street to Robison, with the City of Moore’s portion not to exceed \$75,000, second by Councilman Cavnar.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH TRAFFIC ENGINEERING CONSULTANTS, INC. TO PROVIDE INTERSECTION WIDENING AND SIGNAL MODIFICATION ENGINEERING PLANS AT SW 4TH AND TELEPHONE, AND S. 19TH AND TOWER/BROADWAY, IN THE AMOUNT OF \$38,500.

Stan Drake, Assistant City Manager, advised that two street improvement projects were proposed as a result of the 19th Street Corridor Traffic Impact Study update that was prepared by Steve Hofener with Traffic Engineering Consultants (“TEC”) and presented at the August 18, 2014 City Council meeting. Mr. Drake recommended approval of the agreement with TEC for engineering of the intersection widening and signal modification at SW 4th and Telephone and S. 19th and Tower Drive/Broadway in the amount of \$38,500.

Councilman Singer moved to approve an agreement with Traffic Engineering Consultants, Inc. to provide intersection widening and signal modification engineering plans at SW 4th and Telephone, and S. 19th and Tower/Broadway, in the amount of \$38,500, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER AWARDING BID NO. 1415-002 “PURCHASE OF A CUSTOM PUMPER FOR THE MOORE FIRE DEPARTMENT” TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Fire Chief Gary Bird stated that the purchase of a custom pumper was a budgeted item. The City solicited bids and received responses from Pierce Sales and Chief Fire and Safety. Staff recommended awarding the bid to Chief Fire and Safety as the low bidder in the amount of \$406,461. This amount is the base bid plus Options 1, 3 and 4.

Councilman Cavnar moved to award Bid No. 1415-002 “Purchase of a Custom Pumper for the Moore Fire Department” to the Chief Fire and Safety in the amount of \$406,461, second by Councilman Roberts. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:02 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD NOVEMBER 3, 2014.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$596,820.26.

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

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

Agenda Item Number 12 being:

CONSIDER RENEWAL OF THE CONTRACT FOR COLLECTION OF COMMERCIAL SOLID WASTE WITH ALLIED WASTE SERVICES/REPUBLIC SERVICES FOR A FIVE (5) YEAR TERM (WITH THE OPTION FOR ONE 5-YEAR RENEWAL) BEGINNING JANUARY 1, 2015.

Stan Drake, Assistant City Manager, indicated that the proposed contract renewal with Allied Waste Services/Republic Services was for collection of commercial solid waste. Mr. Drake advised that the contract did not include an amount since it will be based on the Consumer Price Index for January 2015.

Chairman Lewis indicated that Allied Waste was very good to the City following the May 20, 2013 tornado.

Trustee Roberts moved to renew the contract for collection of Commercial Solid Waste with Allied Waste Services/Republic Services for a five (5) year term (with the option for one 5-year renewal) beginning January 1, 2015, second by Trustee Cavnar. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER APPROVAL OF A REQUEST TO PROVIDE SANITATION SERVICE (EXCLUDING BIG TRASH SERVICE) FOR RESIDENTS OF MILLER'S ACRES ADDITION, LOCATED EAST OF SOONER ROAD AND NORTH OF INDIAN HILLS ROAD.

Stan Drake, Assistant City Manager, advised that City Manager Steve Eddy received a request for sanitation service from the residents of Miller's Acres Addition. Mr. Drake confirmed with Richard Sandefur, Public Works Director, that the City has the resources available to serve Miller's Acres. He added that the City has been picking up the neighboring Belmar Addition. Mr. Drake indicated that the City has never contracted with individuals or neighborhoods for trash service outside of the City limits so there is no policy or ordinance in place regarding a fee structure. He advised that the citizens of Moore are charged \$9.50 per month for one polycart and \$15.25 for two polycarts.

Mayor Lewis mentioned that there was an ordinance in place to provide water service to a church located outside of the City limits. Mr. Drake indicated that the ordinance might be useful in determining a proposed sanitation rate. Mr. Drake stated that if Council was interested in supplying sanitation service to Miller's Acres a proposed fee rate would be brought back to Council for consideration at a later date.

Trustee Roberts stated that he had no problem with the City providing sanitation service to the residents of Miller's Acres; however, since they are not contributing toward the capital costs involved he felt they should pay a higher rate. Trustee Cavnar concurred stating that they should be charged a slightly higher rate than the citizens of Moore.

Mayor Lewis asked for an opinion regarding the legality of providing this type of service to nonresidents. Randy Brink, City Attorney, gave his opinion that the City has the ability to legally provide services outside of the community.

Trustee Cavnar moved to approve a request to provide sanitation service (excluding Big Trash service) for residents of Miller’s Acres Addition, located east of Sooner Road and north of Indian Hills Road, second by Trustee Singer. Motion carried unanimously.

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

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:09 P.M.

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD NOVEMBER 3, 2014.
- B) APPROVE PAYMENT OF A COURT ORDERED WORKERS’ COMPENSATION SETTLEMENT IN THE AMOUNT OF \$37,145 TO KEVIN PITTS FOR CLAIM NO. 2014-01153L AND AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLL; AND SUPPLEMENT THE BUDGET ACCORDINGLY.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$191,527.73.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN TERRY CAVNAR PRESIDING AT 7:10 P.M.

Agenda Item Number 15 being:

ROLL CALL

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

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD OCTOBER 20, 2014.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:11 P.M.

Agenda Item Number 17 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.

There were no items from the City Council.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Stan Drake, Assistant City Manager, apologized to the citizens of Moore for the road closures. Beginning next week street construction on S. 19th east from I-35 will be suspended until after the holidays. Work will resume on the roadway sometime in January 2015. The 4th Street road closure was due to a grade crossing replacement that ODOT and Burlington Northern Santa Fe Railroad were working on in conjunction with each other. They anticipate 4th Street reopening within the next few days.

Agenda Item Number 18 being:

EXECUTIVE SESSION:

- A) CONSIDER APPROVAL OF THE FISCAL YEAR 2014-2015 CONTRACT BETWEEN THE CITY OF MOORE AND THE I.A.F.F. LOCAL 2047 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

- B) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 7:15 p.m.

C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:21 p.m.

D) ACTION.

- A) CONSIDER APPROVAL OF THE FISCAL YEAR 2014-2015 CONTRACT BETWEEN THE CITY OF MOORE AND THE I.A.F.F. LOCAL 2047 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

Councilman Roberts moved to approve the FY 2014-2015 contract between the City of Moore and the I.A.F.F. Local 2047 as authorized by 25 Okla. Stat. § 307(B)(2), second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 19 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:23 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

JIM CORBETT, City Clerk

FOR:

DAVID ROBERTS, MPWA Secretary

FOR:

JASON BLAIR, MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2014.

ATTEST:

JIM CORBETT, City Clerk