

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD
AND A PUBLIC HEARING OF THE MOORE CITY COUNCIL
JUNE 2, 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 June 2, 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, Roberts, Hamm, Lewis
ABSENT: Cavnar

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Attorney, Randy Brink; City Clerk/Finance Director, Jim Corbett; Community Development Director, Elizabeth Jones; Emergency Management Director, Gayland Kitch; Fire Chief Gary Bird; Parks and Recreation Director, Todd Jenson; PC Tech, Matt Gillentine; Police Chief, Jerry Stillings; Sergeant, Jeremy Lewis; 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 MAY 19, 2014.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$1,665,060.92.

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

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

THE CITY COUNCIL MEETING WAS RECESSED AND A PUBLIC HEARING CONVENED AT 6:34 P.M.

Agenda Item Number 3 being:

REVIEW, DISCUSS AND RECEIVE CITIZEN INPUT AND COMMENTS REGARDING THE FISCAL YEAR 2014-2015 BUDGET AS REQUIRED BY 11 OKLA. STAT. § 17-208 (1992).

Jim Corbett, Finance Director, advised that the FY 2014-2015 City and MPWA Budgets totaling \$100 million were being presented for approval. Mr. Corbett stated that it was a balanced budget that was in compliance with the Municipal Budget Act.

Mayor Lewis commented that the tornado affected the budget; however, he believed that the City was recovering and sales tax was improving. He expressed his appreciation to Jim Corbett and his staff for their work on the budget. Councilman Krows asked how many homes have not been rebuilt yet. Steve Eddy, City Manager, estimated around 500 to 600 homes and around 200 mobile homes have yet to be rebuilt. Mr. Eddy indicated that there was a significant loss in revenues from the tornado. He also felt that the City was recovering. Mayor asked if there was anyone in attendance that had questions or comments regarding the budget. Finding none he declared the public hearing adjourned.

THE PUBLIC HEARING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:37 P.M.

Agenda Item Number 4 being:

CONSIDER APPROVAL OF THE FY 2014-2015 ANNUAL BUDGET AND ADOPT RESOLUTION NO. 796(14).

Mayor Lewis indicated that two budget study sessions were held with City Council and staff to discuss the budget in detail. He expressed his appreciation to the Council, City Manager, and staff for their hard work in balancing the budget since it was more difficult due to the revenue shortfalls. Mr. Eddy commended Mr. Corbett and his staff for overcoming the challenges involved this year in the preparation of the budget.

Councilman Singer moved to approve the FY 2014-2015 annual budget and adopt Resolution No. 796(14), second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A NEW JOB DESCRIPTION FOR THE POSITION OF "ASSISTANT PLANNER – CURRENT PLANNING" AND APPROVE PLACEMENT IN PAY RANGE 58 OF THE NON-UNION PAY TABLE.

Elizabeth Jones, Community Development Director, advised that the proposed job description was for the position of Assistant Planner – Current Planning which is included in the FY 2014-2015 budget. Ms. Jones stated that the individual currently holding the position of Assistant Planner is responsible for GIS Mapping and will be transferred to the Information Technology Department which will create an opening within Community Development. Ms. Jones stated that the employee hired for the new position would be responsible for handling zoning questions and flood plain issues among other things.

Councilman Krows moved to approve a new job description for the position of “Assistant Planner – Current Planning” and approve placement in Pay Range 58 of the non-union pay table, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF CONTRACT AMENDMENTS WITH TRAFFIC ENGINEERING CONSULTANTS FOR THE FFY 2014 STREET STRIPING PROJECT IN THE AMOUNT OF \$14,300, AND THE FFY 2015 STREET STRIPING PROJECT IN THE AMOUNT OF \$17,800 TO INCLUDE ENGINEERING FOR REQUIRED HANDICAPPED SIDEWALK RAMPS.

Elizabeth Jones, Community Development Director, stated that the City planned to have a new street striping project each year; however, ODOT changed some of their interpretations of the Federal Highway Administration guidelines. They now require any federally funded work through ODOT to include handicapped accessibility improvements. Ms. Jones advised that this guideline also applies to street striping projects. She stated that although this requirement would increase the City's cost to engineer the project, it would be 100% federally funded ultimately saving the City a lot of money. She indicated that the 2014 street striping project with the added engineering would cost \$51,650. The 2015 project would cost \$43,850. Staff recommended approval of the projects along with the required engineering. Ms. Jones noted that the necessary engineering would cause a slight delay in the project; however, ODOT indicated that they would try to expedite approval of the projects.

Councilman Hamm asked how long the projects might be delayed. Ms. Jones advised that it would depend on how long the engineering takes on the handicap ramps. ODOT anticipated both projects being let simultaneously with a start date sometime this fall. Councilman Hamm asked if there was some way to speed up the process. Mr. Eddy indicated that there was nothing staff could do; however, ODOT has agreed to move it through the process as quickly as possible and to let the two projects together. He advised that City funds were used to stripe Main Street and will be used to stripe areas around Moore High School and Wal-Mart since those areas are particularly faded. He stated that it was preferable to apply for federal assistance through ACOG for these types of projects in order to save the City money. Councilman Hamm inquired whether the City has street striping equipment. Mr. Eddy stated that we do not have the necessary equipment to do the work ourselves.

Councilman Roberts moved to approve contract amendments with Traffic Engineering Consultants for the FFY 2014 Street Striping Project in the amount of \$14,300, and the FFY 2015 Street Striping Project in the amount of \$17,800 to include engineering for required handicapped sidewalk ramps, second by Councilman Singer. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF ORDINANCE NO. 775(14) AMENDING PART 12, CHAPTER 3, ARTICLE C OF THE CITY OF MOORE LAND DEVELOPMENT CODE BY ADDING NEW SECTION 12-397.4 PROVIDING FOR THE CLOSING OF A PUBLIC WAY IN THE BONNIE BRAE ADDITION, BLOCKS 11-15. APPLICATION BY JAY EVANS.

Elizabeth Jones, Community Development Director, referred the City Council to a map in the agenda that shows the location of the proposed street closing in the Bonnie Brae Addition. Ms. Jones advised that Rezoning Application No. 906 for the development was approved at the March 3, 2014 City Council meeting. This is a two, three, and five plex redevelopment project to be located where the old Bonnie Brae duplexes used to be prior to their destruction in the May 20, 2013 tornado. Ordinance No. 775(14) would vacate the street stub at the corner of SW 14th and McAlpine. Once the lot is vacated it will be used as a duplex lot.

Councilman Roberts moved to approve Ordinance No. 775(14) amending Part 12, Chapter 3, Article C of the City of Moore Land Development Code by adding new Section 12-397.4 providing for the closing of a public way in the Bonnie Brae Addition, Blocks 11-15, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER THE FINAL PLAT FOR EDGEWATER ADDITION, LOCATED IN THE NE/4 OF SECTION 30, T10N, R2W, BEING SOUTH OF SE 19TH STREET AND WEST OF SUNNYLANE ROAD. APPLICATION BY R&R LAND DEVELOPMENT, LLC/ROCKY CLARK. (PLANNING COMMISSION RECOMMENDED APPROVAL 6-0).

Elizabeth Jones, Community Development Director, stated that the subject property was zoned R-1. This is the first section of the development and includes 31 residential lots on approximately 11.5 acres, resulting in a density of three lots per acre. The applicant proposes removing the existing home and accessory building prior to development. Water and sewer will be extended to serve the site. Ms. Jones advised that a FEMA floodplain exists on the east side of Section 1. All FEMA submittals will be required for the portion of the development located within the floodplain. The floodway will be contained within a common area. Detention will be required for the Edgewater development and will be installed in Section 2 of the development. She advised that a Southern Star Pipeline runs from the east to the west through the property and must be included in the common area that will be maintained by the Homeowners Association. Ms. Jones added that the landscaped median planned for Edgewater Drive will also be shown as a common area. Access to the addition would be provided from SE 19th Street. Staff recommended approval of the item.

Councilman Krows moved to approve the final plat for Edgewater Addition, located in the NE/4 of Section 30, T10N, R2W, being south of SE 19th Street and west of Sunnyslane Road, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER THE FINAL PLAT FOR TWENTY SEVENTH BROADWAY, LOCATED IN THE NW/4 OF SECTION 11, T10N, R3W, BEING SOUTH OF NE 27TH STREET AND EAST OF BROADWAY AVENUE. APPLICATION BY DONALD G. MAJORS. (PLANNING COMMISSION RECOMMENDED APPROVAL 6-0).

Elizabeth Jones, Community Development Director, advised that the vacant property contains one acre located south of NE 27th Street and east of Broadway. Since the final plat contains only two commercial lots the preliminary plat was waived under the simplified platting process. Ms. Jones stated that public water and sewer are available to serve the site. The FEMA 100-year flood plain is located along the eastern edge of the property; therefore, the applicant will be required to comply with FEMA floodplain regulations. She advised that access would be provided at the southwest corner of the property from N. Broadway and at the northwest corner of the property from NE 27th Street. The applicant will utilize existing curb cuts that were approved and installed by ODOT with the N. Broadway project that was completed several years ago. The applicant proposes construction of a Starbucks at this location. Ms. Jones advised that the applicant was in attendance to answer any questions.

Councilman Hamm asked when the new store would be open. The applicant, Donald G. Majors, indicated that the store should be completed and open for business by the end of the third quarter.

Councilman Krows moved to approve the final plat for Twenty Seventh Broadway, located in the NW/4 of Section 11, T10N, R3W, being south of NE 27th Street and east of Broadway Avenue, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER THE FINAL PLAT FOR GRACE POINT ADDITION, SECTION 5, LOCATED IN THE NE/4 OF SECTION 16, T10N, R3W, BEING SOUTH OF NW 12TH STREET AND WEST OF SANTA FE AVENUE. APPLICATION BY RON WALTERS. (PLANNING COMMISSION RECOMMENDED APPROVAL 6-0). WARD 3.

Elizabeth Jones, Community Development Director, advised that the subject property was rezoned to R-3 with a PUD approved with Rezoning Application No. 907 at the May 3, 2014 City Council meeting. Section 5 will include 54 residential units to be built in Phase 1, with the existing church property to be redeveloped in the future with 25 units in Phase 2. Ms. Jones advised that water and sewer were available to serve the site. There is no FEMA designated floodplain located on the property; however, a series of retention/detention ponds will be constructed to control the stormwater run-off and provide an amenity for the development. Access is provided on Grace Point Drive which connects to NW 12th Street. A gated emergency entrance will be provided on Robinson Avenue to the southeast of the development. Staff recommended approval of the item.

Councilman Roberts moved to approve the final plat for Grace Point Addition, Section 5, located in the NE/4 of Section 16, T10N, R3W, being south of NW 12th Street and west of Santa Fe Avenue, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AWARDING BID NO. 1314-011 "CUSTODIAL SERVICES FOR CITY OWNED BUILDINGS: SPECIFICALLY THE MOORE PUBLIC LIBRARY, MOORE COMMUNITY CENTER, AND THE BRAND SENIOR CENTER" TO OKLAHOMA BUILDING SERVICES.

Richard Sandefur, Public Works Director, stated that the opening of the new Public Safety Center will require two full-time custodial positions. Staff believes the best option would be to contract out janitorial services for the library, community center, and senior center. The City solicited bids for custodial services and received three responses. A Selection Review Committee interviewed the companies and rated them on their response to specific questions. The committee recommended awarding the bid to Oklahoma Building Services as the best bidder. Snyder Janitorial Services submitted the lowest bid; however, based on their comments in the interview process staff did not believe they could provide the best service.

Councilman Hamm asked Mr. Sandefur to elaborate on why staff believed that Snyder Janitorial Service could not provide as good a service as Oklahoma Building Services. Mr. Sandefur advised that Snyder contracted out some of their employees, whereas Oklahoma Building Services has an employee base of over 100 employees. They have specialized crews that perform certain tasks at each location. They have crews that respond 24 hours a day to a flooding call or fire damage. It was his opinion that overall Oklahoma Building Services had a lot more to offer the City.

Councilman Krows moved to award Bid No. 1314-011 "Custodial Services for City Owned Buildings: Specifically the Moore Public Library, Moore Community Center, and the Brand Senior Center" to Oklahoma Building Services, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER APPROVING THE RENEWAL OF THE LEASE-PURCHASE FOR FISCAL YEAR ENDING JUNE 30, 2015 AS REQUIRED UNDER THE PROVISIONS OF THE LEASE/PURCHASE AGREEMENT DATED FEBRUARY 1, 2014 BY AND BETWEEN THE CITY AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY.

Steve Eddy, City Manager, advised that the City Council previously approved the lease-purchase financing to construct the new park, aquatic center, and recreation center. Under state law it is a requirement that lease-purchases must be re-approved for the upcoming fiscal year. Mr. Eddy indicated that this agenda item is not requesting approval for new monies but merely a formality to meet state law requirements.

Councilman Krows moved to approve the renewal of the lease-purchase for fiscal year ending June 30, 2015 as required under the provisions of the Lease/Purchase Agreement dated February 1, 2014 by and between the City and the Moore Economic Development Authority, second by Councilman Blair. Motion carried unanimously.

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

Addendum Item Number 12.1 being:

CONSIDER AWARDING BID NO. 1314-012 "GENERAL CONTRACTOR FOR CONSTRUCTION OF THE MOORE CENTRAL PARK, RECREATION CENTER, AND AQUATIC PARK" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Steve Eddy, City Manager, advised that the City solicited bids for a general contractor to build the new park, recreation center, aquatic park, and other structures such as the farmers market and amphitheater. The City received four bids. The lowest bidder was Downey Contracting. After the City's architect contacted them Downey discovered that they had omissions and deficiencies in their response and submitted a request to withdraw their bid. Mr. Eddy stated that this was unusual but after researching the issue it was determined that the best course of action would be to award the bid to the second lowest bidder, Atlas General Contractors, in the amount of \$19,146,000. Atlas anticipated construction being completed within 62 weeks.

Mr. Eddy advised that bidders are required to put up a bid bond. Therefore, the City could attempt to obtain money from Downey's bid bond; however, staff was not recommending this course of action. They believe it would result in a long and difficult legal process. The City would also be required to award the bid to Downey Contracting before attempting to collect on the bond. If Downey rejected the project it might result in the City ultimately rebidding it.

Councilman Roberts agreed that the legal process could delay the project for several months. Mr. Eddy advised that staff obtained a list of major projects that Atlas has been involved with. Anthony McDermid with TAP Architecture could also talk about their experience with the firm. Atlas projects include the Mitch Park project in Edmond, Edmond Schools, MAPS projects with the City of Oklahoma City, and most recently an \$18 million project with Moore-Norman Technology Center. Mr. Eddy stated that he and Mr. McDermid felt confident that Atlas would be a great contractor for the project. Therefore, Mr. Eddy recommended that Council reject the bid from Downey and award the bid to Atlas.

Mike Owen, President of Atlas General Contractors, advised that they would assign the same staff to the project as the one assigned to the Mitch Park project. He believed it was a successful project for all involved. He wanted to supply a level of confidence to the Council regarding their commitment to the project. The subcontractors they routinely use for pools, mechanical, and electrical are considered the best. Councilman Krows asked if Atlas had a lot of other projects scheduled. Mr. Owen indicated that they do have a lot of other major projects but some of the team members dedicated to the project have local ties. The on-site project manager that would be in the job trailer lives in Moore. These people care about the community that they live and work in. He believed this was their A team.

Mayor Lewis received confirmation from the City Attorney Randy Brink that the Council could legally take the recommended action.

Councilman Roberts moved to reject the Downey bid and award the contract for No. 1314-012 "General Contractor for Construction of the Moore Central Park, Recreation Center, and Aquatic Park" to Atlas General Contractors, second by Councilman Krows. Motion carried unanimously.

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

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

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD MAY 19, 2014.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$949,819.99.

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

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

Agenda Item Number 14 being:

CONSIDER APPROVAL OF THE FY 2014-2015 ANNUAL BUDGET AND ADOPT RESOLUTION NO. 236(14).

Trustee Krows moved to approve the the FY 2014-2015 annual budget and adopt Resolution No. 236(14), second by Trustee Singer. Motion carried unanimously.

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

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:05 P.M.

Agenda Item Number 15 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD MAY 19, 2014.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2013-2014 IN THE AMOUNT OF \$145,815.88.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:06 P.M.

Agenda Item Number 16 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/Trustees.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- Announced a ribbon cutting and grand opening at the Public Safety Center on June 13, 2014 at 10:00 a.m. A public open house will be held June 14, 2014 from 10:00 a.m. to 1:30 p.m. for tours of the facility.
- A Council retreat will be posted for June 13, 2014.
- Invited the Council to attend a ceremony to be held June 3, 2014 at 10:00 a.m. at Little River Park to thank the Oklahoma City Community Foundation for a \$75,000 grant that was given to the City for replacement of trees. There will also be a ceremonial 100th tree planting.

Agenda Item Number 17 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:08 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 _____, 2013.

ATTEST:

JIM CORBETT, City Clerk