

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
MOORE PUBLIC WORKS AUTHORITY
MOORE RISK MANAGEMENT BOARD
AND A SPECIAL MEETING OF THE
MOORE ECONOMIC DEVELOPMENT AUTHORITY
JANUARY 5, 2015 – 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 5, 2015 at 6:30 p.m. with Mayor Glenn Lewis presiding.

*David Roberts
Councilman, Ward I*

*Robert Krows
Councilman, Ward I*

*Melissa Hunt
Councilwoman, Ward II*

*Mark Hamm
Councilman, Ward II*

*Jason Blair
Councilman, Ward III*

*Terry Cavnar
Councilman, Ward III*

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

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; Assistant City Manager, Todd Jenson; Police Chief, Jerry Stillings; Risk Manager, Gary Benefield; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Judge Blake Virgin swore in newly appointed Councilwoman Melissa Hunt.

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

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 15, 2014.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD NOVEMBER 4, 2014.
- C) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD OCTOBER 14, 2014.
- D) APPROVE PAYMENT TO AAA INSURANCE COMPANY IN THE AMOUNT OF \$5,179.67 FOR SETTLEMENT OF A VEHICLE ACCIDENT.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$3,522,275.34.

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

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

Agenda Item Number 3 being:

APPROVE THE PRELIMINARY PLAT OF RETAIL BY THE LAKE, LOCATED IN THE SW/4 OF SECTION 22, T10N, R3W, BEING NORTH OF SW 19TH STREET AND EAST OF GINGER AVENUE. APPLICATION BY SAB ONE/STEVE BELL. (PLANNING COMMISSION RECOMMENDED APPROVAL 9-0). WARD 3.

Elizabeth Jones, Community Development, stated that the subject property located north of SW 19th Street and east of Ginger Avenue was rezoned to C-2 as a Planned Unit Development in 2002. At that time most of the residential properties fronting 19th Street were removed to make room for commercial development. She advised that the proposed development was the last remaining unplatted property from the 2002 rezoning applications.

Ms. Jones stated that a 12" water main located on SW 19th Street, and an 8" sanitary sewer line located on the south side of the site, will be extended to serve the lots. She stated that access would be available from SW 19th Street. Two curb cuts will be allowed to serve the development; however, a private access easement will be required to access Lots 3 and 4. Ms. Jones advised that a 100-year floodplain was located along the east side of the property which also serves as a major drainage way for the City's west-side basin. The applicant submitted drainage calculations which will be reviewed by the City's consulting engineer to ensure that the Base Flood Elevation would not be raised with the new development. Ms. Jones indicated that since the proposed development lies within a Sanitary Sewer Recoupment District the applicant will be required to submit fees at the time the final plat is filed.

Mayor Lewis asked what the applicant proposed constructing on the commercial lots. Ms. Jones indicated that Hideaway Pizza will be constructed on one of the lots.

Councilman Krows moved to approve the preliminary plat of Retail by the Lake, located in the SW/4 of Section 22, T10N, R3W, being north of SW 19th Street and east of Ginger Avenue, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 4 being:

APPROVE A LOT SPLIT LOCATED IN THE NW/4 OF SECTION 11, T10N, R3W, BEING SOUTH OF NE 27TH STREET AND WEST OF EASTERN AVENUE. APPLICATION BY LARRY PENNINGTON. WARD 2.

Elizabeth Jones, Community Development, advised that the subject property was located south of NE 27th and east of Little Lane in the Pioneer Acres Addition. The property is zoned residential as part of PUD No. 914 for senior citizen duplexes. However, the PUD included splitting off the existing residence which would be sold as a residential property. Ms. Jones advised that City water was available to the site with a private septic system to be utilized. Staff recommended approval of the item.

Councilman Cavnar moved to approve a lot split located in the NW/4 of Section 11, T10N, R3W, being south of NE 27th Street and west of Eastern Avenue, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER RENEWAL OF A CONTRACT WITH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS ("ACOG") FOR A WASTELOAD ALLOCATION STUDY AT THE CANADIAN RIVER, IN AN AMOUNT NOT TO EXCEED \$190,167, AND SUPPLEMENT THE BUDGET ACCORDINGLY.

Steve Eddy, City Manager, stated that the proposed agenda item was for renewal of an existing contract with ACOG for a Wasteload Allocation Study of the Canadian River. The proposed contract does not include additional monies but is merely a renewal of the existing contract for 2015. Mr. Eddy advised that ACOG indicated the study was close to completion. He added that results of the study will ultimately have an impact on the effluent requirements under the City's Discharge Permit.

Councilman Krows asked if this would be the last renewal of the contract. Mr. Eddy stated that DEQ indicated that this should be the last renewal.

Councilman Krows moved to approve renewal of a contract with the Association of Central Oklahoma Governments ("ACOG") for a Wasteload Allocation Study at the Canadian River, in an amount not to exceed \$190,167, and supplement the budget accordingly, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER ADOPTING RESOLUTION NO. 810(15) AMENDING THE CITY OF MOORE SCHEDULE OF FEES AND CHARGES BY ESTABLISHING GARBAGE AND REFUSE COLLECTION RATES FOR AREAS OUTSIDE OF THE CITY LIMITS, AND DESIGNATING PRIOR BUDGET APPROVED WATER RATES AND FEES FOR SECOND POLYCART.

Steve Eddy, City Manager, advised that the primary purpose of the item was to establish a residential refuse collection rate for customers outside of the City limits. The fee rate being discussed resulted from a request from the Miller's Acres residents that the City collect their refuse. Mr. Eddy stated that the City Council had previously approved Miller's Acres becoming refuse customers; however, a rate was not set for the service. He proposed a rate of \$15.25 a month, which is 1½ times the rate for City of Moore customers. Mr. Eddy advised that because the City would not be offering them terminator service, staff opted to propose a rate of \$15.25 instead of the double rate which customers outside of Moore pay for water and sewer service.

In addition, Mr. Eddy stated that fee increases approved in July 2014 were never formally incorporated into the fee schedule. Resolution No. 810(15) amends the Fee Schedule to include those fee rate changes

along with the proposed fee being considered for trash collection for customers who live outside the city limits.

Councilman Krows moved to adopt Resolution No. 810(15) amending the City of Moore Schedule of Fees and Charges by establishing garbage and refuse collection rates for areas outside of the City limits, and designating prior budget approved water rates and fees for second polycart, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 7 being:

DISCUSS AND CONSIDER APPROVAL OF AN UPGRADE TO THE CITY'S FINANCIAL SOFTWARE IN THE AMOUNT OF \$692,565, TO BE FUNDED OVER TWO FISCAL YEARS.

Jim Corbett, Finance Director, advised that staff was requesting an upgrade to the City's financial software which they believe is necessary for better accounting and reporting of grant funds such as the Community Development Block Grant – Disaster Recovery monies. Mr. Corbett indicated that the upgrade would also better position the City for future growth. He stated that the City has used Incode software for approximately 17 years. Staff would propose purchasing Munis software which operates under the same parent company of Tyler Technologies. Using a software program under the same parent company would eliminate incompatibility issues during conversion.

Councilman Krows asked how long it would take for the software to pay for itself. Mr. Corbett anticipated that the new software could provide another 17 years of life. Councilman Krows asked if maintenance would be included. Mr. Corbett indicated that maintenance and service would be available for an annual fee. They have a 1-800 call center that staff could use for assistance. Mayor Lewis asked how much maintenance would cost. Mr. Corbett advised that the first year it would be \$113,000 for all of the applications. He added that the City was currently paying this same amount in maintenance fees. Mayor Lewis asked if the item should be bid out. Randy Brink, City Attorney, indicated that there appeared to be sufficient evidence to declare it as a sole source item. Councilman Krows asked if the software is tailored to the City. Mr. Corbett advised that Tyler Technologies only develops governmental financial software, which numerous cities across the country use. Mayor Lewis asked if the item was budgeted. Mr. Corbett indicated that the software was not a budgeted item because staff did not anticipate the need for the software this soon. However, it was recently determined that there was a need to accurately account for the very large federal grants that the City was awarded. Mayor Lewis asked how much money the City has received from the federal grant awards. Mr. Corbett indicated that approximately \$300,000 a year has been received in entitlement monies for the past several years. He added that the City has not yet requested a drawdown on any of the disaster recovery monies, although they anticipate doing so later this month. Mayor Lewis asked why staff was requesting to expend \$700,000 for software to monitor funds that the City has not yet received. Mr. Corbett stated that the City has been awarded a total of \$52 million but the City has not asked for any of the funds yet. Elizabeth Jones, Community Development Director, advised that the City is prepared to drawdown around \$150,000 to \$250,000 in CDBG-DR funds. However, the City cannot draw down any of the money until we have purchased a financial software system approved by the Department of Housing and Urban Development that can handle the necessary accounting and reporting functions.

Steve Eddy, City Manager, agreed that the software was not something the City anticipated needing this year; however, HUD requires accounting for the dozens, if not hundreds, of projects that will be funded

through CDBG-DR monies. The City must be able to account for the money being used in the manner that HUD requires. Mr. Eddy mentioned in an email to the City Council that he believes the City will receive a 10% to 20% reimbursement on the software costs through the grant. He stated that although the City does not have a choice in purchasing the required software, he believes it would be beneficial in the future due to the growth of the community and the resulting bigger budget. Mayor Lewis asked how the purchase would be funded. Mr. Corbett indicated that the money would be pulled from reserves. Mr. Eddy noted that the entire amount would not be expended immediately. The cost would be divided up between two fiscal years. The City would only implement initially what is required by HUD in order to satisfy their requirements. Mr. Eddy asked that Mr. Corbett list what software modules would be included. Mr. Corbett stated that the General Ledger, Budget Preparation, Accounts Payable, Payroll, Fixed Assets, Cashiering, Customer Service, Utility Billing, Inventory, and Work Order modules would be included. Mr. Corbett advised that the entire process would take between 12 and 16 months.

Councilman Krows moved to approve an upgrade to the City's financial software in the amount of \$692,565, to be funded over two fiscal years, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AWARDING RFP NO. 1415-005 "NATIONAL DISASTER RESILIENCY COMPETITION" TO INNOVATIVE EMERGENCY MANAGEMENT, INC. IN AN AMOUNT NOT TO EXCEED \$96,734.04 TO BE FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY GRANT.

Elizabeth Jones, Community Development Director, advised that the Department of Housing and Urban Development, in collaboration with the Rockefeller Foundation, is sponsoring the National Disaster Resiliency Competition. It is a two-phase competitive grant process that will award nearly \$1 billion in HUD Disaster Recovery funds to eligible communities. The competition is intended to assist communities in their recovery from prior disasters as well as improve their ability to withstand future disasters.

Phase I involves obtaining scientific research and citizen comments to determine what possible hazards or disasters the community could face in the future. Phase II would involve implementation of a selected project to help the community become more resilient to the identified hazards or disasters. Ms. Jones stated that HUD would invite a subset of the Phase I applicants to participate in the Phase II competition. She indicated that not everyone that participates in Phase I will be invited to participate in Phase II.

Ms. Jones advised that the City solicited a Request for Proposals for professional services for the Phase I application process. The application must include a narrative explaining the science behind the proposed resiliency projects as well as identify hazards that the community might be exposed to. She indicated that the City received five responses to the RFP and all five firms were interviewed. Ms. Jones stated that the bids ranged from \$20,000 to \$200,000. Staff recommended Innovative Emergency Management, Inc. in an amount not to exceed \$96,734.04 to prepare the Phase I application. She felt that this firm was the most responsive to the City's needs and included consultants on their team with scientific expertise. Most of the other firms did not include a scientific element in their response. She believed the science behind the application would be an important factor in determining who is awarded funds.

Ms. Jones advised that the City was specifically called out in the Notice of Funding Availability (NOFA) which might indicate that the City could receive some of the funding. However, she believed that the City should present the best application possible to increase the chance of being awarded more money.

Councilman Cavnar moved to award RFP No. 1415-005 "National Disaster Resiliency Competition" to Innovative Emergency Management, Inc. in an amount not to exceed \$96,734.04 to be funded through the Community Development Block Grant – Disaster Recovery Grant, second by Councilman Krows. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER AMENDING THE PUBLIC WORKS MAINTENANCE CONTRACT WITH SILVER STAR CONSTRUCTION, INC. TO INCORPORATE REQUIRED LANGUAGE FOR COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDED PROJECTS.

Steve Eddy, City Manager, indicated that the Department of Housing and Urban Development requested that federal language be incorporated into the existing Public Works Maintenance Contract with Silver Star Construction, Inc. for the work being performed on future CDBG projects.

Councilman Krows moved to amend the Public Works Maintenance Contract with Silver Star Construction, Inc. to incorporate required language for Community Development Block Grant ("CDBG") funded projects, second by Councilman Cavnar. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:58 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD DECEMBER 15, 2014.
- B) APPROVE A CONTRACT ADDENDUM TO CHANGE THE NAME ON A CONTRACT WITH CONSOLIDATED BENEFITS RESOURCES, LLC TO JERRY WHORTON, LLC D/B/A CONSOLIDATED BENEFITS RESOURCES.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$894,957.05.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:59 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD DECEMBER 15, 2014.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$366,299.99.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE SPECIAL MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN TERRY CAVNAR PRESIDING AT 7:00 P.M.

Agenda Item Number 12 being:

ROLL CALL

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

Agenda Item Number 13 being:

CONSIDER ADOPTION OF RESOLUTION NO. 13(14) OF THE TRUSTEES OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY (THE "AUTHORITY") AUTHORIZING THE OPTIONAL REDEMPTION OF ITS SALES TAX REVENUE NOTE, SERIES 2013 (PARKS AND RECREATIONAL FACILITIES PROJECT) DATED FEBRUARY 1, 2013 (THE "NOTE"); AUTHORIZING PRIOR WRITTEN NOTICE TO NOTEHOLDERS BE GIVEN FOR OPTIONAL REDEMPTION AS AUTHORIZED UNDER THE GENERAL INDENTURE AND THE SERIES 2013 SUPPLEMENTAL NOTE INDENTURE; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Steve Eddy, City Manager, advised that a ¼ cent sales tax was approved at the November 6, 2012 election for park construction projects. However, in 2013 the City obtained a short-term revenue note in the amount of \$2 million to allow for the early start of the projects. Mr. Eddy indicated that there is now sufficient funds in the account to pay off the note and to continue with construction of the projects. Adoption of Resolution No. 13(14) would authorize the early payoff of the sales tax revenue note and save the City interest.

Trustee Lewis moved to adopt Resolution No. 13(14), second by Trustee Roberts. Motion carried unanimously.

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

THE SPECIAL MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:03 P.M.

Agenda Item Number 14 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.

Mayor Lewis welcomed new City Councilwoman Melissa Hunt to the City Council. He also congratulated Councilman Krows on his recent engagement.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City Manager.

Agenda Item Number 15 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, Moore Risk Management and Moore Economic Development Authority meetings were adjourned at 7:04 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 _____, 2015.

ATTEST:

JIM CORBETT, City Clerk