

**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 1, 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 June 1, 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: Blair, Hunt, Roberts (arrived late), Hamm, Lewis

ABSENT: Krows, Cavnar

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Todd Jenson; Assistant Finance Director, Cheryl McConnell; Assistant Planner/Grants Manager, Jared Jakubowski; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Fire Chief Gary Bird; Human Resources/Risk Management Director, Gary Benefield; Manager of Information Technology, David Thompson; Major Chris Yandell; Lieutenant Kyle Dudley; Public Works Director, Richard Sandefur; Purchasing Agent, Carol Folsom; Administrative Assistant, Katie Berhalter; and Veolia Water Project Manager, Robert Pistole.

Preston Sims appeared on behalf of the American Legion Post 184 to express their gratitude for the City's demonstration of patriotism by erecting the Wall of Honor in Veterans Park. He stated that the National Commander of the American Legion requested a tour of Veterans Park after hearing so much about it. He indicated that pictures of the park may be included in the American Legion magazine which is distributed throughout the world. Mayor Lewis also expressed his appreciation for Mr. Sims service to the Country. Steve Eddy, City Manager, noted that Mr. Sims has been a member of the Veterans Park Committee for a number of years. He felt that Mr. Sims and the other committee members deserve the City's appreciation for their hard work and dedication in making Veterans Park what it is today.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 18, 2015.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD MARCH 10, 2015.

- C) ACCEPT A ROADWAY DRAINAGE AND PUBLIC UTILITY EASEMENT FOR PLAZA TOWERS ELEMENTARY SCHOOL LOCATED IN THE SW/4 OF SECTION 22, T10N, R3W, BEING SOUTH OF SW 11TH STREET AND WEST OF EAGLE DRIVE.
- D) APPROVE FIELD LEASE AGREEMENTS WITH THE MOORE YOUTH BASEBALL, MOORE GIRLS SOFTBALL, AND MOORE YOUTH FOOTBALL FOR TWO YEAR TERMS.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$1,989,654.65.

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

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

THE CITY COUNCIL MEETING WAS RECESSED AND A PUBLIC HEARING CONVENED AT 6:36 P.M.

Agenda Item Number 3 being:

REVIEW, DISCUSS AND RECEIVE CITIZEN INPUT AND COMMENTS REGARDING THE FISCAL YEAR 2015-2016 BUDGET AS REQUIRED BY 11 OKLA. STAT. § 17-208 (1992).

Steve Eddy, City Manager, stated that State Statutes require municipalities to hold a public hearing prior to adoption of each fiscal year's proposed budget. Mr. Eddy noted that the required notice of the public hearing was published in a local newspaper. He stated that the budget was presented to the City Council in a Budget Study Session held May 26, 2015. Mr. Eddy advised that if there were no questions or concerns the budget would be presented for formal adoption after the public hearing was recessed.

There were no public comments received.

THE PUBLIC HEARING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:38 P.M.

Agenda Item Number 4 being:

CONSIDER APPROVAL OF THE FY 2015-2016 ANNUAL BUDGET AND ADOPT RESOLUTION NO. 824(15).

Mayor Lewis expressed appreciation to staff for making the budget process go so smoothly.

Councilman Blair moved to approve the FY 2015-2016 annual budget and adopt Resolution No. 824(15), second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 5 being:

DISCUSS AND CONSIDER ADJUSTING THE THRESHOLD AMOUNT FOR ELIGIBILITY IN THE EXISTING SENIOR CITIZEN UTILITY DISCOUNT PROGRAM FROM \$24,000 TO \$32,000 (ANNUAL HOUSEHOLD INCOME), AND DIRECT STAFF TO IMPLEMENT SAID ADJUSTMENT EFFECTIVE JULY 1, 2015.

Steve Eddy, City Manager, advised that adjusting the threshold amount for eligibility in the Senior Citizen Utility Discount Program was discussed during the budget process. Currently any senior citizen 62 years or older with a household income of \$24,000 or less is eligible for a 50% discount on their water and sanitation rates. The agenda item proposes raising the minimum household income amount from \$24,000 to \$32,000. Mayor Lewis asked how many citizens this would affect. Mr. Eddy indicated that approximately 400 citizens were on the program now and he would anticipate the change allowing approximately 200 additional participants.

Councilman Robert felt this was a good program and would be very beneficial to those individuals in need of this type of benefit.

Councilman Roberts moved to adjust the threshold amount for eligibility in the existing Senior Citizen Utility Discount Program from \$24,000 to \$32,000 (annual household income), and direct staff to implement said adjustment effective July 1, 2015, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AND TAKE ACTION ON A MOTION APPROVING THE RENEWAL OF THE LEASE-PURCHASE FOR THE FISCAL YEAR ENDING JUNE 30, 2016 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, stated that the City used a lease-purchase financing mechanism to advance fund the Recreation Center and Aquatics Center under construction at Central Park. Payments are being made using General Obligation Bonds which were approved by the voters. The bond indenture requires that the City Council reapprove the lease-purchase agreement for the next fiscal year. Mr. Eddy indicated that action on this item would not create new debt or increase taxes.

Councilman Roberts moved to approve renewal of the lease-purchase for the fiscal year ending June 30, 2016 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: Blair, Hunt, Roberts, Hamm, Lewis
Nays: None
Absent: Krows, Cavnar

Agenda Item Number 7 being:

CONSIDER APPROVAL OF AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH EST, INC. FOR PHASE II OF THE I-35/34TH STREET BRIDGE PROJECT, TO INCLUDE HYDRAULIC DESIGN OF THE LITTLE RIVER BRIDGE, PHASE II ENVIRONMENTAL ASSESSMENT, CONCEPTUAL HORIZONTAL AND VERTICAL ALIGNMENTS FOR SW 34TH STREET AND THE FRONTAGE ROAD CONNECTIONS, AND RIGHT-OF-WAY ACQUISITION SERVICES, IN THE AMOUNT OF \$127,600.

Steve Eddy, City Manager, stated that the proposed contract with EST, Inc. is for Phase II of the 34th Street Bridge project. Mr. Eddy indicated that the large ODOT projects are unusual in that the design and engineering work goes in stages. EST will begin work on the second phase of the project which includes alignment options for 34th Street as it crosses I-35, environmental assessment of the salvage yard on the southeast corner of the intersection, hydraulic design for the Little River bridge to help determine the bridge design for the low water crossing, and right-of-way acquisition services. Mr. Eddy indicated that there will be additional phases to the project until the design is complete.

Mayor Lewis asked for a timeline on the project. Mr. Eddy stated that we are in the early stages of the design work. There is a proposed contract being worked on regarding ODOT's portion of the funding that will be presented to the City Council in the near future. The City is working with EST and ODOT on alignment issues to determine what will be built. He estimated that the project could take a minimum of two to three years.

Councilwoman Hunt moved to approve an agreement for Professional Engineering Services with EST, Inc. for Phase II of the I-35/34th Street Bridge project, to include hydraulic design of the Little River Bridge, Phase II environmental assessment, conceptual horizontal and vertical alignments for SW 34th Street and the frontage road connections, and right-of-way acquisition services, in the amount of \$127,600, second by Councilman Roberts. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER THE FINAL PLAT OF ON-CUE 118 LOCATED IN THE SW/4 OF SECTION 14, T10N, R3W, BEING NORTH OF S. 4TH STREET AND WEST OF I-35 SERVICE ROAD. APPLICATION BY 411 SW 4TH STREET, MOORE, OK, LLC/BARDEN KELLUM.

Elizabeth Jones, Community Development Director, stated that the subject property located north of SW 4th Street and west of the I-35 Service Road was the former site of the Central Church of Christ. In 2010 the property was rezoned to C-3 General Commercial District in order to encourage redevelopment. The church building has since been demolished in anticipation of the construction of an On-Cue gas station. Ms. Jones advised that water and sewer are available to serve the site. No floodplain is located on the property and detention will be provided. She added that access would be from SW 4th Street and the I-35 Service Road.

Ms. Jones advised that the applicant obtained a traffic impact study on the location from TEC. The study recommended the specific placement for curb cuts and roadway improvements to mitigate potential traffic impacts. The study recommended a total of four curb cuts with two on the SW 4th Street Service

Road, one on the I-35 Service Road north of the on-ramp, and one on SW 2nd Street. Staff recommended approval of the item.

Councilman Hamm inquired whether drivers exiting I-35 to access On-Cue would need to use the I-35 Service Road. Ms. Jones confirmed that was correct. Steve Eddy, City Manager, added that an additional lane would be added to SW 4th Street immediately south of the property. The driveway access from the service road will be north of the yield sign.

Councilman Roberts moved to approve the final plat of On-Cue 118 located in the SW/4 of Section 14, T10N, R3W, being north of S. 4th Street and west of I-35 Service Road, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 9 being:

APPROVE A LOT SPLIT LOCATED IN LOTS 2, 3 AND 4, BLOCK 1 OF ROYAL ROCK ADDITION, SECTION 4, BEING NORTH OF SW 19TH STREET AND EAST OF MAX MORGAN BOULEVARD. APPLICATION BY ROYAL PARK BUSINESS DEVELOPMENT, LLC/PAT BROADFOOT.

Elizabeth Jones, Community Development Director, stated that the subject property contained three vacant lots located north of SW 19th Street and east of Max Morgan Boulevard. The applicant would like to split off two outparcel lots referred to in a map as Tract 1 and Tract 3 for development. Tract 2 will be used as driveway access to Tract 4 which will be the future site of an At Home retail development. Ms. Jones noted that City water and sewer were available to the lots and access would be provided by private access easements throughout the Royal Rock Development. Staff recommended approval of the item.

Councilman Roberts moved to approve a lot split located in Lots 2, 3 and 4, Block 1 of Royal Rock Addition, Section 4, being north of SW 19th Street and east of Max Morgan Boulevard, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER ORDINANCE NO. 787(15) AMENDING PART 2, CHAPTER 3, MOORE MUNICIPAL CODE, BY REPLACING SECTIONS 11-306, 11-309, 11-310, 11-311; AMENDING AND ESTABLISHING DATES FOR REMOVAL OF WREATHS AND DECORATIONS; PROVIDING FOR RENUMBERING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A REPEALER.

Agenda Item Number 11 being:

CONSIDER RESOLUTION NO. 813(15) ADOPTING THE SCHEDULE OF FEES AND CHARGES RELATED TO CEMETERY LOTS; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Steve Eddy, City Manager, advised that Agenda Items No. 10 and 11 were companion items that relate to the cemetery. Mr. Eddy asked that the items be tabled to allow Assistant City Manager Stan Drake to be present during the discussion. Mr. Drake oversees the cemeteries and is very familiar with reasons for the requested changes.

Councilman Hamm moved to table Agenda Items No. 10 and 11, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER ORDINANCE NO. 791(15) AMENDING PART 10, CHAPTER 3, SECTION 10-302 BY INCREASING THE AMOUNT OF MONEY OR THING OF VALUE ALLEGING THE CRIME OF LARCENY BY FALSE PRETENSE FROM FIFTY DOLLARS (\$50.00) TO FIVE HUNDRED DOLLARS (\$500.00); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A REPEALER.

Randy Brink, City Attorney, advised that Ordinance No. 791(15) would change the value of items stolen for a crime of Larceny by False Pretense from \$50 to \$500. Mr. Brink stated that crimes of this type cannot be prosecuted through District Court unless the items stolen are valued in excess of \$500.

Councilman Blair moved to approve Ordinance No. 791(15) second by Councilwoman Hunt. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:56 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 18, 2015.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$805,049.61.

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

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

Agenda Item Number 14 being:

CONSIDER APPROVAL OF THE FY 2015-2016 ANNUAL BUDGET AND ADOPT RESOLUTION NO. 238(15).

Trustee Blair moved to approve the FY 2015-2016 annual budget and adopt Resolution No. 238(15), second by Trustee Roberts. Motion carried unanimously.

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

Addendum Item Number 14.1 being:

DISCUSS AND CONSIDER APPROVAL OF A FOUR-TIERED ACCRUAL RATE STRUCTURE (INSURANCE PREMIUM SCHEDULE) FOR THE HEALTH BENEFITS PLAN.

Steve Eddy, City Manager, introduced Jerry Guy with Gallagher Benefit Services. Mr. Eddy stated that Gallagher is the City's insurance consultant. Mr. Guy would be speaking on suggested changes to the premium/accrual rate structure for the Health Benefits Plan.

Mr. Guy indicated that they began by changing the City's PPO Network and Pharmacy Benefit Management Company. The primary goal was to contain or lower costs. The proposed four-tiered accrual rate structure is designed to accomplish that goal. Mr. Guy stated that currently there may be participants in the plan that have other insurance coverage available to them that could contribute toward payment of claims. He advised that the proposed rate structure would introduce equity into the plan. A single parent with one child would contribute substantially less than a family. The Affordable Care Act requires rates to be set accurately because they are now required to report the value of benefits on W-2s. Finally, they wanted to ensure that costs are allocated fairly among the three different health plans and the City's contribution remains the same in each.

Mr. Guy stated that the proposal would create equity, allocate costs correctly, and allow compliance with the Affordable Care Act. Mr. Guy stated that the proposal would not be increasing revenue but allocating the funds in the program correctly while containing or lowering costs.

Steve Eddy, City Manager, stated that currently there is a single rate and a family rate. The single rate covers only the employee. Family rate coverage can include two or more people. There is no cost difference on family coverage based on the number of dependents included on the plan. Mr. Eddy indicated that the four-tiered rate structure would allow for a more equitable division of costs.

Councilman Roberts commented that this rate structure appears to be more equitable than what was previously offered. Councilman Blair who is a member on the Health Benefits Committee also felt the tiered system would be more equitable. Mr. Guy stated that his job requires him to work with a lot of employee benefit committee groups that are often populated with union members. He felt that the City of Moore has a very unique situation in that the proposal was supported by 100% of the committee members. Mr. Guy said that he has never worked with such a diverse group of employees who appear to be so focused on, understanding, and reasonable about the need to control costs.

Mr. Guy stated that the change made last December with the PPO Network resulted in reduced costs. He commented that before a recommendation was made to cut benefits they want to ensure they are making maximum use of the money that they have available to the plan. Mr. Guy expressed his appreciation to the City Council for their support.

Trustee Roberts moved to approve a four-tiered Accrual Rate Structure (insurance premium schedule) for the Health Benefits Plan, second by Trustee Blair. Motion carried unanimously.

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

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:06 P.M.

Agenda Item Number 15 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD MAY 18, 2015.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2014-2015 IN THE AMOUNT OF \$165,437.21.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:07 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.

Councilman Hamm advised that he attended an ACOG meeting where he had an opportunity to speak with Oklahoma City Councilman Pete White regarding their tornado siren policy. During the past month there have been situations when Oklahoma City chose to sound their sirens but the surrounding cities did not. The difference in policies about when to activate the sirens has been causing some confusion. Councilman White suggested that the city managers from the surrounding cities might meet to discuss the issue. Councilman Hamm wanted the sirens to be something that the citizens pay attention to and not become so accustomed to them that they are ignored. The recent instances when Oklahoma City sounded their sirens were for possible tornados in Lexington and Purcell. Oklahoma City opted to active their sirens because the risk was for Cleveland County. Councilman Hamm requested that a meeting take place with Mr. Eddy and Oklahoma City City Manager Jim Couch and possibly include other municipalities in the discussion. Mr. Eddy stated that he would be happy to meet with Mr. Couch to discuss the siren policy; however, an attempt was made to implement a metro wide policy for siren use a few years ago.

He advised that they were unable to come to a consensus at that time but he would revisit the issue. Mr. Eddy wanted to advise the citizens that when Moore sounds our sirens it means there is an imminent threat. Mayor Lewis mentioned the issue to Governor Fallin and requested that the State legislature come up with a policy for all Oklahoma cities.

C) ITEMS FROM THE CITY/TRUST MANAGER.

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

- Silver Star started on the overlay project on SW 19th between Telephone Road and Santa Fe which will likely created problems with traffic congestion. Silver Star indicated that they should be able to complete the milling this week and the asphalt overlay by the end of next week.
- The Movie in the Park event scheduled for May 29, 2016 was cancelled due to inclement weather and will be rescheduled for a future date.

Agenda Item Number 17 being:

EXECUTIVE SESSION:

A) DISCUSS POTENTIAL ACQUISITION OF CERTAIN REAL PROPERTY IN THE CITY OF MOORE AND AUTHORIZE STAFF TO PROCEED AS APPROPRIATE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(3).

B) CONVENE INTO EXECUTIVE SESSION

Councilman Hamm moved to convene to executive session, second by Councilwoman Hunt. Motion carried unanimously.

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

The City Council convened into executive session at 7:12 p.m.

C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:48 p.m.

D) ACTION.

A) DISCUSS POTENTIAL ACQUISITION OF CERTAIN REAL PROPERTY IN THE CITY OF MOORE AND AUTHORIZE STAFF TO PROCEED AS APPROPRIATE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(3).

Councilman Roberts moved to authorize staff to proceed as directed in executive session, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 18 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:49 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

KATIE BERHALTER, Administrative Assistant

FOR:

DAVID ROBERTS, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2015.

ATTEST:

JIM CORBETT, City Clerk