

**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  
OCTOBER 17, 2016 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on October 17, 2016 at 6:30 p.m. with Mayor Glenn Lewis presiding.

*Adam Webb*  
*Councilman, Ward I*

*Danielle McKenzie*  
*Councilwoman, Ward I*

*Melissa Hunt*  
*Councilwoman, Ward II*

*Mark Hamm*  
*Councilman, Ward II*

*Jason Blair*  
*Councilman, Ward III*

*Terry Cavnar*  
*Councilman, Ward III*

PRESENT: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
ABSENT: Cavnar

STAFF MEMBERS PRESENT: Acting City Manager, Brooks Mitchell; Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Associate Planner/Grants Manager, Jared Jakubowski; Economic Development Director, Deidre Ebrey; Assistant Emergency Management Director, Debi Wagner; Fire Chief, Gary Bird; Human Resources/Risk Management Director, Gary Benefield; Manager of Information Technology, David Thompson; Police Chief Jerry Stillings; Sergeant Jeremy Lewis; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and Administrative Assistant, Katie Berhalter.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 3, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$2,173,014.49.

**Addendum Item Number 2C being:**

- C) ACCEPT A 15' WATERLINE EASEMENT LOCATED ON LOTS 3, 4, 5, AND 6 OF BLOCK 1 OF THE FRITTS FARM ADDITION, SECTION 2, LOCATED SOUTH OF SW 19<sup>TH</sup> STREET AND WEST OF FRITTS BOULEVARD. APPLICATION BY JASON FRITTS.

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

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

**Item Number 3 being:**

CONSIDER REZONING APPLICATION NO. RZ-946, LOCATED IN THE SE/4 OF SECTION 22, T10N, R3W, BEING NORTH OF SW 19<sup>TH</sup> STREET AND WEST OF TELEPHONE ROAD, FROM R-3 GENERAL RESIDENTIAL DISTRICT TO R4/PUD MULTIPLE FAMILY/PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 833(16). APPLICATION BY THE CITY OF MOORE. (PLANNING COMMISSION RECOMMENDED APPROVAL 8-0). WARD 1.

Elizabeth Jones, Community Development Director, advised that the vacant property located north of SW 17<sup>th</sup> and west of S. Telephone Road was the previous location of the Royal Mobile Home Park. Ms. Jones stated that the City purchased the property after the May 20, 2013 tornado in order to facilitate in the redevelopment of affordable housing. A Comprehensive Master Redevelopment Plan was completed in August 2016 to guide the redevelopment of the property. Ms. Jones indicated that the property must now be rezoned to R-4 /PUD Multi-Family Residential/Planned Unit Development in order to locate 412 housing units, public common space, and commercial space along SW 17<sup>th</sup> Street. She advised that public water and sewer would serve the site and would be reconfigured to meet the redevelopment needs. Access to the site would be from the existing street network. Ms. Jones stated that Max Morgan would be extended to reconnect with SW 17<sup>th</sup>, and Janeway Avenue would be reconstructed as detailed in the Master Redevelopment Plan. Ms. Jones noted that a FEMA designated floodplain/floodway runs along the east boundary of the property through Janeway Creek. This floodway would be redeveloped as stormwater detention, un-programmed recreational space, and a 10-foot multi-use trail along the creek and connecting at Little River Park to the north and the commercial corridor at SW 19<sup>th</sup> to the south.

Ms. Jones stated that pursuant to the Moore Vision 20/20 the City was utilizing a Planned Unit Development to achieve higher densities. By utilizing a PUD certain density requirements may be relaxed in exchange for amenities that would not otherwise be required. The PUD proposal included the following amenities:

1. The establishment of an architectural review committee to ensure quality design and materials on all development within the site.
2. Approximately seven acres of public open space and a 10-foot multi-use trail would be provided.
3. Transitional buffering for the single-family residential property to the north would include a ten-foot landscape buffer, height limitation adjacent to single-family development of two stories, and a 50-foot dumpster setback.
4. Approximately two acres of commercial land with restricted uses, prohibition of drive-thrus and outdoor storage/display, with a height restriction of two stories.

The property was designated in the Moore Vision 20/20 as High Density Residential due to the pre-existing mobile home park; therefore, no plan amendment would be necessary. Ms. Jones stated that the area was trending toward higher intensity land uses since the 2013 tornado. Staff recommended approval of the item since it was felt that the proposed rezoning application and redevelopment plan would be the best use of the property by providing quality affordable housing and a people-oriented development. She noted that no protestors in attendance at the Planning Commission meeting.

Ms. Jones advised that five meetings were held over the past year with approximately 40 residents in attendance. She stated that a one-day design open house was held at the Community Center to give neighborhood residents the opportunity to offer suggestions on the design of the project.

Mayor Lewis suggested that the Planning Commissioners be given the opportunity to serve on a review committee for the project. Ms. Jones recommended that the committee be comprised of city council members, planning commissioners, steering committee members, and a representative from the City's design consultant.

Councilwoman McKenzie noted a correction to the agenda item. She stated that the item should have stated that the property was located in Ward 3 and not Ward 1.

**Councilman Blair moved to approve Rezoning Application No. RZ-946, located in the SE/4 of Section 22, T10N, R3W, being north of SW 19<sup>th</sup> Street and west of Telephone Road, from R-3 General Residential District to R4/PUD Multiple Family/Planned Unit Development; and approve Ordinance No. 833(16), second by Councilwoman Hunt. Motion carried unanimously.**

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

**Agenda Item Number 4 being:**

CONSIDER ORDINANCE NO. 836(16) REPEALING PART 13, CHAPTER 4, ARTICLES A AND B OF THE MOORE MUNICIPAL CODE, AND ADOPTING NEW SECTIONS 13-401 THROUGH 13-415 ESTABLISHING INTENT, PURPOSE AND AUTHORITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR ORGANIZATION AND APPOINTMENTS; PROVIDING FOR EMERGENCY POWERS AND DUTIES OF CITY MANAGER; ESTABLISHING DUTIES AND EMERGENCY POWERS OF THE EMERGENCY MANAGEMENT DIRECTOR; PROVIDING FOR AN EMERGENCY OPERATIONS PLAN; PROVIDING FOR ASSISTANCE OF PERSONS OUTSIDE CITY GOVERNMENT; EXCEPTING LIABILITY; ESTABLISHING A PENALTY FOR VIOLATION; ESTABLISHING A PENALTY FOR VIOLATION OF THE EMERGENCY PRICE STABILIZATION ACT (15 O.S. 771.1 ET. SEQ.); PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Brooks Mitchell, Acting City Manager, advised that agenda Items No. 4 and 5 were companion items. Mr. Mitchell stated that Ordinance No. 836(16) included updates to the 20-year old code regarding duties and powers of the Emergency Management Department. Mr. Mitchell stated that amendments to the ordinance were made using samples from local communities. He noted that approval of Agenda Item No. 5 would declare an emergency allowing the ordinance to go into effect upon its passage.

**Councilwoman Hunt moved to approve Ordinance No. 836(16), second by Councilman Hamm. Motion carried unanimously.**

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

**Agenda Item Number 5 being:**

CONSIDER DECLARING AN EMERGENCY CLAUSE FOR ORDINANCE NO. 836(16).

Mayor Lewis asked if Ordinance No. 836(16) fell within the legal guidelines established for declaration of an emergency. Randy Brink, City Attorney, indicated that it did.

**Councilman Hamm moved to approve an emergency clause for Ordinance No. 836(16), second by Councilman Webb. Motion carried unanimously.**

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

Mayor Lewis stated that the City Council appreciated the service of the Emergency Management Department.

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:43 P.M.**

**Agenda Item Number 6 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD OCTOBER 3, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$306,194.14.

**Trustee McKenzie moved to approve the consent docket in its entirety, second by Trustee Webb. Motion carried unanimously.**

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

**Agenda Item Number 7 being:**

CONSIDER APPROVAL OF A PROVIDER SERVICES AGREEMENT WITH HEALTH CHECK SCREENING, LLC TO OFFER CERTAIN HEALTH BENEFITS TO PLAN PARTICIPANTS FOR ONE YEAR, WITH THE OPTION TO EXTEND BY MUTUAL AGREEMENT FOR SUCCESSIVE ONE YEAR TERMS.

Gary Benefield, Risk Manager, stated that the proposed Provider Service Agreement with Health Check Screening, a high tech imaging center, was for MRI and CT Scan services. Mr. Benefield indicated that under the agreement the co-pay for plan participants would be \$75 instead of \$100 and the deductible and co-insurance for plan participants on all of the health care plans, except the high deductible plan, would be waived. Mr. Benefield stated that plan participants have the option of utilizing this service, although it was not mandatory. He advised that Corrine Pyle with Frates Benefit Administrators was available to answer questions.

**Trustee Blair moved to approve a Provider Services Agreement with Health Check Screening, LLC to offer certain health benefits to plan participants for one year, with the option to extend by mutual agreement for successive one year terms, second by Trustee Hunt. Motion carried unanimously.**

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

**Agenda Item Number 8 being:**

CONSIDER APPROVAL OF A PROVIDER SERVICES AGREEMENT WITH THE SURGERY CENTER OF OKLAHOMA TO OFFER CERTAIN HEALTH BENEFITS TO PLAN PARTICIPANTS, WITH AUTOMATIC RENEWAL OF ONE YEAR TERMS.

Gary Benefield, Risk Manager, stated that the proposed Provider Service Agreement with the Surgery Center of Oklahoma provided bundled pricing which would include the costs associated with the use of the facility, the anesthesiologist, and the surgeon. Mr. Benefield commented that this option would prevent a plan participant from finding out after a surgical procedure that one of the health care providers was not in network. Approval of the agreement would allow for substantial savings to the health care plan while waiving the copay, deductible, and coinsurance for health care participants on health care plans, other than the high deductible plan, on any approved procedure. Mr. Benefield advised that plan participants would not be required to utilize this service.

**Trustee Blair moved to approve a Provider Services Agreement with the Surgery Center of Oklahoma to offer certain health benefits to plan participants, with automatic renewal of one year terms, second by Trustee Hunt. Motion carried unanimously.**

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

**Agenda Item Number 9 being:**

CONSIDER APPROVAL OF AN "AMENDMENT TO MUNICIPAL CONTRACT" BETWEEN THE MOORE PUBLIC WORKS AUTHORITY AND ALLIED WASTE SYSTEMS, INC., DBA REPUBLIC SERVICES OF OKLAHOMA CITY, TO MEMORIALIZE A PRE-EXISTING VERBAL AGREEMENT REGARDING DIRECT BILLING OF COMMERCIAL ROLL-OFF AND COMPACTOR ACCOUNTS AND SUBSEQUENT PAYMENT TO THE AUTHORITY OF A NINE PERCENT SERVICE FEE.

**Trustee Blair moved to approve an "Amendment to Municipal Contract" between the Moore Public Works Authority and Allied Waste Systems, Inc., dba Republic Services of Oklahoma City, to memorialize a pre-existing verbal agreement regarding direct billing of commercial roll-off and compactor accounts and subsequent payment to the Authority of a nine percent service fee, second by Trustee Webb. Motion carried unanimously.**

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

**MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:48 P.M.**

**Agenda Item Number 10 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD OCTOBER 3, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$570,265.95.

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

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

Chairman Lewis noted that the Trustees move through the agenda quickly because they receive the agenda a week in advance giving them an opportunity to review the material and ask any questions prior to the meeting.

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH VICE-CHAIRMAN ADAM WEBB PRESIDING AT 6:50 P.M.**

**Agenda Item Number 11 being:**

ROLL CALL

PRESENT: McKenzie, Blair, Hunt, Lewis, Hamm, Webb  
ABSENT: Cavnar

**Agenda Item Number 12 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD SEPTEMBER 19, 2016.

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

Ayes: McKenzie, Blair, Hunt, Lewis, Hamm, Webb  
Nays: None  
Absent: Cavnar

**THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:51 P.M.**

**Agenda Item Number 13 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 commented on the Fall decorations at the intersection of Main and Broadway. He announced that the members of the City Council who plan to participate in judging the Red Ribbon Parade should be in front of Moore High School at 9:30 a.m. on October 29, 2016.

Councilman Hamm asked if the sign ordinance had gone into effect. Elizabeth Jones, Community Development Director, indicated that it had; however, businesses that have temporary non-conforming signs were given a six-month grace period to conform to the sign requirements. Councilman Hamm requested that staff notify him when the six month grace period had ended.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from Acting City Manager Brooks Mitchell.

**Agenda Item Number 14 being:**

ADJOURNMENT

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

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis  
Nays: None  
Absent: Cavnar

**The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 6:58 p.m.**

TRANSCRIBED BY:

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RHONDA BAXTER, Executive Assistant

RECORDED BY:

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KATIE BERHALTER, Administrative Assistant

FOR:

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ADAM WEBB, MPWA Secretary

FOR:

\_\_\_\_\_  
MARK HAMM, MEDA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

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BROOKS MITCHELL, City Clerk