

**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  
DECEMBER 19, 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 December 19, 2016 at 6:30 p.m. with Vice-Mayor Jason Blair 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, Hunt, Cavnar, Webb, Hamm, Blair  
ABSENT: Lewis

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

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD DECEMBER 5, 2016.
- B) APPROVE THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD NOVEMBER 16, 2016.
- C) ACCEPT A ROADWAY AND UTILITY EASEMENT LOCATED IN THE SE/4 OF SECTION 7, T10N, R2W, BEING NORTH OF NE 12<sup>TH</sup> STREET AND WEST OF SUNNYLANE ROAD. APPLICATION BY JUSTIN RHODES.
- D) ACCEPT A UTILITY EASEMENT LOCATED IN THE SE/4 OF SECTION 18, T10N, R2W, BEING NORTH OF SE 4<sup>TH</sup> STREET AND WEST OF SUNNYLANE ROAD. APPLICATION BY HIGHLAND BAPTIST CHURCH/JERRY MEEK.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$1,841,349.42.

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

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

**Item Number 3 being:**

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE NW/4 OF SECTION 35, T10N, R3W, BEING SOUTH OF SE 34<sup>TH</sup> STREET AND EAST OF TELEPHONE ROAD. APPLICATION BY RANDALL UNIVERSITY/MARK BRAISHER.

Elizabeth Jones, Community Development Director, advised that the subject site was located south of SE 34<sup>th</sup> Street and east of Telephone Road on property owned by Randall University, formerly known as Hillsdale College. The applicant proposed splitting the property into four lots as the first step in a Master Development Plan to add buildings and reallocate spaces. Staff recommended approval of the item.

**Councilman Cavnar moved to approve a lot split located in the NW/4 of Section 35, T10N, R3W, being south of SE 34<sup>th</sup> Street and east of Telephone Road, second by Councilman Hamm. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER APPROVAL OF THE 2016 COMPREHENSIVE STORMWATER MANAGEMENT AND MASTER DRAINAGE PLAN.

Elizabeth Jones, Community Development Director, stated that approximately 18 months ago the City contracted with Meshek Engineering on the development of a Comprehensive Stormwater Management and Drainage Plan. Ms. Jones stated that Brandon Claborn with Meshek Engineering would give a short presentation on their findings.

Mr. Claborn stated that he would briefly cover the highlights of the plan. He advised that the Master Drainage Plan included developing new models and drainage studies, Lake Thunderbird's Total Maximum Daily Load ("TMDL") compliance and monitoring plans, and an update to the City's Municipal Separate Storm Sewer or MS4 Program.

He stated that the study area included North Fork River tributaries, which generally lie east of I-35 and the Little River, and generally follows the I-35 corridor. The two come together and continue to flow southeast to Lake Thunderbird. Mr. Claborn indicated that a couple of the tributaries drain into the Canadian River. A public meeting was held to obtain public input. One week before the meeting the City had a significant flooding event which resulted in over 120 people attending the meeting with pictures of flooding. The pictures assisted in locating areas that were flooding that possibly the City was unaware of before. Addition input was gathered from the City on flooding areas. The information was used to set up models on areas for detailed studies. Once the models were updated with current flow rates and current development conditions they were able to identify alternatives to help mitigate flooding. Mr. Claborn stated a final report was submitted to the City with a prioritization plan on alternatives for flooding mitigation along with evaluations on funding options.

Mr. Claborn indicated that the Stormwater Management Plan portion of the plan included updating the program which deals with the quality of the water in the storm sewer system. The State required that the City develop a new program consistent with a new permit. A Notice of Intent was submitted to the Oklahoma Department of Environmental Quality ("ODEQ") for approval of the program. Mr. Claborn advised that the Program, which included six minimum control measures, was approved. Activities must be developed for each control measure to help meet the guidelines and protect the quality of the stormwater. A five year implementation schedule was included in the plan that may be adjusted as needed; however, an annual report must be submitted by the City to ODEQ.

He advised that the City was tasked with reducing its wasteload allocation by 35% to help meet a Total Maximum Daily Load ("TMDL") that was set for Thunderbird Lake. A public education component and a reporting framework was required as part of the Program, along with a report identifying what the City would need to do to carry it out. Mr. Claborn indicated that the monitoring plan was necessary to determine compliance with a regulatory requirement for water quality. If things do not improve the plan must be adjusted. One option would be obtaining sampling to establish a new baseline. He noted that the TMDL was set with a pretty short record of data. Mr. Claborn indicated that the ODEQ approved the compliance and monitoring programs and the City was in compliance.

Mr. Claborn stated that over 120 people attended the public meeting where over 71 drainage problem areas were identified and used to develop models. They also were able to obtain detailed rainfall data from May 5 through May 8, 2016 from the Oklahoma Mesonet and researchers at OU. The rainfall data was run through the models and a flood plain was generated. It compared favorably to reports of flooding. It gave them confidence that the new models were doing a pretty good job of predicting flooding. Then they ran different return interval frequency flooding events and new floodplains were developed. He advised that they worked with the City to determine if land could be obtained to add detention or additional storm sewer in a particular area. Alternatives were reviewed to determine the most cost effective ways to address the problem areas. In the end they recommended 35 projects totaling \$27 million. The document, maps, analysis, and data should serve as a guide for future planning.

He advised that Meshek and Associates was specifically asked to look at detention options for the southeast quadrant of the City. Unfortunately that far downstream the drainage areas and volume of water were so large large that detention ponds would not be an option. The situation was also sensitive to timing issues. As the area develops and detention is put in place to hold water back there can actually be an increase in the overall channel when peak flow gets there. Also, the main channel to Little River has many tributaries that are roughly the same length and when working on one they can create problems with the others. Therefore, they were unable to find a solution to solve problems with detention in the area.

Mr. Claborn discussed recommended projects. The one that ranked the highest was a Janeway Avenue Project which was already under design. They used the new models to adjust implementation of the project in order to get the best results. The project included a flood mitigation pond in the Little River Park and a channelization project downstream along Janeway Avenue. The purpose of the project was to mitigate some of the flooding damage downstream and to allow areas to develop without on-site detention. He indicated that HUD grant funds would be used to partially fund the project.

Another project involved Rambling Oaks Drive. After surveyors collected storm sewer data they got a better idea of why the problem was occurring. One alternative was to replace a line with a larger storm sewer system; however, it would become problematic and a liability for the City due to the line's close proximity between two homes. A better option would be to leave the existing storm sewer and build a new storm sewer along the roadway and address an area that drains from the cul-de-sac with new storm sewer. However, to prevent flooding further downstream it would require doing some detention.

Mr. Claborn stated that more comments were made at the public meeting about flooding issues in the Oak Ridge Addition than any other location. A detention pond in the area may have experienced blockage during the May storm events. Water flowed through backyards and through some of the homes with water three or four feet down at the end of the cul-de-sac. They have video of water coming out of the storm sewers which they believe can be helped by installing a backflow preventer valve. Digging the pond much deeper would help the problem but would not solve it. They looked at raising one side of the pond to allow overflow into the street instead of the houses. If a new storm sewer pipe was added along with the other options it would greatly reduce the risk of flooding in the area.

They were asked as part of the project to review the City's drainage criteria. They copied the City's criteria directly into their report and included comments to prevent ambiguity and prevent other developments from adding to the flooding problems. Some of the criteria referenced out of date methods. Some of the models had not been updated since the 1980s. All of the areas left to develop have existing flooding problems and updated drainage criteria was highly recommended. Mr. Claborn believed that the data would be beneficial to help the City qualify for FEMA funds.

Councilman Hamm asked if the plan would assist the City with the new rules and regulations regarding runoff water. Mr. Claborn stated that the TMDL Compliance and Monitoring Plan and the Stormwater Management Program document to educate citizens on ways they contribute to the loading at the lake would be helpful. Construction sites that do not erect silt fencing allow erosion into the creek and contributes to the loading. The City can do a better job of inspection and enforcement with stricter rules. The City may determine that levels were set too low or too high in the future or determine that the target levels were unfair. There is a public education component and action that the City could take now to help address the issue.

Councilman Cavnar inquired whether the implementation of some of the suggestions could change the FEMA flood maps ten or fifteen years in the future. Mr. Claborn stated that it certainly could. For example, after the Little River detention ponds are constructed a letter of map revision would be filed with FEMA resulting in an updated map. He noted that an updated map was kept online by FEMA and included the most recent changes.

**Councilman Hamm moved to approve the 2016 Comprehensive Stormwater Management and Master Drainage Plan, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER MOORE VISION 20/20 COMPREHENSIVE PLAN AMENDMENT NO. 56 LOCATED IN THE NE/4 OF SECTION 30, T10N, R2W, BEING SOUTH OF SE 19<sup>TH</sup> STREET AND WEST OF SUNNYLANE ROAD, FROM LOW DENSITY RESIDENTIAL TO MEDIUM COMMERCIAL. APPLICATION BY SANDRA FLIPPO.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 5 and 6 were companion items regarding the subject site, which contained six acres located south of SE 19<sup>th</sup> and west of Sunnyslane Road. Ms. Jones advised that the property was currently developed as a large acre rural residential lot. The applicant proposed rezoning the site to C-3 General Commercial District as a Planned Unit Development ("PUD") in order to expand the existing mini storage business located to the north. Ms. Jones noted that the item was tabled from the November 7, 2016 City Council Meeting to allow the

applicant to revise the application from C-5 to C-3 as a PUD. She noted that the PUD included the following amenities:

1. A 20-foot landscape buffer along the east property line abutting Sunnylan Road.
2. A 10-foot landscape buffer along the north property line abutting a residential lot.
3. A total of 53 trees and 86 shrubs for the total project. Phase I would include 33 trees and 56 shrubs. Phase II would include 20 trees and 30 shrubs.
4. A 6-foot wrought iron fence located along the east property line along the Sunnylan right-of-way.
5. Signage limited to monument signs consisting of no more than 100 square feet and not exceeding 15-feet in height.
6. One hundred percent of the building facade excluding the doors to the mini storage units are proposed to be stucco facing Sunnylan Road.
7. One curb cut for the project located on the north end of the property.

Ms. Jones indicated that a site plan was included in the agenda packet. Phase I of the project included construction of four buildings and Phase II consisted of three buildings. She stated that the amended application provided amenities to ensure the residential nature of the area while providing the mini storage expansion desired by the applicant. Staff recommended approval of the item. Planning Commission recommended approval 7 to 0. Ms. Jones advised that the applicant, Sandra Flippo, was in attendance to answer any questions.

Councilman Cavnar stated that he was glad that the item was reheard by the Planning Commission as C-3 with a Planned Unit Development. He felt it was a better fit for the area.

Councilwoman McKenzie asked if anyone appeared in protest to the item. Ms. Jones stated that no one appeared in opposition to the item.

**Councilwoman McKenzie moved to approve Moore Vision 20/20 Comprehensive Plan Amendment No. 56 located in the NE/4 of Section 30, T10N, R2W, being south of SE 19<sup>th</sup> Street and west of Sunnylan Road, from Low Density Residential to Medium Commercial, second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER REZONING APPLICATION NO. RZ-944, LOCATED IN THE NE/4 OF SECTION 30, T10N, R2W, BEING SOUTH OF SE 19<sup>TH</sup> STREET AND WEST OF SUNNYLANE ROAD, FROM A-1 RURAL AGRICULTURE DISTRICT TO C-3/PUD GENERAL COMMERCIAL DISTRICT/PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 843(16). APPLICATION BY SANDRA FLIPPO.

**Councilwoman McKenzie moved to approve Rezoning Application No. RZ-944, located in the NE/4 of Section 30, T10N, R2W, being south of SE 19<sup>th</sup> Street and west of Sunnylan Road, from A-1 Rural Agriculture District to C-3/PUD General Commercial District/Planned Unit Development; and approve Ordinance No. 843(16), second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 7 being:**

CONSIDER REZONING APPLICATION NO. RZ-949, LOCATED IN THE NW/4 OF SECTION 11, T10N, R3W, BEING NORTH OF HIGHLAND DRIVE AND EAST OF I-35 SERVICE ROAD, FROM C-1 OFFICE DISTRICT TO C-2 NEIGHBORHOOD COMMERCIAL DISTRICT; AND APPROVE ORDINANCE NO. 837(16). APPLICATION BY KATHLEEN CLOSE.

Elizabeth Jones, Community Development Director, stated that the subject site known as 2500 N. Broadway was located north of Highland Drive and east of the I-35 Service Road. Ms. Jones advised that the property was historically used as a residential lot platted in the Highland Park Addition; however, the house was destroyed in the May 3, 1999 tornado and the lot has remained vacant since that time. The applicant rezoned the property in 2015 to C-1 Office District. The applicant was requesting to rezone the property to C-2 Neighborhood Commercial District to accommodate neighborhood commercial uses such as mattress retail sales. Ms. Jones stated that an 8-inch sewer line and a 6-inch water line currently serve the property. Access would be provided from N. Broadway Avenue. There is no floodplain located at this location.

Ms. Jones indicated that since the property was adjacent to single-family homes to the east and south consideration should be given to the potentially negative impacts a light commercial use may have on the surrounding residential properties. A mattress store was low impact in nature with limited traffic generation and limited operating hours. Additionally, the City's development regulations require bricking, landscaping, sight proof fencing and low impact lighting, which would complement the surrounding land uses. Curb cuts onto Highland Drive would not be allowed to minimize commercial traffic within the Highland Park Addition. Because the comprehensive plan designates the area as Light Commercial, and C-2 uses are considered Light Commercial in nature, an amendment to the comprehensive plan would not be required. Ms. Jones indicated that applicant's proposal for a neighborhood commercial land use was viewed as compatible with the adjacent residential neighborhood. She stated that it allowed for a transitional buffer between the interstate and the residential uses to the east.

Ms. Jones advised that staff recommended approval of the item; however, the Planning Commission recommended denial 5 to 2 because they felt some C-2 uses were more retail in nature and would be too intense for the neighborhood, specifically those that involve having commercial trucks on site and rely on advertising signs in the yard. She stated that the applicant, Kathleen Close, was in attendance at the meeting to answer questions.

Councilwoman Hunt stated that the property was actually located in Ward 2. She stated that she received several calls from residents opposed to the item due to their concerns regarding the possibility of trucks and traffic congestion in the area. Councilman Webb asked if other commercial properties were located adjacent to the site. Ms. Jones indicated that commercial properties back up to the neighborhood. However, the lot was originally a residential home; therefore, the commercial properties have larger frontage to allow for better access.

Councilwoman McKenzie commented that the property contained .42 acres. She asked how it compared in size to a normal commercial lot. Ms. Jones indicated that they vary in size. For example, south of the subject site was a restaurant and educational center constructed by Home Creations that is on a similar lot size. Councilman Hunt stated that the residents used the restaurant and educational center as an example of traffic and noise concerns.

Councilwoman McKenzie asked if anyone appeared at the Planning Commission in opposition to the item. Ms. Jones stated that the item was heard on three to four separate occasions with no protestors in attendance.

Councilman Blair asked if anyone would like to address the City Council regarding the item. The applicant, Kathleen Close, asked to speak. She stated that she lives at 117 SW 139<sup>th</sup> in Oklahoma City and had been a Moore resident for 25 to 30 years. She indicated that she purchased the property from a friend who owned Nu-Way Laundries and intended to construct an office for her investigative company and a print shop that her daughter owned. However, last year a family member passed away and they inherited 33 acres south of Goldsby where they plan to locate their businesses. Ms. Close stated that they originally planned to construct a home on the site, but no one was interested in a home so close to the commercial properties and rezoned to C-1. They eventually requested a rezoning to C-3 because they had no offers and the commercial retailers suggested a C-3 zoning allow more options for the property. However, one of the Planning Commissioners voiced concern over the C-3 zoning but felt comfortable with a C-2 zoning. After resubmitting the application as C-2 the same Planning Commissioner expressed concern with a C-2 zoning. Ms. Close reiterated that no one had protested the item. She advised that Bull Frog Spa, warehousing, a trailer company, and Star Bucks were located close by and she did not believe there should be traffic concerns when compared to those businesses. Ms. Close stated that they had a contract on the property with a mattress company but it fell through since they could not obtain the necessary financing and the property was for sale. They would like to have the C-2 zoning district to allow for more opportunities to sell the property.

Councilman Cavnar agreed that it would be difficult to sell the property as residential.

**Councilman Hamm moved to approve Rezoning Application No. RZ-949, located in the NW/4 of Section 11, T10N, R3W, being north of Highland Drive and east of I-35 Service Road, from C-1 Office District to C-2 Neighborhood Commercial District; and approve Ordinance No. 837(16), second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 8 being:**

CONSIDER ORDINANCE NO. 841(16) AMENDING PART 15, CHAPTER 1, SECTION 15-102 OF THE MOORE MUNICIPAL CODE BY AMENDING THE DEFINITION OF BICYCLE, COMMERCIAL CHAUFFEUR, CHAUFFEUR, COMMERCIAL VEHICLE, LICENSE TO OPERATE A MOTOR VEHICLE, MOTORCYCLE, MOTOR-DRIVEN CYCLE, PARK OR PARKING, RAILROAD SIGN OR SIGNAL, REVOCATION OF DRIVER'S LICENSE, STAND OR STANDING, STOP OR STOPPING, SUSPENSION OF DRIVER'S LICENSE, TAXICAB VEHICLE; SECTION 15-103 BY PROVIDING FOR ONLINE VERIFICATION SYSTEM FOR MOTOR VEHICLE INSURANCE; CHAPTER 2, SECTION 15-203 CORRECTING TYPOGRAPHICAL ERROR; CHAPTER 2, SECTION 15-205 AMENDING REQUIREMENTS FOR CROSSING RAILROAD TRACKS; SECTION 15-206 BY ADDING FLASHING YELLOW ARROW; CHAPTER 3, SECTION 15-304 ADDING SNOW, ICE OR FROST TO WINDSHIELD AND WINDOW OBSTRUCTIONS; SECTION 15-305 DELETING STATE SAFETY INSPECTION STICKERS; CHAPTER 4, SECTION 15-401 REMOVING TEN (10) TON WEIGHT LIMIT ON SANTA FE AVENUE BETWEEN SW 34<sup>TH</sup> STREET AND SW 4<sup>TH</sup> STREET; SECTION 15-404 PROVIDING OWNER OR INSURER OF OWNER BE RESPONSIBLE FOR COST OF VEHICLE AND DEBRIS REMOVAL AFTER ACCIDENT; CHAPTER 5 SECTION 15-505 ESTABLISHING REQUIREMENTS FOR DRIVING ON RIGHT SIDE OF ROADWAY AND EXCEPTIONS; SECTION 15-503 ESTABLISHING REQUIREMENTS FOR PASSING

VEHICLE ON LEFT; SECTION 15-516 ESTABLISHING THE PENALTY TO TEXTING WHILE DRIVING AT ONE HUNDRED DOLLARS (\$100.00) OR MAXIMUM SET BY STATE LAW, NO ADDITIONAL COURT COSTS TO BE ASSESSED; SECTION 15-520 AMENDING 15-519 TO 15-521 DUE TO TYPOGRAPHICAL ERROR; SECTION 15-521(A) FOR GRAMMATICAL REASONS; SECTION 15-523 ESTABLISHING AN OFFENSE FOR OPERATING A MOTOR VEHICLE WITH A SUSPENDED DEPARTMENT OF PUBLIC SAFETY SET UP NUMBER; SECTION 15-543 AMENDING CHILD PASSENGER RESTRAINT SYSTEMS OR SEAT BELT AND PENALTIES TO COMPLY WITH STATE LAW; SECTION 15-544 AMENDING SEAT BELT REQUIREMENTS TO COMPLY WITH STATE LAW; CHAPTER 6, SECTION 15-601(A)(7) CHANGING (3) TO (30) DUE TO TYPOGRAPHICAL ERROR; SECTION 15-608 ESTABLISHING A PROCEDURE FOR REMOVAL OF PARKED VEHICLES PARKED IN PRIVATE SPACES WITHOUT PERMISSION OF OWNER; CHAPTER 7, SECTION 15-702 AMENDING CERTAIN SPECIAL SPEED REGULATIONS AND THEIR LOCATIONS; CHAPTER 11, SECTION 15-1101 BY REPEALING THE REQUIREMENT FOR THE CITY CLERK TO MAINTAIN A TRUCK ROUTE MAP; CHAPTER 13, SECTION 15-1303 REMOVING CERTAIN LANGUAGE DUE TO TYPOGRAPHICAL ERROR; CHAPTER 14, SECTION 15-1403 CHANGING OPERATOR TO CHAUFFEUR LICENSE TO DRIVER'S LICENSE; SECTION 15-1405 CHANGING OPERATOR OR CHAUFFEUR LICENSE TO DRIVER'S LICENSE; SECTION 15-1406 BY DELETING THE REQUIREMENT THAT NOTICE OF AN ACCIDENT BE REPORTED ON FORMS PROVIDED BY THE POLICE DEPARTMENT; CHAPTER 15, SECTION 15-1502 ADDING TURN SIGNALS AS REQUIRED BY MOTORCYCLE EQUIPMENT AS PROVIDED BY STATE LAW; CHAPTER 16, SECTION 15-1610 AMENDING BICYCLE BRAKES TO REQUIRE BICYCLES TO BE STOPPED WITHIN TWENTY-FIVE FEET AT TEN MILES PER HOUR; SECTION 15-1625 PERMITTING THE REVOCATION OF BICYCLE LICENSE FOR UNSAFE BICYCLE; PROVIDING FOR A REPEALER; AND PROVIDING FOR SEVERABILITY.

Randy Brink, City Attorney, stated that during the recodification process each department head was asked to review the sections that pertained to them and note areas that needed updating or had typographical errors. Ordinance No. 841(16) included those changes to Title 15 which is the Traffic Section.

Mr. Brink noted that Ordinance No. 840(16) to be considered under Agenda Item No. 9 included Title 11 Parks and Cemeteries. Ordinance No. 842(16) under Agenda Item No. 10 included changes to Title 10 Crimes and Offenses.

He noted that most of the changes included new state law and typographical errors and was nothing substantial being proposed.

**Councilwoman McKenzie moved to approve Ordinance No. 841(16), second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 9 being:**

CONSIDER ORDINANCE NO. 840(16) AMENDING CHAPTER 1, ARTICLE A, SECTION 11-102 OF THE MOORE MUNICIPAL CODE BY DELETING THE REQUIREMENT OF AN ANNUAL WRITTEN REPORT AND AMENDING ARTICLE B, SECTION 11-113 BY ESTABLISHING HOURS OF OPERATION FOR THE GROUPS OF CENTRAL PARK; AMENDING SECTION 11-114 PROVIDING FOR AN EXCEPTION TO GLASS CONTAINERS AT THE JULY 4<sup>TH</sup> CELEBRATION TO PROPERLY PERMITTED VENDORS AND PURCHASERS; AMENDING SECTION 11-116 PROVIDING AN EXCEPTION OF ANY AREA DESIGNATED AS A DOG PARK; AMENDING SECTION 11-117 BY ADDING THE WORD DIVE; PROVIDING FOR A REPEALER; AND PROVIDING FOR SEVERABILITY.

Councilman Webb asked what the hours of operation were for the parks. Todd Jenson, Assistant City Manager, stated that the parks were open from 5:00 a.m. to midnight.

**Councilman Cavnar moved to approve Ordinance No. 840(16), second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 10 being:**

CONSIDER ORDINANCE NO. 842(16) AMENDING PART 10, CHAPTER 4, SECTION 10-407 REPEALING THE AUTHORIZATION OF TURKEY OR HAM SHOOTS WITHIN THE CITY LIMITS; AMENDING PART 10, SECTION 10-517 CHANGING TYPOGRAPHICAL ERROR; AMENDING PART 10, SECTION 10-518 BY INCLUDING DIGITAL FORMAT IN DEFINITION OF MATERIAL.

**Councilman Cavnar moved to approve Ordinance No. 842(16), second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 11 being:**

DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, APPROVE THE RELOCATION OF FIRE STATION NO. 2 TO 630 NW 5<sup>TH</sup> (FAIRMOORE PARK).

Fire Chief Gary Bird stated that Fire Station No. 2 was currently located at 725 NW 12<sup>th</sup> and staff was looking into the possibility of moving it to 630 NW 5<sup>th</sup> where the Kidsplay playground was previously located at Fairmoore Park. Chief Bird indicated that the frontage at the current location was 100-feet wide and Stations 3 and 4 were 115-feet wide. This would mean the design of a new station would need to be two stories or the structure moved further back on the lot by approximately 275 to 300 feet. Construction costs for a two-story building would be \$40 to \$50 per foot with design of a new building at 8,600 square feet. Another 1,500 square feet would be added to construction costs for the addition of two stairwells and an elevator resulting in increased construction costs by approximately \$1 million. Chief Bird stated that ISO representatives informed him that the relocation of Station 2 would not affect the City's ISO rating.

**Councilman Webb moved to approve the relocation of Fire Station No. 2 to 630 NW 5<sup>th</sup>, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 12 being:**

CONSIDER APPROVAL OF A LETTER AGREEMENT AND RELEASE OF RIGHT-OF-WAY AGREEMENT WITH SHORT JUNCTION OPERATING, LLC, AND APPROVE PAYMENT OF \$215,000 FOR SAID RELEASE.

Stan Drake, Assistant City Manager, stated that a gas line located in an easement owned by Short Junction Operating, LLC was no longer in service. The line was in conflict with the SW 34<sup>th</sup> Street Bridge Project and the STP Project on SW 34<sup>th</sup> between Santa Fe and Telephone Road. Short Junction Operating agreed on a settlement price of \$215,000 for release of the easement. Mr. Drake felt that the other option of relocating the lines was more cost prohibitive.

**Councilwoman McKenzie moved to approve a Letter Agreement and Release of Right-of-Way Agreement with Short Junction Operating, LLC, and approve payment of \$215,000 for said release, second by Councilman Cavnar. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:27 P.M.**

**Agenda Item Number 13 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD DECEMBER 5, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$422,398.03.

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

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

**Agenda Item Number 14 being:**

CONSIDER APPROVAL OF AN AGREEMENT WITH COMMUNITY CARE HMO, INC. TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAM FOR \$1.80 PER EMPLOYEE PER MONTH FOR ONE YEAR WITH PROVISIONS TO RENEW AUTOMATICALLY FOR ONE YEAR TERMS.

Gary Benefield, Risk Manager, advised that Integris Mental Health would stop providing Employee Assistance Programs at the end of the month. Mr. Benefield asked the City's insurance agent, David Fleet with Gallagher, to shop the market for a new provider. After reviewing the options staff recommended approval of an agreement with Community Care HMO, Inc. for an Employee Assistance Program at \$1.80 per employee per month. Councilwoman McKenzie asked how the cost compared to Integris Mental Health. Mr. Benefield indicated that Community Care offered a lower price.

**Trustee Cavnar moved to approve an agreement with Community Care HMO, Inc. to provide an Employee Assistance Program for \$1.80 per employee per month for one year with provisions to renew automatically for one year terms, second by Trustee Webb. Motion carried unanimously.**

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

**MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:29 P.M.**

**Agenda Item Number 15 being:**

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD DECEMBER 5, 2016.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$157,499.82.

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

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

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN TERRY CAVNAR PRESIDING AT 7:30 P.M.**

**Agenda Item Number 16 being:**

ROLL CALL

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

**Agenda Item Number 17 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD NOVEMBER 21, 2016.

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

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

**THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:31 P.M.**

**Agenda Item Number 18 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 requested that Interim City Manager Brooks Mitchell discuss with Mayor Lewis the possibility of appointing a committee to discuss regulating or prohibiting shipping containers as storage units.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, Interim City Manager, thanked City Clerk Linda Stewart, City Attorney Randy Brink and other staff members, for their work on the recodification of the City Code.

**Agenda Item Number 19 being:**

ADJOURNMENT

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

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

**The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:33 p.m.**

TRANSCRIBED BY:

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RHONDA BAXTER, Executive Assistant

RECORDED BY:

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LINDA STEWART, CITY CLERK

FOR:

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ADAM WEBB, MPWA Secretary

FOR:

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

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
LINDA STEWART, City Clerk