

**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
AUGUST 15, 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 August 15, 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: Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Finance Director, Brooks Mitchell; Associate Planner/Grants Manager, Jared Jakubowski; Fire Chief, Gary Bird; Human Resources/Risk Management Director, Gary Benefield; Manager of Information Technology, David Thompson; Police Chief Jerry Stillings; Sergeant 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) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 1, 2016.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD JULY 11, 2016.
- C) APPROVE THE HOUSING REHABILITATION PROGRAM INTERLOCAL AGREEMENT BETWEEN THE CITY OF MOORE AND THE CITY OF OKLAHOMA CITY.
- D) ADOPT RESOLUTION NO. 819(15) APPROVING THE 3RD QUARTER 2014 INTERNAL AUDIT REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.
- E) ADOPT RESOLUTION NO. 820(15) APPROVING THE 4TH QUARTER 2014 INTERNAL AUDIT REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.
- F) ADOPT RESOLUTION NO. 832(15) APPROVING THE 1ST QUARTER 2015 INTERNAL AUDIT REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.
- G) ADOPT RESOLUTION NO. 841(16) APPROVING THE 2ND QUARTER 2015 INTERNAL AUDIT REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.

- H) ADOPT RESOLUTION NO. 842(16) APPROVING THE 3RD QUARTER 2015 INTERNAL AUDIT REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.
- I) ADOPT RESOLUTION NO. 854(16) APPROVING THE 4TH QUARTER 2015 INTERNAL AUDIT REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.
- J) ADOPT RESOLUTION NO. 855(16) APPROVING THE 1ST QUARTER 2016 INTERNAL AUDIT REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.
- K) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$1,779,561.30.

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

Ayes: McKenzie, Blair, Hunt, Webb, Hamm, Lewis
Nays: Cavnar

Agenda Item Number 3 being:

CONSIDER AN APPEAL TO CONDEMNATION OF 808 NW 17TH STREET. APPLICATION BY HEATHER MOONEYHAM.

Elizabeth Jones, Community Development Director, advised that an appeal to the condemnation of property located at 808 NW 17th was first heard at the July 5, 2016 City Council Meeting. Ms. Jones stated that the property, which had been vacant since 2009, was posted for condemnation on January 27, 2016. Exterior problems which existed at the time included decay and penetrations in roof decking and shingles, separation of the front porch cover, deteriorated garage door panels, missing/broken windows by front door and on the east side of house, damaged rear garage door, and extreme rot on all exterior wood.

The City Council tabled the item from the July 5, 2016 City Council Meeting for 30 days to allow the property owner, Ms. Heather Mooneyham, to repair or replace the roof and windows of the home. Ms. Jones advised that no repairs had made to the roof and windows; however, she noted that the front porch and structural members had been repaired. She noted that the porch must still be painted and the porch overhang shingled. She also mentioned that a rotten portion of the nonworking garage door panel was covered with wood and had not yet been painted. Ms. Jones indicated that staff has had several conversations with Ms. Mooneyham's attorney but they have been largely unresponsive. Mayor Lewis asked for Ms. Jones' recommendation. Ms. Jones felt that the home should be condemned and immediately demolished. She stated that Ms. Mooneyham did not repair the items within 30 days as Council directed. She indicated that the home was located close to Kelley Elementary School and created a health and safety hazard for the residents living within the neighborhood, and for the children walking to school.

The homeowner, Heather Mooneyham, advised that a water pipe was fixed a week after the July 5th meeting and the rear door was replaced with a metal insulated door four months ago. Ms. Mooneyham had pictures showing that the roof of the porch had been reshingled. She stated that she had someone examine the garage door and was told that it was not rotten. Ms. Mooneyham advised that she ordered paint for the home. Ms. Mooneyham advised that she had not worked for three years due to an accident which required surgery on her arm, and was not in therapy. She stated that she does not have any income to pay for all of the work that is required. Ms. Mooneyham indicated that she had purchased 60 bundles of shingles for the roof and a list of items she will obtain within the next two weeks in order to complete the repair of the roof. Ms. Mooneyham advised that her roofer was at the meeting if Council had any questions for her, and her attorney invited Council to call him with any questions. She added that there was a meth house next door to her house that was discussed at the July 5th Council Meeting. Since

that time she became personal representative of the property owner and was in the process of having the individuals living in the home removed.

Councilman Blair indicated that Ms. Mooneyham had a contract for the roof repair at the previous meeting and asked why the work had not been done. Ms. Mooneyham advised that she did not have the money at that time to make the repairs, although her attorney can verify that she is expected to receive funds soon.

Councilwoman Hunt reminded Ms. Mooneyham that she was given 30 days to make specific repairs. Ms. Mooneyham replied that she had no control over the court system and when the funds she was relying on were distributed. She stated that she now has part of the materials needed in her possession.

Citizens to Speak:

Deresa Claybrook stated that she owns rental property at 813 NW 17th. She stated that they lived in the home until last year. From 2000 until last year there had been several Code Enforcement complaints made against Ms. Mooneyham. She stated that Ms. Mooneyham says she does not have money to make the repairs yet she has retained an attorney and put time into acquiring the property next door. Ms. Claybrook indicated her concern was with reduced property values and the safety of the children who walk by the house on their way to school or the park. Ms. Claybrook encouraged the City Council to deny the appeal to the condemnation.

Randy Compton, 816 NW 17th, stated that he watched the home deteriorate over the past several years. Code Enforcement issued numerous violations over the years and the entire neighborhood was fed up with the situation. Mr. Compton asked the City Council to condemn the property.

Councilman Hamm moved to deny the appeal to the condemnation of property located at 808 NW 17th and to move forward with the condemnation process, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF THE SW 17TH STREET/JANEWAY REDEVELOPMENT PLAN.

Elizabeth Jones, Community Development Director, stated that staff was requesting approval of the Master Redevelopment Plan for the SW 17th and Janeway redevelopment project to be located on the site previously occupied by the Royal Park Mobile Home Park. Ms. Jones advised that TAP Architecture was retained to prepare the Master Redevelopment Plan. She stated that Anthony McDermid with TAP Architecture would be making a short presentation regarding the proposed plan.

Mr. McDermid stated that the redevelopment area sits inside the section lines of Telephone Road and SW 19th. The Master Plan incorporated ideas expressed by local residents, business owners, and city officials to achieve the City's desire of revitalizing a blighted area, but still meet the requirements for CDBG-DR funding.

He indicated that the Plan must meet certain planning requirements such as the replacement of 175 lost units, providing flexible commercial and community space, and connecting 17th to Max Morgan and to the neighborhood to the north and west.

Mr. McDermid indicated that the Vision Statement that drove the planning piece was:

The City of Moore desires to create a sustainable, mixed-income community that uses concepts of New Urbanism to create a 'village center' on the west side of Moore that establishes a sense of place for both the residents of the community and the City as a whole.

He related the six goals and objectives:

1. Revitalization – transform the creek into an amenity.
2. Improve the overall image and character of the area.
3. Create and enhance the linkages between surrounding land uses and the study area.
4. Establish pedestrian links that aren't there now. Facilitate traffic through the neighborhood.
5. Work with the neighborhoods and developers and owners to implement the goals and recommendations of the plan.
6. Create a neighborhood that embodies resiliency through materials, design and development, through the landscaping, and disaster mitigation and protection for residents.

Mr. McDermid explained that several hundred pages of data was collected through a comprehensive market study. From that information they created a land use recommendation for retail, restaurant, professional and medical office uses which could be incorporated into the commercial development. The residential development would be high density with market rate and income based complexes with around 200 to 288 units.

He advised that 14 stakeholder interviews with 20 individuals were held to find common denominators. City staff, public safety officials, planning commissioners and members of the City Council were interviewed. The Planning Commission, business owners, developers, and the Superintendent of Moore Public Schools, Robert Romines were also interviewed. The results of the interviews were included in the report.

A Redevelopment Planning Advisory Committee (PAC) was established to work with the Consultant Team throughout the course of the study. The Committee was appointed by the Mayor and consisted of City staff, elected and appointed officials, and volunteer residents. The PAC was instrumental in development of the plan by representation in the visioning meeting and the subsequent design charrette.

Multiple meetings were held with the first meetings being primarily informational. On February 23, 2016 the first visioning meeting was held with the Planning Advisory Committee and the community. A Vision Preference Survey ("VPS") was performed where individuals were shown 50 slides and asked to mark each as "like", "dislike" or "neutral" to express their preferences in items such as streetscaping, housing styles, parking, and public and open spaces. Eventually five sketches that seemed to include the ideas were produced and voted on. One sketch was selected that included most of the ideas that were liked. Changes were made and the final preferred concept was created that included the principles embraced.

The draft plan was presented to the City Council on April 18, 2016 and to the community on May 3, 2016. A study session with the City Council, Planning Commission, Parks Board, Planning Advisory Board, and the CDBG Advisory Board was held on May 26, 2016. Information was heavily relied on from Olsson Associates and Traffic Engineering Consultants ("TEC") to learn how 17th and Max Morgan should meet and how the street system would serve the neighborhood. The traffic study predicted traffic counts through the area with daily rates. An intersection design prepared by the traffic engineers recommended a t-section with a three-way stop at Max Morgan and SW 17th due to the predicted traffic flows. They noted that it was much easier for pedestrians to navigate a three-way stop than to cross a street where traffic does not stop.

The Land Use Plan reflected a 60' right-of-way section with streetscaping and apartments, a landscape buffer, a 5-foot sidewalk, a 5-foot amenity zone, parallel parking, two 12-foot driving lanes, parallel parking, an amenity zone for trees, and another 5-foot sidewalk. Mr. McDermid noted that the 5-foot sidewalk would be expanded in the park to a 10-foot trail.

Mr. McDermid stated that they then looked to ensure there was adequate parking to provide off-street parking for the apartments and to serve the commercial development. Olsson Associates performed a utility study to determine how the proposed design plan would work in relation to access to water, sewer, electric, and gas. The pedestrian and motorist connectivity from the site to the redeveloped Little River Park to the north was reviewed. He stated that a trail system would connect the redevelopment site and the park.

Mr. McDermid advised that a Channel Plan would run from the new water body in Little River Park to 19th Street, crossing through the new development. He noted that an engineered solution for Janeway Creek was included in the Engineer Channel Section. The engineers were asked to provide examples of similar situations to improve the aesthetics of the area.

They included storm water management as part of the sustainability program where all of the storm water that comes off of the new development would run through a natural water cleaning process before going into the creek. The bio-swales use natural vegetation to filter the water.

The land use and development plan incorporated the vision statement. He noted ten principles of new urbanism:

1. Walkability

Most needs are within a 10-minute walk of home and work. Street design is friendly to pedestrians, because buildings are close to the street and have porches, windows, and doors. Streets have lots of trees and on-street parking, with parking lots and garages placed behind buildings and houses, often connected to alleys. Streets are narrow, which slows traffic dramatically.

2. Connectivity

An interconnected street grid disperses traffic and encourages walking.

3. Mixed-Use and Diversity

Neighborhoods, blocks, and buildings offer a mix of shops, offices, apartments, and homes. The neighborhoods welcome people of all ages, income levels, cultures, and races.

4. Mixed Housing

Zoning allows the close proximity of a wide range of housing types, sizes, and prices.

5. Quality Architecture and Urban Design

Buildings emphasize beauty, aesthetics, and comfort and establish a sense of place; public spaces function as civic art, establishing an attractive, quality public realm.

6. Traditional Neighborhood Structure

Neighborhoods have definite centers and edges, with public spaces near the center. Each neighborhood contains a range of uses and densities within a 10-minute walk.

7. Increased Density

Buildings, residences, shops, and services are close together to make walking more convenient, services and resources more efficient, and living areas more enjoyable.

8. Smart Transportation

A network of high-quality public transit connects cities, towns, and neighborhoods, while pedestrian-friendly design encourages more use of bicycles, rollerblades, scooters, and walking as daily transportation.

9. Sustainability

The community uses respect for natural systems and eco-friendly technologies like energy efficiency to minimize effects on the environment. The community connects strongly with surrounding farmland, encouraging land preservation and local food consumption.

10. Quality of Life

These design principles produce a life that is well worth living by providing places that enrich, uplift, and inspire the human spirit.

Mr. McDermid stated that they would like to erect a vertical marker that could be seen from Telephone Road.

Mayor Lewis asked if the utilities would be underground. Mr. McDermid stated that the utilities would be buried as part of the sustainability of the project. Councilwoman Hunt asked if the creek would be developed as part of the project. Stan Drake, Assistant City Manager, advised that the City was currently meeting with the Corp of Engineers to determine what type of amenities would be allowed. Councilman Hamm asked how the proposed tower or vertical marker would be funded. Mr. McDermid stated that the tower might be partially funded using CDBG monies if the marker was designed using a storm siren. He also mentioned the possibility of a developer being involved in the marker's design and cost. Mr. McDermid stated that they incorporated a proposed marker into the plans at an appropriate location. He expressed his opinion that the tower should be creative and unique to set the area apart. Councilwoman Hunt clarified that mixed income housing was not Section 8 housing. Councilman Hamm commented that the Dyer family owned a dairy farm in 1889 on the section of land being discussed. He thought incorporating the name Dyer into the development would be a good way to preserve some history of Moore and note their contribution to the City. Mr. McDermid indicated that a name for the development was discussed but they ultimately concluded that since the developer should have the privilege of naming the development since he would be taking the risk and marketing the units. He suggested that they could put something in the preamble to the document and hopefully they will be sensitive to the history of Moore. Councilman Hunt inquired when the RFP would be submitted for proposals. Mr. McDermid stated that if the City Council approved the redevelopment plan the RFP process would get started immediately. Mr. McDermid indicated that the market study gave encouraging data regarding lease up rates. Moore has the highest demand for apartments in the metropolitan area.

Mr. McDermid expressed his appreciation to everyone who participated in the plan.

Councilwoman Blair moved to approve the SW 17th Street/Janeway Redevelopment Plan, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AWARDING REQUEST FOR PROPOSAL NO. 1516-007 "PLAYGROUND EQUIPMENT FOR LITTLE RIVER PARK" TO THE PLAYWELL GROUP, INC., TO PROVIDE CONSTRUCTION SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$424,634.10 TO BE FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM. CAPITAL PLANNING & RESILIENCY (HUD).

Todd Jenson, Assistant City Manager, stated that Agenda Items No. 5 and 6 were companion items related to the award of proposals for the playground and splash pad for Little River Park. Mr. Jenson advised that this area of the park was destroyed during the May 20, 2013 tornado. Mr. Jenson indicated that the City started using themes for the City Parks. This year the City brought three proposals to the children at Plaza Towers Elementary School and allowed them to vote for their favorite. The children chose a pirate ship theme.

A committee comprised of Park Board Members, City staff, and citizens reviewed proposals for seven playgrounds. The CDBG Advisory Board and the Parks Board recommended award of RFP No. 1516-007 to the Playwell Group, Inc. in the amount of \$424,634.10. Mr. Jenson noted that HUD monies would be used to fund the projects.

Councilman Webb moved to Award Request for Proposal No. 1516-007 "Playground Equipment for Little River Park" to the Playwell Group, Inc., to provide construction services for a total contract amount not to exceed \$424,634.10 to be funded through the Community Development Block Grant Disaster Recovery Program, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AWARDING REQUEST FOR PROPOSAL NO. 1516-008 "SPRAY PARK FOR LITTLE RIVER PARK" TO RJR ENTERPRISES, LLC, TO PROVIDE CONSTRUCTION SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$850,000 TO BE FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROGRAM.

Todd Jenson, Assistant City Manager, stated that the City received four proposals on the splash pad for Little River Park. The proposal from RJR Enterprises in the amount of \$850,000 would be one of the largest in the area and would be a great addition to the park system. Mr. Jenson noted that this project would also be funded using CDBG-DR funds.

Councilman Blair moved to award Request for Proposal No. 1516-008 "Spray Park for Little River Park" to RJR Enterprises, LLC, to provide construction services for a total contract amount not to exceed \$850,000 to be funded through the Community Development Block Grant Disaster Recovery Program, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 7 being:

RECEIVE A REPORT FROM SELECT ACTUARIAL AND ACCEPT THE ANNUAL ACTUARIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2016.

Gary Benefield, Risk Manager, stated that the City used Select Actuarial for preparation of the annual actuarial report for the past several years. The study is used during preparation of the budget and is a necessary item to receive an unqualified opinion on the City's annual audit.

Mr. Benefield introduced Cheryl White with Select Actuarial who would be presenting the report. Ms. White stated that the Governmental Accounting Standard called GASB 10 states that the City is responsible for reporting liabilities for the City's health, workers compensation and automobile with general liability programs. There are two parts of the audit. The backward looking part called the reserve analysis which determines how much money would be required to pay the outstanding claims that were issued through June 30, 2016. The second part is a budget number that is necessary to pay for all claims incurred through June 30, 2017.

Ms. White advised that the estimated reserves necessary to fund the unpaid liabilities as of June 30, 2016 was \$2.1 million. Of that amount health claims represented approximately \$633,000, liability \$300,000, and workers compensation \$1.16 million. She noted that an unknown liability in the amount of \$35,000 represented a claim from 1990 that remains open.

Ms. White advised that the City paid out \$282,000 more in health claims than anticipated for FY 14-15 and costs for FY 15-16 are up as well. Ms. White indicated that for FY 15-16 they have estimated an increase of 10% due to six particularly large claims during 2015 that are hitting the \$100,000 limit. Workers compensation reported losses were better than expected. Ultimate costs have decreased \$419,000 or 7% since the prior year. This may be due to workers compensation reforms. Liability reported losses came in better than expected. Ultimate/total costs were decreased by \$57,000 or 4%.

Ms. White stated that a total budget of just over \$6 million was estimated for all claims for FY 2016-2017. The vast majority would be health care costs at \$5.4 million. Workers compensation was around \$500,000 and liability around \$100,000. She noted that the employee count went up from 273 to 284. The estimate for FY 2016-2017 was \$5.4 million and it jumps up to \$5.7 for 2017-2018.

The workers compensation is the opposite from the health claims. The annual payroll estimate dropped. The total estimate for 2016-2017 was \$634,000. The current year actual amount was \$482,000. The estimate for 2017-2018 was \$500,000.

Automobile and General Liability dropped from \$121,000 to \$106,000.

PROGRAM SUMMARY

PROGRAM	RESERVES @ 6/30/16	FORECAST @ 7/1/16-17	FORECAST AT 7/1/17-18
Health	\$633,000	\$5,459,000	\$5,683,000
Workers Comp	\$1,155,000	\$482,000	\$500,000
Liability	\$299,000	\$106,000	\$110,000
Other	\$35,000		
TOTAL	\$2,122,000	\$6,047,000	\$6,293,000

Councilman Hamm moved to accept the annual Actuarial Report for fiscal year ended June 30, 2016, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF PROPOSED CHANGES TO THE CITY'S PERSONNEL POLICY & PROCEDURES MANUAL, INCLUDING A NEW FMLA POLICY, NEW PROBATIONARY EMPLOYEE LANGUAGE, NEW SICK LEAVE BUYBACK LANGUAGE, AND AN INCREASED VACATION TIME ACCRUAL FOR NON-UNION EMPLOYEES.

Gary Benefield, Risk Manager, stated that the proposed changes to the City's Personnel Policy and Procedures Manual included:

Changing the probationary period for nonunion employees from six months to one year to match the probationary period for union employees.

Increasing maximum vacation time accrual for nonunion employees from 300 hours to 350 hours. Mr. Benefield stated that the City of Oklahoma City allows their employees to accrue 400 hours of vacation leave, and the City of Norman allows 480 hours. The proposed change would put the vacation leave for nonunion employees in a similar category with the Moore Fire Department employees who accrue 336 hours of leave and the Moore Police Department employees that accrue up to 360 hours.

The major change for sick leave buyback would change the minimum amount of accrued time from 80 hours to 200 hours before being allowed to sell the time back to the City. Mayor Lewis requested that staff survey surrounding cities to determine their limits on sick leave buyback.

Mr. Benefield stated that the staff requested the law firm of McAfee and Taft to look at the City's FMLA policy and propose any changes. He advised that McAfee and Taft recommended that the entire policy be changed to reflect current federal regulations.

Councilwoman McKenzie asked what areas the City was out of compliance on regarding the FMLA. Mr. Benefield stated that the City wasn't actually out of compliance. The changes involved things such as ensuring that the City's policy matches what is included in the federal forms.

Councilman Blair moved to approve proposed changes to the City's Personnel Policy & Procedures Manual, including a new FMLA policy, new probationary employee language, new sick leave buyback language, and an increased vacation time accrual for non-union employees, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER ADOPTING RESOLUTION NO. 856(16) ESTABLISHING A POLICY FOR THE SELECTION OF MEMBERS TO FILL THE UNEXPIRED TERMS OF VACANT COUNCIL, BOARD, AND COMMISSION POSITIONS OF THE CITY OF MOORE.

Councilman Hamm requested that an item be placed on the agenda establishing a policy for filling unexpired terms to the City Council and various board and commissions within the City. He stated that he read the resolution and recommended attaching a specific time period, such as 30 days, that applications would be accepted.

Councilwoman McKenzie asked what forms of notification the City would be using to advise the community of openings, and if the notification process would allow the 30-day application period after notification. Todd Jenson, Assistant City Manager, advised that the City typically posted a notice of vacancies on the City's webpage, Facebook, and newsletter. Councilwoman McKenzie recommended including in Resolution No. 856(16) where notification of vacancies would appear. She felt that extending the application period would allow additional time for notification through the water bills. It was decided that the 45 days would begin when the position becomes vacant.

Randy Brink, City Attorney, stated that the resolution was worded in such a way that it would not be amended when other forms of notification becomes available. Councilman Webb and Councilwoman McKenzie stated that as a minimum they would like the resolution to reflect that notification would be made through the City's website and the newsletter in the utility bill with a 45-day application period. Councilman Webb felt that a 30 day application period was likely sufficient; however, the additional 15 days would allow notification of the vacancy to reach the citizens through the water bills. He reiterated that the 45 days would start when a position becomes vacant.

Councilwoman McKenzie moved to adopt Resolution No. 856(16) with changes to include a 45-day application period from the date of vacancy and notice made through the City's website and newsletter/utility bill.

Randy Brink, City Attorney, recommended that the item be tabled and brought back with the proposed changes incorporated into the resolution.

Councilwoman McKenzie amended her motion to table Agenda Item No. 9, second by Councilman Blair. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:59 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 1, 2016.
- B) RATIFY ACTION OF THE CITY COUNCIL ON ACCEPTANCE OF THE ANNUAL ACTUARIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2016.
- C) RATIFY ACTION OF THE CITY COUNCIL REGARDING CHANGES TO THE PERSONNEL POLICY AND PROCEDURES MANUAL.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$588,112.33.

Trustee Hamm moved to approve the consent docket in its entirety, second by Trustee Blair. 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 8:00 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 1, 2016.
- B) APPROVE PAYMENT OF A WORKERS' COMPENSATION COMPROMISED SETTLEMENT IN THE AMOUNT OF \$20,995 TO SEAN ABER, WCC NO. 2015-01854-Q AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$866,771.52.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH VICE-CHAIRMAN ADAM WEBB PRESIDING AT 8:01 P.M.

Agenda Item Number 12 being:

ROLL CALL

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

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JULY 18, 2016.

Trustee Blair moved to approve the consent docket in its entirety, second by Trustee Hamm. 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 8:03 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.

There were no items from the City Council/MPWA Trustees.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Stan Drake, Assistant City Manager, stated that the W. I-35 Service Road south of S. 19th Street will be resurfaced and striped by the end of the week.

Councilwoman McKenzie asked for an update on when ODOT would complete the resurfacing of S. 4th Street. Mr. Drake stated that he would contact ODOT for an anticipated completion date and notify the City Council.

Agenda Item Number 15 being:

EXECUTIVE SESSION:

- A) CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED TODD V. CITY OF MOORE, CASE NO. CJ-2011-2013L; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT(S) AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED MICHAEL BORG AND JUDY MICHELL BORG V. CITY OF MOORE, CASE NO. CJ-2015-1442; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT(S) AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- C) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 8:03 p.m.

- D) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 8:25 p.m.

E) ACTION.

- A) CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED TODD V. CITY OF MOORE, CASE NO. CJ-2011-2013L; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT(S) AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilman Blair moved to direct staff to proceed as directed in Executive Session regarding pending litigation styled Todd v. City of Moore, Case No. CJ-2011-2013L, second by Councilwoman Hunt. Motion carried unanimously.

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

- B) CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED MICHAEL BORG AND JUDY MICHELL BORG V. CITY OF MOORE, CASE NO. CJ-2015-1442; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT(S) AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilman Blair moved to direct staff to proceed as directed in Executive Session regarding pending litigation styled Michael Borg and Judy Michell Borg v. City of Moore, Case No. CJ-2015-1442, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 16 being:

ADJOURNMENT

Councilman Blair moved to adjourn the City Council meeting, second by Councilman Hamm. 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 8:26 p.m.

TRANSCRIBED BY:

RECORDED BY:

KATIE BERHALTER, Administrative Assistant

FOR:

ADAM WEBB, MPWA Secretary

FOR:

MARK HAMM, MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2016.

ATTEST:

BROOKS MITCHELL, City Clerk