

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
JUNE 5, 2017 – 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 5, 2017 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, Hamm, Blair
ABSENT: Webb, Lewis

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; City Attorney, Randy Brink; Community Development Director, Elizabeth Weitman; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Associate Planner/Grants Manager, Jared Jakubowski; Fire Chief, Gary Bird; Human Resources Generalist, Christine Jolly; Manager of Information Technology, David Thompson; Police Chief, Jerry Stillings; Sgt. David Dickinson; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; and City Clerk, Linda Stewart.

Vice-Mayor Jason Blair presented a proclamation on Apraxia to Citizen Amy Turner.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 15, 2017.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD APRIL 11, 2017.
- C) APPROVE A FIELD LEASE AGREEMENT WITH THE MOORE YOUTH BASEBALL ASSOCIATION FOR TWO YEARS.
- D) APPROVE A FIELD LEASE AGREEMENT WITH THE MOORE YOUTH FOOTBALL ASSOCIATION FOR TWO YEARS.
- E) APPROVE A FIELD LEASE AGREEMENT WITH THE MOORE GIRLS SOFTBALL ASSOCIATION FOR TWO YEARS.
- F) ACCEPT A 20' DRAINAGE EASEMENT LOCATED IN THE SW/4 OF SECTION 1, T10N, R3W, BEING NORTH OF NE 27TH STREET AND EAST OF EASTERN AVENUE TO SERVE THE WATERS ADDITION, SECTION 1. APPLICATION BY MEEK AND FOUR PAR DEVELOPMENT, LLC/TONY MEEK.

- G) ACCEPT THREE SEPARATE WATERLINE EASEMENTS LOCATED IN THE SW/4 OF SECTION 1, T10N, R3W, BEING NORTH OF NE 27TH STREET AND EAST OF EASTERN AVENUE TO SERVE THE WATERS ADDITION, SECTION 1. APPLICATION BY MEEK AND FOUR PAR DEVELOPMENT, LLC/TONY MEEK.
- H) ACCEPT THREE SEPARATE SEWERLINE EASEMENTS LOCATED IN THE SW/4 OF SECTION 1, T10N, R3W, BEING NORTH OF NE 27TH STREET AND EAST OF EASTERN AVENUE TO SERVE THE WATERS ADDITION, SECTION 1. APPLICATION BY MEEK AND FOUR PAR DEVELOPMENT, LLC/TONY MEEK.
- I) ACCEPT A 20' SANITARY SEWER EASEMENT LOCATED IN THE SW/4 OF SECTION 1, T10N, R3W, BEING NORTH OF NE 27TH STREET AND EAST OF EASTERN AVENUE TO SERVE THE WATERS ADDITION, SECTION 1. APPLICATION BY HOLBROOK CHEROKEE INVESTMENTS/STEPHEN GARDNER.
- J) ACCEPT AN EASEMENT LOCATED IN THE SW/4 OF SECTION 26, T10N, R3W, BEING NORTH OF SW 34TH STREET AND EAST OF I-35 FOR THE S. 34TH STREET OVERPASS. APPLICATION BY SPECIAL ENERGY CORPORATION.
- K) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$2,716,095.21.

Councilwoman McKenzie moved to approve the Consent Docket in its entirety, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 3 being:

CONSIDER REZONING APPLICATION NO. RZ-959, LOCATED IN THE NE/4 OF SECTION 16, T10N, R3W, BEING SOUTH OF NW 12TH STREET AND WEST OF SANTA FE AVENUE, TO AMEND THE EXISTING R-3/PLANNED UNIT DEVELOPMENT TO INCLUDE LIMITED GENERAL COMMERCIAL USES; AND APPROVE ORDINANCE NO. 853(17). APPLICATION BY GRACE POINTE 1, LLC/RON WALTERS. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 2.

Elizabeth Weitman, Community Development Director, advised that the subject property was located south of NW 12th Street and west of Santa Fe Avenue. Ms. Weitman indicated that a church building located on site was initially approved for redevelopment into senior living apartments under Planned Unit Development ("PUD") No. 907. However, that developer determined that the interior layout of the church and its location along NW 12th Street would be better suited for limited residentially compatible commercial uses. The applicant proposed amending PUD No. 907 to include modified C-2 commercial uses in the existing church building. Ms. Weitman noted that a list of uses was included in the agenda packet. She noted that none of the uses allowed outside storage and all of the uses would benefit residents of the proposed Grace Pointe Center, including individuals living in the surrounding neighborhoods. Also included was a list of uses proposed by the developer that staff felt was incompatible in nature with the surrounding area. The developer agreed to exclude those uses for the development. Ms. Weitman stated that as part of the amendment the developer planned to delete the apartment units planned for the church parking lot. She advised that public water and sewer were available to serve the site, and access would be provided from NW 12th Street.

Staff recommended approval of the item due to the compatibility of the limited commercial uses with the surrounding medium density housing project, contingent upon the deletion of the land uses previously discussed and inclusion of a landscaping plan at the time of redevelopment that would meet current requirements.

Ms. Weitman indicated that the applicant, Ron Walters, was in attendance at the meeting and available to answer questions.

Councilman Cavnar moved to approve Rezoning Application No. RZ-959, located in the NE/4 of Section 16, T10N, R3W, being south of NW 12th Street and west of Santa Fe Avenue, to amend the existing R-3/Planned Unit Development to include Limited General Commercial Uses; and approve Ordinance No. 853(17), second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER THE FINAL PLAT OF TIMBER CREEK ESTATES, LOCATED IN THE NW/4 OF SECTION 33, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND EAST OF SOONER ROAD. APPLICATION BY MONGOLD PROPERTIES, LLC/KIRBY MONGOLD. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 1.

Elizabeth Weitman, Community Development Director, advised that the subject site was located south of SE 34th Street and east of Sooner Road. The property was rezoned to RE Residential Estates in January 2017. Ms. Weitman indicated that the final plat was in conformance with the approved preliminary plat, which included 31 residential lots on approximately 30 acres. Detention would be provided by two common areas consisting of approximately 1.2 acres. Ms. Weitman stated that public water would be extended from a 12" water line located along S. Sooner Road. Although an 8" sewer line was also located along Sooner Road the natural topography of the area would prevent gravity flow to the public sewer line; therefore, septic systems would be utilized on site. Access would be provided by S. Sooner Road through an improved public roadway which would replace an existing gravel access road owned by the applicant but which currently served several properties in the area. The improved roadway would be a standard residential roadway with curb and gutters which would serve the existing residents that front Sooner Road. No FEMA designated floodplain was located on the site. She stated that drainage concerns southwest of the addition were noted during the rezoning process. Ms. Weitman indicated that the applicant would be required to address the flooding issues with drainage improvements for the addition. Staff recommended approval of the item.

Councilwoman Hunt moved to approve the Final Plat of Timber Creek Estates, located in the NW/4 of Section 33, T10N, R2W, being south of SE 34th Street and east of Sooner Road, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER THE PRELIMINARY PLAT OF FRITTS FARM ADDITION, SECTION 4, LOCATED IN THE NE/4 OF SECTION 27, T10N, R3W, BEING SOUTH OF SW 19TH STREET AND WEST OF TELEPHONE ROAD.

APPLICATION BY TEDDY BEAR PARTNERS, LLC/JASON FRITTS. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 3.

Elizabeth Weitman, Community Development Director, indicated that the subject property was located south of SW 19th Street and west of Telephone Road. The proposed development contained approximately one acre currently zoned C-3 for a restaurant. Ms. Weitman indicated that the property would be served by an 8" water line and an 8" sewer line extended from the northwest corner of the property. Access would be from S. Telephone Road with one curb cut proposed at the southeast corner of the property utilized as a shared drive with future development to the west and south. The shared access easement would be located on the north side of the site with two driveways being proposed. No FEMA designated floodplain was located on the property. Ms. Weitman stated that the site lies in a Stormwater Recoupment District where off-site detention was provided north in the Little River Park. In exchange a per acre drainage fee was assessed to the property that the City was still collecting. The stormwater recoupment fee would be charged at the building permit stage. Staff recommended approval of the item.

Councilman Cavnar moved to approve the Preliminary Plat of Fritts Farm Addition, Section 4, located in the NE/4 of Section 27, T10N, R3W, being south of SW 19th Street and west of Telephone Road. Application by Teddy Bear Partners, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER THE FINAL PLAT OF FRITTS FARM ADDITION, SECTION 4, LOCATED IN THE NE/4 OF SECTION 27, T10N, R3W, BEING SOUTH OF SW 19TH STREET AND WEST OF TELEPHONE ROAD. APPLICATION BY TEDDY BEAR PARTNERS, LLC/JASON FRITTS. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 3.

Elizabeth Weitman, Community Development Director, stated that she was just informed that the applicant was working on shared easement issues and was requesting that the item be tabled to the June 19, 2017 City Council meeting.

Councilman Cavnar moved to table Agenda Item No. 6 to the June 19, 2017 City Council Meeting, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH MESHEK & ASSOCIATES, LLC AND ARCHITECTURAL DESIGN GROUP ("ADG") FOR ON-CALL CIVIL ENGINEERING AND PLAN REVIEW SERVICES.

Elizabeth Weitman, Community Development Director, stated that the Community Development Department utilizes consulting engineers for all plan development review services. As the City begins to implement the newly approved Envision Moore 2040 Comprehensive Plan and the 2017 Master Drainage

Plan there would be a need for additional specialized engineering firms. Staff recommend approval of a contract for on-call services with Meshek & Associates for drainage, detention, and floodplain review services. Ms. Weitman indicated that Meshek & Associates was the consultant on the City's Master Drainage Plan. She also recommended approval of a contract with Architectural Design Group ("ADG") for on-call services for subdivision public improvements review and other miscellaneous small projects as needed. She advised that the cost for on-call engineering firms is driven solely by how much work is submitted for review. If no plans are submitted for review then no costs would be incurred. However, she noted that the City was getting a better price compared to other cities.

Councilwoman McKenzie moved to approve a professional services contract with Meshek & Associates, LLC and Architectural Design Group ("ADG") for on-call civil engineering and plan review services, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER ORDINANCE NO. 855(17) AMENDING PART 12, CHAPTER 3, ARTICLE C OF THE CITY OF MOORE'S LAND DEVELOPMENT CODE BY ADDING NEW SECTION 12-397.6 PROVIDING FOR THE CLOSING OF THE PUBLIC WAY OF NE 1ST STREET IN THE ORIGINAL TOWN OF MOORE, BEING NORTH OF MAIN STREET AND EAST OF TURNER AVENUE AND RETAINING THE ABSOLUTE RIGHT TO REOPEN THE PUBLIC WAY. APPLICATION BY CODY POGUE.

Elizabeth Weitman, Community Development Director, advised that approval of Ordinance No. 855(17) was necessary in order to clean up a title issue for a developer. Ms. Weitman stated that the subject right-of-way was vacated in 1980 through a district court action; however, City records were not complete regarding the issue. Consequently the developer, who was working on a previously approved senior living development, was asked by the title company to obtain an updated road closure document. Ms. Weitman indicated that approval of the item would duplicate the vacation of the right-of-way through district court; however, it would clear the title.

Councilwoman McKenzie moved to approve Ordinance No. 855(17), second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER RENEWAL OF AN AGREEMENT WITH SOUTHWESTERN BELL TELEPHONE COMPANY D/B/A AT&T OKLAHOMA TO PROVIDE IP-ENABLED VIDEO SERVICE WITHIN THE CITY LIMITS OF MOORE USING THE PUBLIC RIGHTS-OF-WAY AND/OR PUBLIC EASEMENTS, IN EXCHANGE FOR PAYMENT OF A FIVE PERCENT FEE ON GROSS REVENUES AS DEFINED IN SAID AGREEMENT.

Brooks Mitchell, City Manager, stated that the proposed item was for the renewal of an existing agreement with AT&T. Mr. Mitchell indicated that the contract had been reviewed by the City Attorney and he was recommending approval of the item.

Councilwoman Hunt moved to renew an agreement with Southwestern Bell Telephone Company d/b/a AT&T Oklahoma to provide IP-enabled Video Service within the city limits of Moore using the public rights-of-way and/or public easements, in exchange for payment of a five percent fee on gross revenues as defined in said agreement, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER EXTENDING THE CURRENT CONTRACT WITH APOLLO BUILDING SYSTEMS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR ONE YEAR.

Stan Drake, Assistant City Manager, advised that the proposed item was for the extension of a contract with Apollo Building Systems for construction management services. Mr. Drake stated that having a construction manager under contract would allow the City to build smaller projects in a timely manner at a competitive prices. Staff recommended approval of the item.

Councilman Cavnar moved to extend the current contract with Apollo Building Systems, Inc. for construction management services for one year, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AWARDING BID NO. 1617-07 "SW 17TH STREET AND S. JANEWAY REDEVELOPMENT PRELIMINARY SITE GRADING PHASE I PROJECT" TO SILVER STAR CONSTRUCTION COMPANY IN THE AMOUNT OF \$325,378.55.

Jared Jakubowski, Associate Planner/Grants Manager, indicated that Agenda Item No. 11 was for award of Bid No. 1617-07 to Silver Star Construction Company in the amount of \$325,378.55 for the preliminary site grading for the Master Redevelopment Project located at SW 17th and S. Janeway. The project would include removal of all trees, utility lines, and a portion of Janeway, from SW 17th at the bridge box to SW 12th Street, until December 2019. Mr. Jakubowski advised that the project should only impact local neighborhood traffic. He stated that if the project was awarded the anticipated start date would be June 26, 2017 with a sixty day substantial completion deadline.

Councilwoman McKenzie moved to award Bid No. 1617-07 "SW 17th Street and S. Janeway Redevelopment Preliminary Site Grading Phase I Project" to Silver Star Construction Company in the amount of \$325,378.55, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER AWARDING BID NO. 1617-08 "S. TELEPHONE ROAD STREET WIDENING PROJECT" TO SILVER STAR CONSTRUCTION COMPANY IN THE AMOUNT OF \$1,150,263.54.

Jared Jakubowski, Associate Planner/Grants Manager, stated that Agenda Item No. 12 was for award of Bid No. 1617-08 to Silver Star Construction Company in the amount of \$1,150,263.54 for a street widening project on S. Telephone Road from the Sonic restaurant to SW 17th Street and the incorporation of a turn lane. Mr. Jakubowski indicated that SW 17th and Telephone Road would become a signalized intersection with a concrete roadway. He added that the section of roadway from SW 17th to Lowe's would be widened and the asphalt roadway milled and overlaid. From the entrance to Lowes north to the 500 block of Telephone Road the project would be a mill and overlay project. A landscape feature would be erected at the intersection by Warren Theatre. Mr. Jakubowski advised that the anticipated start date for the project was June 12, 2017 with a completion date of November 3, 2017. He noted that the contract would include penalties for non-compliance.

Councilwoman McKenzie moved to award Bid No. 1617-08 "S. Telephone Road Street Widening Project" to Silver Star Construction Company in the amount of \$1,150,263.54, second by Councilman Cavnar. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER AWARDING BID NO. 1617-09 "DEMOLITION OF 1312 SW 34TH STREET" TO MIDWEST WRECKING IN THE AMOUNT OF \$38,210.00.

Jared Jakubowski, Associate Planner/Grants Manager, indicated that Agenda Item No. 13 was for award of Bid No. 1617-09 to Midwest Wrecking in the amount of \$38,210 for demolition of a salvage yard located at 1312 SW 34th Street. Mr. Jakubowski advised that the City was the current owner of the property and demolition of the site was necessary for construction of the new 34th Street Overpass. Mr. Jakubowski advised that the anticipated start date for the project would be June 19, 2015 with a 15-day completion date.

Councilman Cavnar moved to award Bid No. 1617-09 "Demolition of 1312 SW 34th Street" to Midwest Wrecking in the amount of \$38,210.00, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER A RESIDUAL FUND BALANCE TRANSFER FROM THE MOORE PUBLIC WORKS AUTHORITY TO THE GENERAL FUND IN THE AMOUNT OF \$500,000; AND SUPPLEMENT THE BUDGET ACCORDINGLY.

Brooks Mitchell, City Manager, advised that funds were budgeted in fiscal year 2015-2016 to pay the year end purchase orders. Mr. Mitchell indicated that the necessary transfer did not occur; therefore, staff was requesting authorization for the funds to be budgeted for other uses.

Councilwoman Hunt moved to approve a residual fund balance transfer from the Moore Public Works Authority to the General Fund in the amount of \$500,000; and supplement the budget accordingly, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 15 being:

CONSIDER APPROVAL OF A BUDGET SUPPLEMENT FOR THE RISK MANAGEMENT FUND IN THE AMOUNT OF \$1,925,000, AND THE CDBG-DR FUND IN THE AMOUNT OF \$7,000,000.

Brooks Mitchell, City Manager, stated that estimated revenues and expenditures were included in the budget for the Risk Management and CDBG-DR Funds. Mr. Mitchell advised that \$1,925,000 represented revenue the City received from the claims paid with the City's stop-loss insurance and \$7,000,000 represented revenues received and expenses paid.

Councilwoman McKenzie moved to approve a budget supplement for the Risk Management Fund in the amount of \$1,925,000, and the CDBG-DR Fund in the amount of \$7,000,000, second by Councilman Cavnar. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:57 P.M.

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD MAY 15, 2017.
- B) RATIFY ACTION OF THE CITY COUNCIL ON APPROVAL OF A RESIDUAL FUND BALANCE TRANSFER FROM THE MOORE PUBLIC WORKS AUTHORITY TO THE GENERAL FUND IN THE AMOUNT OF \$500,000.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$644,130.83.

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

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

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

Agenda Item Number 17 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD MAY 15, 2017.
- B) RATIFY ACTION OF THE CITY COUNCIL ON APPROVAL OF A BUDGET SUPPLEMENT FOR THE RISK MANAGEMENT FUND IN THE AMOUNT OF \$1,925,000, AND THE CDBG-DR FUND IN THE AMOUNT OF \$7,000,000.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$458,787.51.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:03 P.M.

Agenda Item Number 18 being:

NEW BUSINESS:

- A) CITIZENS' FORUM FOR ITEMS NOT ON THE AGENDA.

Rebekah Franklin, 239 N. Eastern, stated that she loved living in Moore and wanted permission to erect art in various locations within the City. Due to a physical disability she would require assistance in mounting the art work. Brooks Mitchell, City Manager, asked Ms. Franklin to leave contact information for him and he would be happy to discuss the matter with her further.

- B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Hamm asked if the new sign ordinance was in effect and if enforcement efforts had begun. Elizabeth Weitman, Community Development Director, indicated that letters were mailed out along with the first round of compliance letters regarding exterior property maintenance. Ms. Weitman stated that there were approximately 20 businesses that have not been very responsive. She advised that the sign ordinance was being enforced with all new applications. Every Friday staff canvasses the commercial areas to determine if temporary signs were in compliance. She asked Council to notify her of any specific areas that should be addressed.

Councilwoman Hunt asked about the status of an ordinance prohibiting storage containers. Mr. Mitchell indicated that staff would begin working on the issue again.

Councilman Hamm asked if the City offered an incentive to Warren Theatres for location of the theatre in Moore. Mr. Mitchell advised that there was a sales tax rebate agreement in effect for the IMAX theatre

and Holly's restaurant. Legal counsel was currently reviewing the rebate agreement to determine if the agreement would be nullified with the recent sale of the theatre.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, reminded everyone of the budget study session to be held immediately following the City Council meeting.

Agenda Item Number 19 being:

A) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED ROMA III, LTD., A FLORIDA LIMITED PARTNERSHIP V. THE CITY OF MOORE, ET AL., CASE NO. CV-2016-227-JV, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT, THE CITY OF MOORE, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

B) CONVENE TO EXECUTIVE SESSION.

Councilman Cavnar moved to convene to executive session, second by Councilwoman McKenzie. Motion carried unanimously.

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

The City Council convened into executive session at 7:05 p.m.

C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:27 p.m.

D) ACTION.

A) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED ROMA III, LTD., A FLORIDA LIMITED PARTNERSHIP V. THE CITY OF MOORE, ET AL., CASE NO. CV-2016-227-JV, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT, THE CITY OF MOORE, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman McKenzie moved to authorize staff to proceed as directed in executive session regarding Case No. CV-2016-227-JV, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 20 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:29 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

ADAM WEBB, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2017.

ATTEST:

LINDA STEWART, City Clerk