

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
SEPTEMBER 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 September 5, 2017 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, Cavnar, Webb, Hamm, Lewis
ABSENT: None

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; Associate Planner/Grants Manager, Jared Jakubowski; City Attorney, Randy Brink; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief, Gary Bird; Manager of Information Technology, David Thompson; Police Chief, Jerry Stillings; Captain Greg Anderson; Sergeant David Dickinson; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; Loss Control Officer, Brian Miller; Veolia Water Project Manager, Robert Pistole; and City Clerk, Linda Stewart.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 21, 2017.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD JULY 11, 2017.
- C) RECEIVE THE MINUTES OF THE SPECIAL PLANNING COMMISSION MEETING HELD JULY 25, 2017.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$44,213.00; AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2017-2018 IN THE AMOUNT OF \$2,192,401.84.

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

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

Agenda Item Number 3 being:

CONSIDER REZONING APPLICATION NO. RZ-965 LOCATED IN THE SW/4 OF SECTION 1, T10N, R3W, BEING NORTH OF NE 27TH STREET AND EAST OF EASTERN AVENUE, FROM A-2 SUBURBAN AGRICULTURAL DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT; AND APPROVE ORDINANCE NO. 871(17). APPLICATION BY GARY JOHNSON. (PLANNING COMMISSION RECOMMENDED APPROVAL 8-0). WARD 2.

Elizabeth Weitman, Community Development Director, advised that the subject property contained a residential home and outbuildings on approximately two acres located north of NE 27th Street and east of Eastern Avenue. The applicant proposed rezoning the property from A-2 Suburban Agricultural District to C-3 General Commercial District in order to market the property for commercial redevelopment. Ms. Weitman indicated that public water and sewer were available to serve the site. Access would be provided from N. Eastern Avenue through two existing driveways. She noted that the site was not located in a flood zone and all existing curb cuts would be reviewed in relation to traffic patterns and the surrounding development at the time of redevelopment.

Ms. Weitman advised that the Envision Moore 2040 Plan designed the area as Neighborhood Commercial. Allowable land uses include small scale office, retail, and service uses of neighborhood significance. Ms. Weitman advised that an amendment to the comprehensive plan would not be required since the proposed commercial development would be of limited intensity due to the location and size of the site making it compatible within the Neighborhood Commercial land use category.

Ms. Weitman stated that the subject property was located in an increasingly urbanized area with similar land uses located to the north and south. Staff recommended approval of the application based on growth trends in the area and compliance with the comprehensive plan, contingent upon removal of all existing structures on the lot prior to commercial redevelopment.

Councilman Hamm asked if the commercial development proposed for the area would include a wrecker service. Ms. Weitman indicated that a wrecker service was not an allowable land use in a C-3 zoning district. She advised that the applicant was in attendance to answer any questions about the proposed development.

Councilman Blair verified that the building structures need only be removed in the event of redevelopment. Ms. Weitman indicated that the applicant would be allowed to live in the home on the site until the property was sold. At that point the structures must be removed prior to redevelopment occurring.

No one spoke in opposition to the item.

Councilwoman Hunt moved to approve Rezoning Application No. RZ-965 located in the SW/4 of Section 1, T10N, R3W, being north of NE 27th Street and east of Eastern Avenue, from A-2 Suburban Agricultural District to C-3 General Commercial District; and approve Ordinance No. 871(17), second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER THE FINAL PLAT OF INTEGRIS EMERGENCY HOSPITAL ADDITION, LOCATED IN THE SW/4 OF SECTION 26, T10N, R3W, BEING NORTH OF SW 34TH STREET AND WEST OF INTERSTATE 35. APPLICATION BY NXE MOORE OWNER, LLC. (PLANNING COMMISSION RECOMMENDED APPROVAL 8-0). WARD 3.

Elizabeth Weitman, Community Development Director, stated that the subject site contained approximately 6.5 acres located north of SW 34th Street and west of the S. I-35 Service Road. Ms. Weitman advised that the property was included in a parent tract consisting of a total of 42 acres that was zoned C-3 General Commercial District with a Permissive Use for a hospital. Ms. Weitman noted that the applicant would plat only 6.5 acres for the hospital at this time. The property would be served by an 8" waterline and a 10" sewerline extended south from the Riverwalk Development along the east property line to the site. Access was proposed from SW 34th Street through an internal private collector road to the west of the lot and one driveway from the S. I-35 Service Road. The off-site private collector road would be extended as the larger parent tract was developed in the future and would provide pedestrian access from the planned SW 34th Street multi-use trail through a sidewalk to the hospital. Additionally, the road should include a public pedestrian easement for future extension of a multi-use trail to provide pedestrian and bicycling access from the surrounding area to the Riverwalk Commercial development as outlined in the Envision Moore 2040 Plan.

Ms. Weitman indicated that no FEMA designated floodplain or floodway was located on the site. However, required on-site storm water detention would be provided by a temporary detention facility until such time as a permanent sub-regional detention pond was constructed with the new phase of development on the larger parent tract. At that time the temporary detention facility would be repurposed.

The Envision Moore 2040 Plan designated the area as a Regional Center with land uses typically larger in scale with no outside storage. All uses within the I-35 Corridor should be conducive to shopping, dining and entertainment activities. Ms. Weitman indicated that since the application met the intent of the comprehensive plan an amendment would not be required; therefore, staff recommended approval of the item.

Councilman Cavnar moved to approve the Final Plat of Integris Emergency Hospital Addition, located in the SW/4 of Section 26, T10N, R3W, being north of SW 34th Street and west of Interstate 35, second by Councilman Blair. Motion carried unanimously.

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

Councilman Hamm asked when the project would commence. Ms. Weitman advised that plans for the development had been submitted and were under review. She anticipated the project would begin soon. Mayor Lewis indicated his understanding that the applicant hoped to start construction around the first of November.

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:40 P.M.

Agenda Item Number 5 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 21, 2017.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2017-2018 IN THE AMOUNT OF \$319,385.94.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:42 P.M.

Agenda Item Number 6 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 21, 2017.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2017-2018 IN THE AMOUNT OF \$153,718.77.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:43 P.M.

Agenda Item Number 7 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 thanked Assistant City Managers Stan Drake and Todd Jenson for their quick response in addressing concerns he had reported to them.

Mayor Lewis noted that recent street striping projects looked good and stated that he had received many positive comments about it.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, advised the City Council of the following items:

Four workshops were held for the Down Payment and Closing Cost Assistance Program for low to moderate income families. Approximately 170 individuals attended the workshops resulting in 13 applications for CDBG-DR grant funds.

Citizen John Hanes attended several City Council Meetings to share his concerns regarding on-street parking along Silverleaf Drive. Mr. Mitchell stated that the following concerns were reviewed:

- Mr. Hanes mentioned difficulty getting his polycart picked up. Richard Sandefur, Public Works Director, indicated that of the 800 homes included in each sanitation route, only about 5 houses per route must be picked up manually due to the polycart being blocked. He did not feel that 5 out of 800 homes indicated a big problem. He encouraged citizens to park at least three feet from the polycarts to allow access for the sanitation trucks.
- He spent a few hours observing Silverleaf during the Moore War event on Friday. There was a lot of traffic with a number of cars parked on the street; however, traffic appeared to move without much problem.
- A fire engine drove down Silverleaf and, even with the additional traffic, the engine was able to negotiate the street without any problems.
- Mr. Mitchell visited with residents of the neighborhood who mentioned that they were in support of on-street parking, although they had some safety concerns. They did feel that on-street parking issues had improved during football games at the high school with the construction of the church.

He indicated that the best way to address safety concerns was to install sidewalks in the area. Mr. Mitchell asked that citizens be cognizant of where they park so they don't block anyone and to park close to the curb. He expressed his appreciation to those individuals who attend the Council meetings. He suggested that citizens contact his office for an appointment to express any concerns. This would allow a more in-depth discussion and allow him to gather information to present to the City Council. Councilman Webb expressed his appreciation to Mr. Mitchell and his staff for the time they invested in researching the issue. Councilman Hamm also expressed his appreciation.

Agenda Item Number 8 being:

EXECUTIVE SESSION:

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED BROADMOORE GOLF CLUB, L.C. V. THE CITY OF MOORE, CASE NO. CJ-2016-749; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT(S) AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) CONSIDER APPROVAL OF THE FISCAL YEAR 2017-2018 CONTRACT BETWEEN THE CITY OF MOORE AND THE FRATERNAL ORDER OF POLICE ("FOP") LODGE 131 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).
- C) CONVENE TO EXECUTIVE SESSION.

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

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

The City Council convened into executive session at 6:49 p.m.

D) RECONVENE FROM EXECUTIVE SESSION

PRESENT: McKenzie, Blair, Hunt, Cavnar, Webb, Hamm, Lewis
ABSENT: None

The City Council reconvened from executive session at 7:22 p.m.

E) ACTION.

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED BROADMOORE GOLF CLUB, L.C. V. THE CITY OF MOORE, CASE NO. CJ-2016-749; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT(S) AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman McKenzie moved to authorize legal counsel and staff to proceed as directed in executive session regarding pending litigation styled Broadmoore Golf Club, L.C. v. The City of Moore, Case No. CJ-2016-749), second by Councilman Webb. Motion carried unanimously.

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

- B) CONSIDER APPROVAL OF THE FISCAL YEAR 2017-2018 CONTRACT BETWEEN THE CITY OF MOORE AND THE FRATERNAL ORDER OF POLICE ("FOP") LODGE 131 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

Councilman Webb moved to approve the Fiscal Year 2017-2018 contract between the City of Moore and the Fraternal Order of Police ("FOP") Lodge 131, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 9 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:24 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