

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
AUGUST 5, 2013 – 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 5, 2013 at 6:30 p.m. with Mayor Glenn Lewis presiding.

*David Roberts
Councilman, Ward I*

*Robert Krows
Councilman, Ward I*

*Scott Singer
Councilman, Ward II*

*Mark Hamm
Councilman, Ward II*

*Jason Blair
Councilman, Ward III*

*Terry Cavnar
Councilman, Ward III*

PRESENT: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
ABSENT: None

STAFF MEMBERS PRESENT: City Manager, Steve Eddy; Assistant City Manager, Stan Drake; City Clerk/Finance Director, Jim Corbett; City Attorney, Randy Brink; Community Development Director, Elizabeth Jones; Fire Chief, Gary Bird; Manager of Information Technology, David Thompson; Parks and Recreation Director, Todd Jenson; Police Chief, Jerry Stillings; Public Works Director, Richard Sandefur; Risk Manager, Gary Benefield; and Purchasing Agent, Carol Folsom.

Rob Morris with Trifecta Communications presented a banner to the City of Moore on behalf of the people of Newtown, Connecticut, and Todd Keeping, the security officer for Sandy Hook Elementary School. Mr. Morris stated that four individuals from the City of Newtown brought donations to Moore. Mr. Morris stated that he was amazed by the compassion of these individuals and their desire to help. Officer Keeping notified Trifecta that he would be putting up a banner for signatures to show support for the citizens of Moore and asked that Trifecta present it to the City Council on their behalf. Mr. Keeping felt the banner was a way to say that although the tragedies each city experienced were different, the impact on the communities was the same. He wanted the City to know that we are not alone, will never be alone, and that we are in this together. Mr. Morris pointed out a small duck on the banner. He explained that the duck was significant in the recovery of the children in Newtown who were afraid to go to school following the shootings. Officer Keeping and his friends came up with the idea of giving out ducks to each child to encourage school attendance. Now communities all over the country have begun to use the ducks with traumatized children. Mr. Morris announced that Newton is planning on sending ducks for children from Plaza Towers, Briarwood Elementary, and Highland East before the start of school. The City Council expressed their appreciation to Sandy Hook Elementary and the City of Newtown for all they have done.

Steve Eddy, City Manager, introduced Animal Control Supervisor Gayla Seshier who recognized the volunteers that have put in many hours of service following the May 20, 2013 tornado. Ms. Seshier

introduced Carlene Storm, Cheryl Pierce, Erin Brickman, June Myers, Connie Gray, and Molly Gibb who came almost every day to serve at the temporary shelter. Ms. Seshier advised that the volunteers assisted in a variety of ways, from organizing volunteers and walking dogs, to providing veterinary assistance. She also recognized Dr. Kristi Scroggins who provided the necessary medical support for the animals. She stated that the City was very appreciative of the huge amount of support that was offered from across the nation. Mayor Lewis expressed his appreciation for everyone's hard work and dedication.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 15, 2013.
- B) APPROVE THE MINUTES OF THE SPECIAL WORK STUDY SESSION HELD JULY 10, 2013.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$398,778.45 AND 2013-2014 IN THE AMOUNT OF \$1,414,269.08.

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

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 3 being:

CONSIDER DECLARING A COVERED BRIDGE AT VETERANS PARK AS SURPLUS TO BE SOLD AT A MINIMUM BID OF NO LESS THAN \$5,000.

Todd Jenson, Parks and Recreation Director, stated that the covered bridge at Veterans Park was damaged by the May 20, 2013 tornado and received further damage from the May 31, 2013 storm. Mr. Jenson asked that the bridge be declared surplus and sold with a minimum bid of \$5,000.

Councilman Krows moved to declare a covered bridge at Veterans Park as surplus to be sold at a minimum bid of no less than \$5,000, second by Councilman Roberts. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 4 being:

CONSIDER A BUDGET SUPPLEMENT TO THE GO STREET BOND FUND IN THE AMOUNT OF \$3,547,128.82; THE GENERAL FUND IN THE AMOUNT OF \$470,588.80; THE SPECIAL REVENUE FUND IN THE AMOUNT OF \$5,341,188.92; THE PUBLIC SAFETY BUILDING FUND IN THE AMOUNT OF \$4,144,275.53; THE PUBLIC SAFETY/STREET SALES TAX FUND IN THE AMOUNT OF \$636,621.72; AND THE PARK IMPROVEMENTS FUND IN THE AMOUNT OF \$642,797.56, FOR OUTSTANDING PURCHASE ORDERS FROM JUNE 30, 2013.

Jim Corbett, Finance Director, stated that the budget supplements represent projects or purchases that were in process at fiscal year-end. Mr. Corbett requested that the items be carried over to the new fiscal year and the budget supplemented accordingly.

Councilman Roberts moved to approve a budget supplement to the GO Street Bond Fund in the amount of \$3,547,128.82; the General Fund in the amount of \$470,588.80; the Special Revenue Fund in the amount of \$5,341,188.92; the Public Safety Building Fund in the amount of \$4,144,275.53; the Public Safety/Street sales tax Fund in the amount of \$636,621.72; and the Park Improvements Fund in the amount of \$642,797.56, for outstanding Purchase Orders from June 30, 2013, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 5 being:

CONSIDER A BUDGET SUPPLEMENT TO THE SPECIAL REVENUE FUND IN THE AMOUNT OF \$10,000,000.

Jim Corbett, Finance Director, stated the proposed budget supplement is for the estimated costs associated with the tornado. Mr. Corbett advised that the City received its first FEMA reimbursement and the money was used to pay the bills to date. He stated that the City should be receiving additional FEMA funds within the next two to three weeks.

Councilman Krows asked if the amount of the reimbursement was what we were expecting. Mr. Corbett stated that FEMA uses a sliding scale to determine the amount of reimbursement. Mr. Eddy indicated that the first payment includes an 85% reimbursement of the debris removal costs. The remaining payments are paid on a sliding scale. Other types of costs associated with the tornado, such as overtime and losses on materials and equipment, are paid at 75%. Mr. Corbett noted that the City will release payments on invoices as the money arrives from FEMA.

Councilman Krows moved to approve a budget supplement to the Special Revenue Fund in the amount of \$10,000,000, second by Councilman Singer. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 6 being:

CONSIDER THE PURCHASE OF ENERGOV SOLUTION SOFTWARE FROM TYLER TECHNOLOGIES IN THE AMOUNT OF \$73,246 TO IMPLEMENT A FULLY AUTOMATED PERMITTING AND LICENSING SYSTEM FOR BUILDING INSPECTIONS.

David Thompson, Manager of Information Technology, stated that the proposed software purchase from Tyler Technologies in the amount of \$73,246 will allow for full automation of the permitting and licensing systems for Building Inspections and Code Enforcement. This software offers a mobile app feature that will allow staff to enter tickets and take pictures in the field. Elizabeth Jones, Community Development Director, felt that the software would also be beneficial by allowing citizens to do more business online freeing up staff to do other things. The software will allow citizens to make payments, submit building permits, and obtain inspection results online.

Steve Eddy, City Manager, indicated that virtually all of the software the City uses comes from Tyler Technologies; therefore, it will be compatible with the accounts receivable and billing software systems.

Councilman Hamm questioned estimated travel expenses in the amount of \$12,299. Mr. Thompson stated that they are onsite for several weeks for training purposes.

Councilman Cavnar moved to approve the purchase of Energov Solution software from Tyler Technologies in the amount of \$73,246 to implement a fully automated permitting and licensing system for Building Inspections, second by Councilman Roberts. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 7 being:

CONSIDER RENEWAL OF THE PUBLIC WORKS CONTRACT WITH SILVER STAR CONSTRUCTION FOR A PERIOD OF SIX MONTHS.

Steve Eddy, City Manager, stated that the public works contract with Silver Star Construction must be extended for a period of six months to prevent a break in the contract since they are handling debris removal and working closely with FEMA. It is the City's intention to rebid the contract after it expires.

Councilman Krows moved to renew the public works contract with Silver Star Construction for a period of six months, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 8 being:

CONSIDER RENEWAL OF A CONTRACT WITH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS ("ACOG") FOR PHASE II OF THE WASTELOAD ALLOCATION STUDY AT THE CANADIAN RIVER.

Steve Eddy, City Manager, advised that the City has been participating in a Wasteload Allocation Study of the Canadian River for approximately two years. The study is an evaluation of the river where the effluent is released from the wastewater treatment plant. It is a technical study that is necessary to protect the river and by determining each city's allocation of the total amount of effluent dumped into the river. The original fee for participation in the study was approximately \$200,000. Mr. Eddy anticipated a final billing very soon since the study is nearing completion. The Department of Environmental Quality asked for the City's participation in the study to make certain the allocation was safe. The allocation is the amount of environmental loading that can safely be placed in the river.

Councilman Hamm noted that the contract had a not to exceed amount of \$190,000. Mr. Eddy stated that the contract could be tabled for two weeks to give him an opportunity to obtain additional information. He stated that it was his understanding that there were additional costs incurred. Councilman Hamm asked how the amount of the contract was determined for each participating city. Mr. Eddy indicated that the City's engineer could address the City Council with a detailed explanation; however, it is based on each City's allocation at the time of the study. The City's allocation was 4.5 million gallons per day or 26% of the total wasteload. He noted that the project was bid out through ACOG in conjunction with the Department of Environmental Quality.

Councilman Singer asked if participation in the study was mandated by the DEQ. Mr. Eddy stated that it was not mandated but felt it would be beneficial to cooperate with the DEQ otherwise our allocation at the river might be affected or the new discharge permit requirements significantly more onerous. He anticipated that the DEQ will be reducing the amount of the allocations since the designation of the river was changed.

Councilman Hamm moved to table the item to the August 19, 2013 City Council meeting, second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:03 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JULY 15, 2013.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$538,881.84 AND FY 2013-2014 IN THE AMOUNT OF \$328,985.82.

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

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 10 being:

CONSIDER A BUDGET SUPPLEMENT TO THE MOORE RISK MANAGEMENT FUND IN THE AMOUNT OF \$9,944.08 AND TO THE MOORE PUBLIC WORKS AUTHORITY FUND IN THE AMOUNT OF \$8,106,393.05 FOR OUTSTANDING PURCHASE ORDERS FROM JUNE 30, 2013.

Jim Corbett, Finance Director, stated that the budget supplements to the Moore Public Works Authority Fund are carryovers from fiscal year end.

Trustee Krows moved to approve a budget supplement to the Moore Risk Management Fund in the amount of \$9,944.08 and to the Moore Public Works Authority Fund in the amount of \$8,106,393.05 for outstanding purchase orders from June 30, 2013, second by Trustee Blair. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

Agenda Item Number 11 being:

CONSIDER APPROVING THE PURCHASE OF 425 POLYCARTS FROM THE LOWEST AND BEST QUOTE.

Richard Sandefur, Public Works Director, advised that staff solicited quotes for the purchase of 425 polycarts. The City purchased the last set of polycarts from Toter. Mr. Sandefur advised that Toter was not proposing a price increase and offered the lowest quote.

Councilman Krows asked if the polycarts would be replacing those lost in the tornado. Mr. Sandefur indicated that a large number of them will replace polycarts that were lost or damaged in the storms. The other carts will be used for new homes or replacements for worn out carts. Councilman Cavnar asked if FEMA will reimburse the City for the cost of the polycarts. Jim Corbett, Finance Director, stated that FEMA will reimburse 75% of the cost of the polycarts damaged in the storm.

Trustee Krows moved to approve the purchase of 425 polycarts from Toter, second by Trustee Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:07 P.M.

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JULY 15, 2013.
- B) APPROVE PAYMENT OF A COURT ORDERED WORKER'S COMPENSATION SETTLEMENT IN THE AMOUNT OF \$38,760 TO JASON SMITH FOR CLAIM NO. WC-2012-11485-K; AND AUTHORIZE PLACEMENT ON THE PROPERTY TAX ROLL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2012-2013 IN THE AMOUNT OF \$198,506.77.

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

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:08 P.M.

Agenda Item Number 13 being:

NEW BUSINESS:

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

Don Snow, 305 Pauline Renee, stated that he owns property at 1330 Nail Parkway. He advised that during significant rainfall the street floods and washes into his home. Mr. Snow stated that this was the second time he has received water damage. The storm drain across the street doesn't drain quickly enough causing the water to back up. Mr. Snow believes the housing addition is receiving additional runoff from the adjacent property. He related that during heavy rains cars driving into the water become flooded necessitating a rescue. Councilman Krows asked how long it takes for the water to recede. Mr.

Snow estimated two to three hours. Stan Drake, Assistant City Manager, indicated that the flooding is a result of the street design and an undersized storm drain. The City has attempted various things to alleviate the problem but the flooding has never been totally fixed. He stated that the City had an engineer research the issue and prepare a design to correct the problem. Estimates will need to be obtained to determine the cost for the project. Councilman Krows asked what the repair would involve. Mr. Drake stated that the plans call for additional piping on Meadowbrook and the relocation of utility services. Mayor Lewis suggested purchasing some of the property behind the addition and building a detention pond. He asked that staff obtain cost estimates for both options. Councilman Roberts asked for an estimate for correcting the drainage issue using the engineering plans. Mr. Drake felt it would cost around \$250,000. Mr. Snow added that during the flooding cars parked in the lower half of the drive will float into the street. Some people are even trapped in their homes until the water recedes. Councilman Roberts asked about using HUD funds to mitigate storm related problems. Mr. Eddy stated that he would check to see if the project would be eligible for Disaster Recovery Funds.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Krows asked what citizens would do with a house that needs to be demolished after the August 15, 2013 deadline. Mr. Eddy stated that property owners of the remaining 112 homes that received heavy damage from the May 20, 2013 tornado were sent a Notice of Condemnation approximately two weeks ago. A hearing date is set to give them an opportunity to report legitimate insurance concerns or situation that might constitute an extension. If the debris is not out by August 15th the property owner will be responsible for demolition of the home and the removal of the debris. If no action is taken and they do not appear at the condemnation hearing the City will tear down the home and remove the debris after which a lien will be placed on the property. Councilman Krows asked how many responses were received from the letter. Elizabeth Jones, Community Development Director, advised that approximately half of the 112 property owners had contacted her department and she anticipates around 40 to 60 properties will be set for a condemnation hearing.

Mayor Lewis asked about the status of the shopping center on the north side of 19th Street that sustained heavy damage. Ms. Jones indicated that they were posted for condemnation. They have contracted for demolition of the site for the end of August; however, the City would like to see that timeline moved up.

Councilman Hamm commented on articles he read regarding the City of Norman requesting assistance from the Moore Fire Department for water rescues since they did not have a boat. He was impressed with the response from the Moore Fire Department and the fact that we had the equipment and training to make that rescue possible.

Councilman Hamm asked for an update on the 12th Street Project. Stan Drake, Assistant City Manager, stated that five lanes will be open on 12th Street by the end of the week. They will finish up the curbing by the church west of the I-35 Service Road and they still have work on City Avenue north of 12th Street and Northmoore Avenue in front of Wendy's and Western Sizzlin. They will put up temporary striping this week and open it up to traffic. The permanent striping will occur over the weekend and they will move to sidewalks and dirt work.

Councilman Hamm asked if the utility relocations are occurring in anticipation of the Broadway project. Mr. Drake stated that ONG relocations are complete and AT&T is in the process. The City will need to relocate some water lines. The project should begin within the next week or two.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Fire Chief Gary Bird presented the City Council with a challenge coin. Chief Bird advised that the coins were given out to individuals who helped the City following the disaster and the Fire Department would like the Council Members to have one.

Agenda Item Number 14 being:

ADJOURNMENT

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

Ayes: Krows, Blair, Singer, Cavnar, Roberts, Hamm, Lewis
Nays: None

The City Council, Moore Public Works Authority, Moore Risk Management and Moore Economic Development Authority meetings were adjourned at 7:26 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

DAVID ROBERTS, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2013.

ATTEST:

JIM CORBETT, City Clerk