

**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
OCTOBER 17, 2022 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on October 17, 2022 at 6:30 p.m. with Vice-Mayor Adam Webb 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

Louie Williams
Councilman, Ward III

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

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Randy Brink; Assistant City Attorney, Brian Miller; City Clerk, Vanessa Kemp; Communications Supervisor, Tammy Koehn; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief Greg Herbster; Human Resources Director, Christine Jolly; Manager of Information Technology, David Thompson; Major Ted Belling; Parks and Recreation Director, Sue Wood; Public Affairs Director, Deidre Ebrey; Public Works Director, Tony Mensah; Sergeant Nathan Wells; and Veolia Water Project Manager, Robert Pistole.

Councilman Hamm read a proclamation declaring October 23-31, 2022 as "Red Ribbon Week" in the City of Moore. He announced that the Red Ribbon Parade will be held on Saturday, October 29, 2022 beginning at 10:00 a.m.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 3, 2022.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD AUGUST 2, 2022.
- C) ACCEPT PUBLIC WATER IMPROVEMENTS TO SERVE THE GRACE POINTE ADDITION-WALKER TOWER, BEING SOUTH OF NE 12TH STREET AND WEST OF SANTA FE AVENUE. APPLICATION BY RON WALTERS.
- D) ACCEPT PUBLIC WATER, SEWER, PAVING AND DRAINAGE IMPROVEMENTS TO SERVE THE EDGEWATER ADDITION, SECTION 3, BEING SOUTH OF SE 19TH STREET AND WEST OF SUNNYLANE AVENUE. APPLICATION BY R & R HOMES, LLC/RUSSELL CLARK.
- E) ACCEPT 810 SQ. FT. OF PERMANENT ROADWAY EASEMENT AND 350 SQ. FT. OF TEMPORARY CONSTRUCTION EASEMENT FROM THE LLOYD S. ELLIOTT TRUSTEE FOR CONSTRUCTION AND MAINTENANCE OF THE EASTERN AVENUE WIDENING AND RECONSTRUCTION PROJECT.

- F) ADOPT RESOLUTION NO. 39(22) ESTABLISHING THE 9-1-1 EMERGENCY TELEPHONE FEE RATE FOR FY 2023.
- G) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$2,800,143.45.

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

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

Agenda Item Number 3 being:

DISCUSS INTERSECTION ALTERNATIVES PREPARED BY EST ENGINEERING SERVICES FOR THE BROADWAY AND EASTERN AVENUE WIDENING PROJECT AND AUTHORIZE STAFF TO PROCEED AS DIRECTED.

Jerry Ihler, Assistant City Manager, stated that EST Engineering Services made a presentation at the October 3, 2022 City Council Meeting regarding intersection alternatives for the Broadway and Eastern Avenue street widening projects. Mr. Ihler advised that Amanda Newberry, Project Manager with EST, would give a short review of the preferred intersection alternatives for the two projects.

Ms. Newberry began her presentation by discussing the top two options for the Broadway/Tower Drive and 19th Street intersection which is skewed on the south leg with Broadway at a 42 degree angle instead of perpendicular with Tower Drive.

Concept 2A:

Close Linda Lane allowing two t-intersections with signal lights that work together. The 19th Street traffic would be allowed to clear both signal lights on green. The only cars that might be stopped would be those that would turn on Tower Drive or Broadway. Currently the intersection has a level of service of a C in the a.m. and a D in the p.m. **Ms. Newberry indicated that this option was the engineer's recommended alternative and offered the best level of service with an A in the a.m. and a B in the p.m. This level of service was projected to remain at these levels until 2045.**

Concept 3:

Improve the skew without acquiring property. This option leaves Linda Lane open with a single signal light on 19th Street with a four-legged intersection. Shift Broadway to improve the skew and the right turn lane. Ms. Newberry indicated that the intersection operates at a B in the a.m. and a C in the p.m.

THE FOLLOWING CONCEPTS WERE OFFERED FOR THE BROADWAY AND EASTERN INTERSECTION:

Ms. Newberry stated that this was a narrow x-intersection with a significant skew in both directions.

Concept 1:

Skew improved by swinging Broadway out in both directions. It will be a 4-legged intersection with a signal light and 24th will connect into Broadway. The level of service after improvements would be a B for both a.m. and p.m.

Concept 3:

Off-set roundabout at the existing intersection but shifted slightly to the east. This option would not impact the church but would take a minimal amount of City property designated for a park. The 24th Street connection would be to Eastern. **This option is the engineer's recommended alternative. Level of service would be A for both a.m. and p.m.** By 2045 if nothing is done to the intersection the level of service for morning and evening would be an F.

Citizens to Speak:

Tom Poyser, 4217 Farm Road, spoke against the option of a roundabout.

Councilwoman McKenzie asked Ms. Newberry to provide additional information regarding the use of a roundabout. Ms. Newberry advised that a single lane roundabout can accommodate 25,000 vehicles. This intersection has about 7,000 vehicles. A multi-lane roundabout is recommended which increases the capacity further. The possibility of injury crashes is reduced by 72% to 80% based on a nationwide study for conversion of a stop sign or signal to a roundabout. No head on collisions can occur since everyone is going in one direction. She stated that it won't prevent all crashes but it does significantly reduce the number of injury crashes.

Brooks Mitchell, City Manager, indicated that once Council makes a recommendation on their preferred alternative EST can begin work on providing more detailed plans. He added that there would still be an opportunity to go in another direction if necessary. The project would also be on a future ballot for consideration as a GO Bond project.

Councilman Hamm moved to direct staff to proceed with the engineer's recommendations with Concept 2A for the Broadway/Tower Drive and 19th Street intersection and Concept 3 for the Broadway and Eastern intersection, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER ADOPTING RESOLUTION NO. 38(22) DECLARING THE NECESSITY FOR ACQUIRING CERTAIN REAL PROPERTY AND/OR EASEMENTS FROM THE BROOKLYN CO., LLC NEAR EASTERN AVENUE AND SE 19TH STREET, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF MOORE, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE EASTERN AVENUE WIDENING AND RECONSTRUCTION PROJECT, IN THE CITY OF MOORE; AND DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR ROADWAY AND DRAINAGE PURPOSES.

Jerry Ihler, Assistant City Manager, advised that adoption of Resolution No. 38(22) would authorize staff to begin the imminent domain process for acquiring two pieces of property located near SE 19th and Eastern Avenue owned by The Brooklyn Company, LLC. The northeast and northwest corners of the SE 19th and Eastern Avenue intersection each contain triangular pieces of property around 200 square feet in size that is necessary for the Eastern Avenue widening and reconstruction project due to begin in a few weeks. Mr. Ihler advised that through the negotiation process the project was redesigned to accommodate the existing signs at the request of the owner; however, because a compromise still has not been reached it was felt that the imminent domain process should begin to prevent a delay in construction. He noted that because work will start on the north end of the project staff can continue to negotiate for acquisition of the property for a short time longer.

Councilwoman Hunt moved to adopt Resolution No. 38(22) declaring the necessity for acquiring certain real property and/or easements from The Brooklyn Co., LLC near Eastern Avenue and SE 19th Street, more particularly hereinafter described, all within the City of Moore, County of Cleveland, State of Oklahoma, for the purpose of the Eastern Avenue Widening and Reconstruction Project, in the City of Moore; and declaring the necessity for acquiring said property for roadway and drainage purposes, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER REZONING APPLICATION NO. RZ-1025, LOCATED IN THE NW/4 OF SECTION 31, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND EAST OF S. BRYANT AVENUE, FROM A-1 RURAL AGRICULTURAL DISTRICT TO A-2 SUBURBAN AGRICULTURAL DISTRICT; AND APPROVE ORDINANCE NO. 10(22). APPLICATION BY VINCE DENNIS. (PLANNING COMMISSION RECOMMENDED DENIAL 6-0). WARD 1.

Elizabeth Weitman, Community Development Director, advised that Rezoning Application No. RZ-1025 was tabled from the October 3, 2022 City Council Meeting to give the Ward 1 council members, who were absent from the meeting, additional time to research the rezoning request and neighboring property owner's opposition to it. Ms. Weitman stated that the applicant proposed rezoning the 5-acre site, located south of SE 34th and east of S. Bryant Avenue, from A-1 Rural Agricultural District to A-2 Suburban Agricultural District for a lot split and new home construction in the future. She advised that the site utilizes private water and septic systems although access to a public water line is available for fire suppression purposes only. Access to the property is provided from private roadways at SE 38th and Turtle Creek Drive maintained by the Homeowners' Association. Mr. Weitman stated that the property was located in the Turtle Creek Neighborhood established by a Plat of Survey which is a land division tool allowed under State law that is prepared by a surveyor and filed in the County that does not go through the subdivision review process or approval by Council. She indicated that all of the lots in Turtle Creek are a minimum of 5 acres in size. It was noted that if the item were approved it could set a precedent in the neighborhood. The neighbors are opposed to the application because they feel it would alter the character of the neighborhood and would be a violation of the Neighborhood Covenants and Restrictions. Staff recommended denial of the application. Ms. Weitman advised that a Protest Petition was signed by all of the property owners within the 300' protest radius. She noted that some of the names were attached to a Trust and staff had been unable to verify that the individuals are an official signatory for the Trust. For that reason the protest cannot be considered an Official Protest but does match information available on county records.

Vice-Mayor Webb and Councilwoman McKenzie advised that they represent Ward 1 and have had numerous discussions regarding the proposed rezoning application but encouraged comments from the applicant and those individuals who appeared in protest to the item.

Citizens to Speak:

David McCurdy, 4001 Turtle Creek, spoke against the rezoning application. He stated that the property owners in the neighborhood do not want to start a precedent for subdividing their lots.

Applicant Vince Dennis, 3900 Turtle Creek, stated that his family contributed to the community. They have a family business and hired local people. When the tornado came through on 4th Street his family volunteered their time and donated needed items. Mr. Dennis stated that this was the first time he came

before the City Council to ask for anything. He wants to construct a one-story 3,500 square foot home on the front two-acres of his property. It would not require special access and he did not feel it would negatively impact the neighborhood. His is the only 5-acre lot that is up against a subdivision that contains 135 houses on 60 acres.

Vice-Mayor Webb stated that the City Council received multiples calls regarding the issue. He commented that he was sympathetic to the individuals' situation on each side of the rezoning application. Councilman Hamm commented that some of the decisions for the City Council are difficult ones. He stated that the decision each council member makes isn't personal but they must do what they feel is best for the City as a whole.

Councilwoman McKenzie moved to deny Rezoning Application No. RZ-1025, located in the NW/4 of Section 31, T10N, R2W, being south of SE 34th Street and east of S. Bryant Avenue, from A-1 Rural Agricultural District to A-2 Suburban Agricultural District; and deny Ordinance No. 10(22), second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER ADOPTING RESOLUTION NO. 32(22) PROGRAMMING TRAFFIC SIGNAL DETECTION AND EMERGENCY PRE-EMPTION UPGRADES OF THE N. 27TH STREET CORRIDOR FROM EASTERN AVENUE TO SANTA FE AVENUE AS A CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) PROJECT.

Elizabeth Weitman, Community Development Director, stated that Agenda Items No. 6 through 11 are resolutions requesting ACOG grant funding. Ms. Weitman advised that Resolution No. 32(22) was for an upgrade to signal lights for the N. 27th Street Corridor from Eastern Avenue to Santa Fe Avenue to replace vehicle detection systems with a radar detection system to assist with stacking of the vehicles and emergency vehicle pre-emption. The total anticipated cost for the project was \$738,618. She stated that ACOG's can distribute up to \$500,000 in Coronavirus Response and Relief Supplement Appropriation funds with no match required. Anything above \$500,000 would be the responsibility of the City's. She stated that this is not a competitive grant and as long as the City meets the requirements they should receive award of the grant.

Councilwoman Hunt moved to adopt Resolution No. 32(22) programming Traffic Signal Detection and Emergency Pre-Emption upgrades of the N. 27th Street Corridor from Eastern Avenue to Santa Fe Avenue as a Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) project, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER ADOPTING RESOLUTION NO. 33(22) PROGRAMMING THE RE-ALIGNMENT OF THE S. EASTERN AVENUE AND S. BROADWAY AVENUE INTERSECTION AS A SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) PROJECT.

Elizabeth Weitman, Community Development Director, stated that Resolution No. 33(22) would program the realignment of the Eastern Avenue and S. Broadway Avenue Intersection Project which includes a multi-use trail, streetscape, and stormwater quality improvements for Surface Transportation Program Urbanized Area (STP-UZA) funds. Ms. Weitman advised that the resolution was written generically to allow for whatever engineering plan Council chose under Agenda Item No. 3. The engineer's estimate for the project is \$6,890,040. If awarded grand funds would pay for 80% of the project cost with the remaining 20% paid for by the City.

Councilman Blair moved to adopt Resolution No. 33(22) programming the re-alignment of the S. Eastern Avenue and S. Broadway Avenue Intersection as a Surface Transportation Program Urbanized Area (STP-UZA) project, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER ADOPTING RESOLUTION NO. 34(22) PROGRAMMING THE APPLICATION OF MULTI-POLYMER TRAFFIC STRIPING ALONG THE N. 27TH STREET CORRIDOR FROM EASTERN AVENUE TO SANTA FE AVENUE AS A SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) SAFETY PROJECT.

Elizabeth Weitman, Community Development Director, stated that Resolution No. 34(22) was for application for funding of a street striping project along the N. 27th Street Corridor from Eastern to Santa Fe Avenue. The estimated cost of the project is \$159,928. If awarded this grant would be funded 100% of the project.

Councilwoman McKenzie moved to adopt Resolution No. 34(22) programming the application of multi-polymer traffic striping along the N. 27th Street Corridor from Eastern Avenue to Santa Fe Avenue as a Surface Transportation Program Urbanized Area (STP-UZA) Safety project, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER ADOPTION RESOLUTION NO. 35(22) PROGRAMMING THE RE-ALIGNMENT AND WIDENING OF THE SW 19TH STREET AND S. BROADWAY AVENUE INTERSECTION AS A SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) PROJECT.

Elizabeth Weitman, Community Development Director, stated that Resolution No. 35(22) was written generically to incorporate the engineering option chosen by Council under Agenda Item No. 3 for the re-alignment and widening of the SW 19th Street and S. Broadway Avenue Project. The project would include a dedicated left turn lane, right turn lanes, streetscaping, a multi-use trail, sidewalks, and stormwater quality measures. Ms. Weitman indicated that the estimated cost for the project was \$4,367,960. If approved the grant would be an 80% award with 20% in matching funds.

Councilwoman McKenzie moved to adopt Resolution No. 35(22) programming the re-alignment and widening of the SW 19th Street and S. Broadway Avenue Intersection as a Surface Transportation Program Urbanized Area (STP-UZA) project, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER ADOPTING RESOLUTION NO. 36(22) PROGRAMMING TRAFFIC SIGNAL DETECTION AND EMERGENCY PRE-EMPTION UPGRADES OF THE TELEPHONE ROAD CORRIDOR FROM NW 5TH STREET TO SW 34TH STREET, EXCLUDING THE SW 19TH TRAFFIC SIGNAL, AS A SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) SAFETY PROJECT.

Elizabeth Weitman, Community Development Director, stated that Resolution No. 36(22) would program upgrades to signal lights for the Telephone Road Corridor from NW 5th Street to SW 34th Street with a radar detection system for stacking of the vehicles and emergency vehicle pre-emption. The total anticipated cost of the project was \$698,575. If approved the project would receive 100% funding.

Councilwoman Hunt moved to adopt Resolution No. 36(22) programming Traffic Signal Detection and Emergency Pre-Emption upgrades of the Telephone Road Corridor from NW 5th Street to SW 34th Street, excluding the SW 19th Traffic Signal, as a Surface Transportation Program Urbanized Area (STP-UZA) Safety project, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER ADOPTING RESOLUTION NO. 37(22) PROGRAMMING THE RECONSTRUCTION AND WIDENING OF TELEPHONE ROAD FROM JUST SOUTH OF SW 19TH STREET TO JUST NORTH OF SW 34TH FROM 4-LANES TO 5-LANES AS A SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) PROJECT.

Elizabeth Weitman, Community Development Director, stated that Resolution No. 37(22) programs the reconstruction and widening of Telephone Road from south of SW 19th to north of SW 34th Street with a continuous left turn lane, multi-use trail, streetscape, and stormwater quality measures in the estimated amount of \$5,652,000. If awarded this grant would pay for 80% of the project cost with 20% in matching funds.

Councilwoman Hunt moved to adopt Resolution No. 37(22) programming the reconstruction and widening of Telephone Road from just south of SW 19th Street to just north of SW 34th from 4-lanes to 5-lanes as a Surface Transportation Program Urbanized Area (STP-UZA) project, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER AWARDING RFQ NO. 2023-004 "GEOGRAPHIC INFORMATION SYSTEM UPDATE – HISTORIC DATA" TO PARKHILL/LEMKE LAND SURVEYING IN THE AMOUNT OF \$160,000 AS THE LOWEST BEST RESPONSIVE BIDDER.

Elizabeth Weitman, Community Development Director, advised that in 2015 Lemke Land Surveying was awarded a contract for update of the City's GIS system. At that time an ordinance was approved with the intention of making updates automatic with specific guidelines for engineers to submit as-built information in a digital format that would merge with the City's system. However, the submitted digital data is not compatible with the City's system. The GIS Manager went to the offices of the engineers to sit down with their GIS people but have not yet found a solution. Staff identified 21 projects, including as-builts for some of the commercial projects, which are not included in the new GIS system.

She advised that the GIS information is used by Public Utilities who must submit information on the size and location of water lines needed for reporting requirements. It is also difficult for developers to discuss their developments when the lines are not reflected on maps. She indicated that it also caused problems with right-of-way improvement inspections when the water and sewer line locations cannot be identified. Therefore, an RFQ was solicited to update to the system with the 21 projects. The City received three responses with two of the responses considered non-responsive since they only quoted an hourly rate instead of a set fee. Ms. Weitman recommended awarding the RFQ to Parkhill/Lemke in the amount of \$160,000 for the digitization and surveying spot work of the 21 projects.

Ms. Weitman indicated that staff would continue to look at options on how to obtain the necessary GIS information moving forward. Councilman Blair asked how many engineers did not supply the necessary information. Ms. Weitman advised that most of the engineers submitted information it was just not compatible with the City's system. The ones that did not supply any of the requested information seem to be the ones out of state. Councilman Blair stated that he did not want the City to incur this type of cost again in the future and asked if an option would be to put a policy in place to prevent engineers who did not comply with the City's request for GIS information from doing work in Moore or to implement a fine for non-compliance. Ms. Weitman stated that she would research the issue and report back to Council.

Councilwoman Hunt moved to award RFQ No. 2023-004 "Geographic Information System Update – Historic Data" to Parkhill/Lemke Land Surveying in the amount of \$160,000 as the lowest best responsive bidder, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER ORDINANCE NO. 1016(22) AMENDING PART 10, CHAPTER 5, SECTION 10-517 BY ADDING THE DEFINITION OF "NICOTINE PRODUCT" AND REMOVING MUNICIPAL ENFORCEMENT OF POSSESSION OF TOBACCO, NICOTINE, OR VAPOR PRODUCTS BY PERSONS UNDER 21 YEARS OF AGE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A REPEALER.

Brian Miller, Assistant City Manager, advised that Ordinance No. 1016(22) would amend the City's ordinance regarding tobacco products to mirror state law. The proposed ordinance would define "nicotine product" and would eliminate fines for youths under 21 years of age found to be in possession of tobacco. They would instead be required to attend a tobacco cessation program through the Alcoholic Beverage Laws Enforcement (ABLE) Commission. Rules will be established on notification of a parent or guardian of the violation.

Councilman Hamm asked who would cite an individual under 21 years of age on possession or use of a tobacco product. He stated that the police department could only confiscate the product.

Councilwoman Hunt moved to Ordinance No. 1016(22) amending Part 10, Chapter 5, Section 10-517 by adding the definition of "Nicotine Product" and removing Municipal Enforcement of Possession of Tobacco, Nicotine, or Vapor Products by Persons Under 21 Years of Age; providing for severability; and providing for a repealer, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER AWARDING A CONSTRUCTION MANAGEMENT AT RISK CONTRACT FOR THE MOORE STATION EXPANSION TO NABHOLZ CONSTRUCTION CORPORATION FOR A GUARANTEED MAXIMUM PRICE AMOUNT OF \$6,661,492.00 FOR THE CONSTRUCTION PHASE WHICH INCLUDES A 3.5% CONSTRUCTION MANAGER'S FEE OF \$233,152.00.

Jerry Ihler, Assistant City Manager, advised that on August 25, 2022 bids were obtained from the different trades for The Station expansion which would include an additional gymnasium, office space, public rooms, and expansion of the weight and workout areas. Mr. Ihler stated that the bids came in at \$6,661,492. Due to the trend in higher construction costs staff recommended awarding the bid to Nabholz Construction Corporation in the guaranteed maximum amount of \$6,661,492. Mr. Ihler noted that a 3% contingency was included to deal with unforeseen issues during construction.

Councilwoman Hunt noted that the benefit of a construction management contract was that they work with the architect from the start to minimize costs.

Councilwoman McKenzie moved to award a Construction Management at Risk contract for the Moore Station Expansion to Nabholz Construction Corporation for a Guaranteed Maximum Price amount of \$6,661,492.00 for the construction phase which includes a 3.5% Construction Manager's Fee of \$233,152.00, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 15 being:

CONSIDER AUTHORIZING THE PURCHASE OF PROQA FIRE SOFTWARE IN THE AMOUNT OF \$99,612.00 FROM PRIORITY DISPATCH, AS A SOLE SOURCE PROVIDER, USING 911 FUNDS.

Fire Chief Greg Herbster stated that staff requested authorization to purchase PROQA Fire software in the amount of \$99,612 using 911 funds to expand and enhance dispatching services. The software is the same software currently used for EMS dispatching allowing for a seamless transition.

Councilman Blair moved to authorize the purchase of ProQA Fire Software in the amount of \$99,612.00 from Priority Dispatch, as a sole source provider, using 911 funds, second by Councilwoman McKenzie. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:34 P.M.

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) Receive and approve the minutes of the regular Moore Public Works Authority meeting held October 3, 2022.
- B) Approve and ratify claims and expenditures for FY 2022-2023 in the amount of \$1,090,918.71.

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

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

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:35 P.M.

Agenda Item Number 17 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD OCTOBER 3, 2022.
- B) APPROVE PAYMENT OF A WORKERS' COMPENSATION SETTLEMENT IN THE AMOUNT OF \$32,765 FOR CBR NO. 2050000671 TO RONNIE RAWSON AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL. APPROVE PAYMENT OF A WORKERS' COMPENSATION SETTLEMENT IN THE AMOUNT OF \$37,235 FOR CBR NO. 2050000731 TO RONNIE RAWSON AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$277,857.69.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH VICE-CHAIRMAN MARK HAMM PRESIDING AT 7:36 P.M.

Agenda Item Number 18 being:

ROLL CALL

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

Agenda Item Number 19 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD SEPTEMBER 19, 2022.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH VICE-MAYOR ADAM WEBB PRESIDING AT 7:37 P.M.

Agenda Item Number 20 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 commented that he enjoyed the opportunity to serve the City.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City Manager.

Agenda Item Number 21 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, Moore Risk Management, and Moore Economic Development Authority meetings were adjourned at 7:38 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

MELISSA HUNT, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2022.

ATTEST:

VANESSA KEMP, City Clerk