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 NOVEMBER 21, 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 November 21, 2022 at 6:30 p.m. with Vice-Mayor Adam Webb presiding.

Adam Webb Danielle McKenzie Councilman, Ward I Councilwoman, Ward I

Melissa Hunt Mark Hamm

Councilwoman, Ward II Councilman, Ward II

Jason Blair Louie Williams

Councilman, Ward III Councilman, Ward III

PRESENT: McKenzie, Blair, Hunt, Webb ABSENT: Williams, Hamm, 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; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; Finance Director, John Parker; Fire Chief Greg Herbster; Human Resources Director, Christine Jolly; Manager of Information Technology, David Thompson; Assistant Parks and Recreation Director, Whitney Wathen; Police Chief, Todd Gibson; Public Affairs Director, Deidre Ebrey; Public Works Director, Tony Mensah; Sergeant Nathan Wells; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 7, 2022.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD OCTOBER 4, 2022.
- C) APPROVE A ONE-YEAR CONTRACT EXTENSION WITH WEAVER & TIDWELL, LLP FOR CDBG-DR INTERNAL AUDIT SERVICES.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$3,073,771.37.

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

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 3 being:

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE SE/4 OF SECTION 28, T10N, R2W, BEING NORTH OF SE 34TH STREET AND EAST OF SOONER ROAD. APPLICATION BY JACK AND KEESTY FORNEY.

Elizabeth Weitman, Community Development Director, advised that the property located north of SE 34th Street and east of Sooner Road had been rezoned a few months previously. The applicant purchased five acres which were rezoned to A-2 and would like to split the property into two lots with the intention of building a home on one lot and selling the other for construction of another home.

Councilwoman McKenzie moved to approve a lot split located in the SE/4 of Section 28, T10N, R2W, being north of SE 34th Street and east of Sooner Road, second by Councilman Blair. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 4 being:

CONSIDER AUTHORIZING STAFF TO SOLICIT REQUEST FOR PROPOSALS FOR A PUBLIC TRANSPORTATION FEASIBILITY STUDY.

Elizabeth Weitman, Community Development Director, advised that various public service groups have met with City staff to discuss the need for public transportation within the City of Moore. Ms. Weitman felt that due to the high cost of implementing an EMBARK route within the community it was important to first determine the need for public transportation, the best type of transportation to serve the community, and the potential routes to serve those citizens who would be utilizing the service. Therefore, staff would recommend soliciting Request for Proposals for a Public Transportation Feasibility Study. Ms. Weitman noted that \$50,000, comprised of \$20,000 from the General Fund and \$30,000 from CDBG funds, was included in the FY 22-23 budget to fund the study.

Councilman Blair moved to authorize staff to solicit Request for Proposals for a Public Transportation Feasibility Study, second by Councilman Hunt. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Councilwoman McKenzie asked when responses to the RFP would be due. Ms. Weitman indicated that responses were expected from qualified firms sometime in January or February 2023 with an item on an agenda shortly after to award the RFP and to approve a contract.

Agenda Item Number 5 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF A JOHN DEERE PROGATOR 2030A IN THE AMOUNT OF \$35,382.91 AND A JOHN DEERE HD300 SELECTSPRAY IN THE AMOUNT OF \$22,105.36 FROM P & K EQUIPMENT IN THE TOTAL AMOUNT OF \$57,488.27 USING STATE CONTRACT NO. SW194.

Whitney Wathen, Assistant Parks and Recreation Director, advised that the spray rig would be used for weed control and other turf maintenance throughout the park system.

Councilwoman Hunt moved to authorize the budgeted purchase of a John Deere ProGator 2030A in the amount of \$35,382.91 and a John Deere HD300 SelectSpray in the amount of \$22,105.36 from P & K Equipment in the total amount of \$57,488.27 using State Contract No. SW194, second by Councilman McKenzie. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 6 being:

CONSIDER DECLARING A 2006 FORD F-350 ANIMAL CONTROL VEHICLE NO. 06934 (VIN: 1FDWX30576EB35227) AS SURPLUS AND AUTHORIZE DONATING IT TO THE CITY OF BLANCHARD.

Tony Mensah, Public Works Director, advised that the 2006 Ford F-350 was utilized by Animal Control and due to its high mileage and maintenance costs been replaced with a 2022 vehicle. Mr. Mensah stated that the City of Blanchard expressed an interested in obtaining the vehicle. He requested that the vehicle be declared as surplus and delivered to the City of Blanchard.

Councilman Blair moved to declare a 2006 Ford F-350 Animal Control Vehicle No. 06934 (VIN: 1FDWX30576EB35227) as surplus and authorize donating it to the City of Blanchard, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 7 being:

CONSIDER AUTHORIZING THE BUDGET PURCHASE OF A VIRTUAL SERVER INFRASTRUCTURE IN THE AMOUNT OF \$125,685 FROM DAVENPORT GROUP USING STATE CONTRACT NO. SW1020D.

David Thompson, Manager of Information Technology, stated that the budgeted virtual server would replace an eight year old server which was beyond its estimated five year life span.

Councilwoman McKenzie moved to authorize the budget purchase of a Virtual Server Infrastructure in the amount of \$125,685 from Davenport Group using State Contract No. SW1020D, second by Councilman Blair. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 8 being:

CONSIDER APPROVAL OF A FY 22-23 BUDGET SUPPLEMENT TO BUDGET ADDITIONAL FUNDS FOR THE STATION EXPANSION FROM THE 2022B SALES TAX NOTE AND AVAILABLE CASH, AND TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE URBAN RENEWAL AUTHORITY.

Brooks Mitchell, City Manager, stated that the proposed budget supplement would budget sales tax for the Station Expansion and transfer funds from the General Fund to the Urban Renewal Authority to be used for purchase of improved properties in Cleveland Heights.

Councilman Blair moved to approve a FY 22-23 budget supplement to budget additional funds for the Station Expansion from the 2022B Sales Tax Note and available cash, and to transfer funds from the General Fund to the Urban Renewal Authority, second by Councilwoman McKenzie. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 9 being:

CONSIDER RESOLUTION NO. 44(22) ADOPTING A ONE-TIME COST-OF-LIVING ADJUSTMENT FOR ALL FULL-TIME AND PART-TIME EMPLOYEES AS A RESULT OF HIGHER THAN EXPECTED INFLATION AND CONTINUED RISING PRICES OF ESSENTIAL GOODS, SERVICES, AND UTILITIES.

Brooks Mitchell, City Manager, advised that Resolution No. 44(22) would authorize a one-time cost-of-living adjustment to help address the difference between the rate of inflation versus the cost-of-living adjustment approved in the FY 22-23 budget.

Councilman Blair moved to adopt Resolution No. 44(22) adopting a one-time cost-of-living adjustment for all full-time and part-time employees as a result of higher than expected inflation and continued rising prices of essential goods, services, and utilities, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 10 being:

CONSIDER AUTHORIZING STAFF TO SOLICIT REQUEST FOR PROPOSALS FOR DESIGN OF A NEW LIBRARY FOR THE CITY OF MOORE.

Brooks Mitchell, City Manager, advised that \$200,000 was included in this year's budget to fund architectural fees for design of a new Moore Public Library. Any additional fees would be addressed in the FY 23-24 budget. Mr. Mitchell indicated that he had submitted to the City Council a draft of the proposed Request for Proposals for their review.

COUNCIL/MPWA/MRM/MEDA MEETING – MINUTES NOVEMBER 21, 2022 PAGE 5

Vice-Mayor Webb noted that representatives from the Pioneer Library System were in attendance at the meeting. He expressed appreciation to those individuals who worked on the project and for their patience while waiting for the project to begin.

Councilman Blair moved to authorize staff to solicit Request for Proposals for design of a new library for the City of Moore, second by Councilwoman McKenzie. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 11 being:

CONSIDER APPROVAL OF A MODIFICATION TO THE EXISTING PROPOSAL WITH SPARQ NATURAL GAS IN THE AMOUNT OF \$62,383.90 FOR CONSTRUCTION OF EIGHT ADDITIONAL COMPRESSED NATURAL GAS FUELING STATIONS LOCATED AT THE PUBLIC WORKS FACILITY.

Jerry Ihler, Assistant City Manager, advised that Sparq Natural Gas completed the transfer of the temporary operation of 12 CNG fueling stations to the new facility. Mr. Ihler stated that the new Public Works facility was constructed with room for 20 fueling stations. Staff recommending amending the contract with Sparq to allow for the construction of 8 additional fueling stations while Sparq was on-site which would result in a cost savings.

Councilwoman Hunt moved to approve a modification to the existing proposal with Sparq Natural Gas in the amount of \$62,383.90 for construction of eight additional compressed natural gas fueling stations located at the Public Works Facility, second by Councilwoman McKenzie. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 12 being:

CONSIDER AWARDING A CONTRACT TO MIDMARK CORPORATION D/B/A SHOR-LINE IN THE AMOUNT OF \$610,733.61, AS THE LOWEST AND MOST RESPONSIVE BIDDER, FOR THE PURCHASE AND INSTALLATION OF DOG KENNELS AND SURGERY EQUIPMENT FOR THE NEW ANIMAL SHELTER FACILITY.

Jerry Ihler, Assistant City Manager, advised that the City received one bid for the purchase and installation of dog kennels and surgery equipment at the new Animal Shelter. Mr. Ihler stated that Midmark Corporation d/b/a Shor-Line submitted a bid in the amount of \$610,733.61. He advised that after comparing cost estimates from last year and taking into account the anticipated inflation in costs Midmark's bid was less than 2% more than the budgeted amount. Staff recommended awarding the contract to Midmark.

Councilwoman Hunt moved to award a contract to Midmark Corporation d/b/a Shor-Line in the amount of \$610,733.61, as the lowest and most responsive bidder, for the purchase and installation of dog kennels and surgery equipment for the new Animal Shelter Facility, second by Councilwoman McKenzie. Motion carried unanimously.

COUNCIL/MPWA/MRM/MEDA MEETING – MINUTES NOVEMBER 21, 2022 PAGE 6

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 13 being:

CONSIDER APPROVING AMENDMENT NO. 3 TO THE CONTRACT WITH BARRETT L. WILLIAMSON ARCHITECTS, INC. IN THE AMOUNT OF \$15,000 FOR ELECTRICAL RE-DESIGN TO REDUCE THE GENERATOR SIZE FROM 400 KW TO 150 KW AS PART OF THE VALUE ENGINEERING PROCESS FOR THE NEW ANIMAL SHELTER FACILITY.

Jerry Ihler, Assistant City Manager, advised that the current design of the backup generator for the new Animal Shelter provides emergency power to the entire building. Mr. Ihler stated that as part of the value engineering process it was determined that it was not necessary to have a generator of this size. Therefore, the generator would be down sized but would still provide power to all of the kennels and the employee offices. He indicated that areas that would not have power would include a large meeting room, public restrooms, and anything that would not be in operation during emergency power operation. Mr. Ihler advised that Amendment 3 to the contract with Barrett L. Williamson Architects in the amount of \$15,000 was for the electrical re-design of the facility to reduce the generator size.

Councilman Blair asked if the cost of the architectural fees would off-set the savings anticipated in reducing the generator size. Mr. Ihler estimated a savings of approximately \$90,000 by downsizing the generator. After the subtracting the cost of the architectural fees it would result in a total savings of \$75,000.

Councilman Blair moved to approve Amendment No. 3 to the contract with Barrett L. Williamson Architects, Inc. in the amount of \$15,000 for electrical re-design to reduce the generator size from 400 kW to 150kW as part of the value engineering process for the new Animal Shelter Facility, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:45 P.M.

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD NOVEMBER 7, 2022.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$1,948,179.16.

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

COUNCIL/MPWA/MRM/MEDA MEETING – MINUTES NOVEMBER 21, 2022 PAGE 7

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 15 being:

CONSIDER APPROVAL OF OPTION 0237218 FROM MIDWEST EMPLOYERS CASUALTY COMPANY FOR THE CITY'S EXCESS WORKERS COMPENSATION INSURANCE POLICY WITH AN ANNUAL PREMIUM OF \$158,650 WITH TOM BECKMAN WITH THE BECKMAN COMPANY AS AGENT.

Brian Miller, Assistant City Attorney, indicated that the City received two options from Midwest Employers Casualty Company for renewal of the City's Excess Workers Compensation insurance. Staff recommended Option No. 0237218 with an estimated premium of \$158,650. Mr. Miller advised that the 10.9% increase in premium from last year was caused in part from an 8.7% increase in payroll. He added that this option keeps the same level of retention which was currently \$750,000 for police and fire and \$500,000 for all other class codes.

Trustee Blair moved to approve Option No. 0237218 from Midwest Employers Casualty Company for the City's Excess Workers Compensation Insurance policy with an annual premium of \$158,650 with Tom Beckman with the Beckman Company as agent, second by Trustee McKenzie. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:46 P.M.

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD NOVEMBER 7, 2022.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$290,754.32.

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

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH SECRETARY MELISSA HUNT PRESIDING AT 6:47 P.M.

Agenda Item Number 17 being:

ROLL CALL

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

Agenda Item Number 18 being:

CONSENT DOCKET:

A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD OCTOBER 17, 2022.

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

Ayes: McKenzie, Blair, Webb, Hunt

Nays: None

Absent: Williams, Hamm, Lewis

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH VICE-MAYOR ADAM WEBB PRESIDING AT 6:48 P.M.

Agenda Item Number 19 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.

Brooks Mitchell, City Manager, advised that the City of Moore Recycling Center received an award from Keep Oklahoma Beautiful which was presented at their Environmental Excellence Celebration event. The recycling center processed more than \$1,027,000 pounds of recyclables. Mr. Mitchell congratulated Elizabeth Weitman, Community Development Director, and her staff on receiving this award.

Mr. Mitchell introduced John Parker who will serve as the new Finance Director following the recent retirement of Betty Koehn. He announced that Randy Brink, City Attorney, was attending his last City Council Meeting before he officially retires. Mr. Mitchell expressed his appreciation to Mr. Brink for his guidance and counsel. He congratulated Mr. Brink on his retirement and expressed his good wishes for the future.

Agenda Item Number 20 being:

EXECUTIVE SESSION:

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED BY JAMES THOMPSON, THROUGH HIS ATTORNEY, MATTHEW B. WADE, AGAINST THE CITY OF MOORE; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED BY KIMBERLY GILLELAND, THROUGH HER ATTORNEY JASON B. REYNOLDS, AGAINST THE CITY OF MOORE; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- C) CONVENE INTO EXECUTIVE SESSION

Councilwoman Hunt moved to convene into executive session, second by Councilwoman McKenzie. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

The City Council convened into executive session at 6:50 p.m.

D) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 6:59 p.m.

- E) ACTION.
 - A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED BY JAMES THOMPSON, THROUGH HIS ATTORNEY, MATTHEW B. WADE, AGAINST THE CITY OF MOORE; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman Hunt moved to deny pending tort claim filed by James Thompson, through his attorney, Matthew B. Wade, against the City of Moore; and authorized legal counsel and staff to take action as necessary and appropriate in the interest of the City as authorized by 25 Okla. Stat. § 307(B)(4), second by Councilwoman McKenzie. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

B) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED BY KIMBERLY GILLELAND, THROUGH

COUNCIL/MPWA/MRM/MEDA MEETING – MINUTES NOVEMBER 21, 2022 PAGE $10\,$

HER ATTORNEY JASON B. REYNOLDS, AGAINST THE CITY OF MOORE; AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman Hunt moved to deny pending tort claim filed by Kimberly Gilleland, through her attorney Jason B. Reynolds, against the City of Moore; and authorized legal counsel and staff to take action as necessary and appropriate in the interest of the City as authorized by 25 Okla. Stat. § 307(B)(4), second by Councilman Blair. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

Agenda Item Number 21 being:

ADJOURNMENT

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

Ayes: McKenzie, Blair, Hunt, Webb

Nays: None

Absent: Williams, Hamm, Lewis

The City Council, Moore Public Works Authority, Moore Risk Management, and Moore Economic Development Authority meetings were adjourned at 7:00 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