

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
MARCH 7, 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 March 7, 2022 at 6:30 p.m. with Vice-Mayor Louie Williams 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, Webb, Hamm, Williams
ABSENT: 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; Director of Public Affairs, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief Greg Herbster; Human Resources Director, Christine Jolly; Parks & Recreation Director, Sue Wood; PC/IT Technician, Zane Gruver; Police Chief, Todd Gibson; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; Public Works Director, Tony Mensah; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 22, 2022.
- B) RECEIVE THE MINUTES OF THE SPECIAL PLANNING COMMISSION MEETING HELD DECEMBER 21, 2021.
- C) APPROVE A CONTRACT WITH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS ("ACOG") FOR THE FY 2022 UNIFIED PLANNING WORK PROGRAM.
- D) APPROVE A REVISION TO THE KNOWLEDGE, SKILLS, AND ABILITIES SECTION OF THE JOB DESCRIPTION FOR CRIME ANALYST IN THE POLICE DEPARTMENT, WITH NO CHANGE TO THE PAY GRADE ASSIGNMENT.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2021-2022 IN THE AMOUNT OF \$4,428,998.41.

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

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

Agenda Item Number 3 being:

CONSIDER REZONING APPLICATION NO. RZ-1018, LOCATED IN THE NE/4 OF SECTION 26, T10N, R3W, BEING SOUTH OF SW 19TH STREET AND WEST OF S. BROADWAY AVENUE, 2101 S. BROADWAY AVENUE, FROM I-2 MEDIUM INDUSTRIAL DISTRICT TO I-1 LIGHT INDUSTRIAL DISTRICT; AND APPROVE ORDINANCE NO. 3(22). APPLICATION BY FLASH GROUP SERVICES.

Vice-Mayor Williams asked for a tabling motion at the request of staff.

Councilman Blair moved to table Agenda Item No. 3 to the March 21, 2022 City Council Meeting, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF ORDINANCE NO. 1000(22) AMENDING PART 1, CHAPTER 3, SECTION 1-302 OF THE MOORE MUNICIPAL CODE BY ESTABLISHING NEW WARD BOUNDARIES FOR THE CITY'S WARDS AS REQUIRED BY THE CITY CHARTER.

Brooks Mitchell, City Manager, stated that the establishment of new ward boundaries had been discussed at the February 21, 2022 City Council Meeting. Mr. Mitchell advised that the City Manager's office had not received any public comments regarding the issue and recommended approval of the item.

Councilman Blair moved to approve Ordinance No. 1000(22) amending Part 1, Chapter 3, Section 1-302 of the Moore Municipal Code by establishing new ward boundaries for the City's wards as required by the City Charter, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AWARDING A CONSTRUCTION MANAGEMENT AT RISK CONTRACT FOR THE NEW ANIMAL SHELTER FACILITY TO CROSSLAND CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF 3.5% OF THE COST OF THE WORK CURRENTLY ESTIMATED TO BE \$7,950,000 PLUS A COST OF \$18,400 FOR THE PRECONSTRUCTION PHASE.

Jerry Ihler, Assistant City Manager, stated that in November 2021 the voters approved \$8.21 million in General Obligation Bonds to fund the construction of a new animal shelter to be located at the southeast corner of I-35 and SW 34th Street. Mr. Ihler advised that the architect suggested that the City utilize the Construction Management at Risk process. Under this type of a contract the Construction Manager would be the contractor with the basis of payment being the cost of the work plus a fee with a guaranteed

maximum price. The Construction Manager would present the guaranteed maximum price to the architect for review before being submitted to the City who would then have the opportunity for negotiation.

Mr. Ihler advised that the City solicited Request for Proposals for Construction Management services from ten companies and received six responses. Four companies were interviewed by a committee who recommended awarding the contract to Crossland Construction Company, as the highest rated company, in the amount of 3.5% of the cost of the project estimated at \$7,950,000. Mr. Ihler indicated that the actual project cost would be determined at a later date at which time an item would be placed on the agenda for consideration by the City Council. He recommended approval of the item which included the preconstruction cost of \$18,400.

Councilwoman Hunt stated that she believed this process was better because it brought the contractor into the process earlier allowing him to work with the architect during the preconstruction process. Councilman Blair expressed his concern that if the estimated figures were accurate the cost would exceed the amount of the bond. He asked if there was an additional funding source available. Mr. Ihler stated that the cost of the project would be monitored closely and if it appeared costs were exceeding the budget they would look at substitutions for more cost efficient materials. Brooks Mitchell, City Manager, stated that any costs over the bond amount would be funded using General Fund monies.

Councilwoman Hunt moved to award a Construction Management at Risk contract for the new Animal Shelter Facility to Crossland Construction Company, Inc. in the amount of 3.5% of the cost of the work currently estimated to be \$7,950,000 plus a cost of \$18,400 for the preconstruction phase, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AWARDING A CONSTRUCTION MANAGEMENT AT RISK CONTRACT FOR THE PHASE I EXPANSION OF THE MOORE STATION TO NABHOLZ CONSTRUCTION CORPORATION IN THE AMOUNT OF 3.5% IF THE COST OF THE WORK CURRENTLY ESTIMATED TO BE \$5,000,000 AND ZERO COST FOR THE PRECONSTRUCTION PHASE.

Jerry Ihler, Assistant City Manager, advised that in April 2021 the voters approved the extension of the ¼ cent sales tax through March 31, 2025. Mr. Ihler estimated the sales tax would create \$5 million to \$5.5 million in revenues to be used for construction of the new Public Works facility and expansion of The Station. Phase I of The Station expansion was estimated to cost approximately \$5 million. Staff utilized the RFP previously solicited for construction of the Animal Shelter and recommended awarding the contract to the second highest rated firm of Nabholz Construction Corporation for 3.5% of the cost of work. Mr. Ihler indicated that there would not be any preconstruction costs. The preconstruction phase would not be as extensive since the construction plans for The Station were 90% complete. Mr. Ihler recommended awarding the Construction Management contract for Phase I of The Station expansion to Nabholz Construction Corporation.

Councilwoman Hunt moved to award a Construction Management at Risk contract for the Phase I expansion of the Moore Station to Nabholz Construction Corporation in the amount of 3.5% if the cost of the work currently estimated to be \$5,000,000 and zero cost for the preconstruction phase, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF A HAZARD MITIGATION ASSISTANCE GRANT AGREEMENT WITH THE STATE OF OKLAHOMA DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY.

Jerry Ihler, Assistant City Manager, stated that the 2016 Master Drainage Plan identified several drainage projects within the City. Mr. Ihler stated that in December 2020 the City submitted a grant application for a Hazard Mitigation Assistance Grant through the Building Resilient Infrastructure and Communities ("BRIC") Program. He announced that the City had been awarded \$112,500 for the Southmoore High School Detention Pond and Storm Sewer Project. Mr. Ihler advised that the project would consist of a storm sewer assessment, benefit cost analysis, and construction plans at an estimated cost of \$150,000 with the City being responsible for 25% in matching funds.

Councilman Webb thanked staff for their work on the grant application.

Councilman Webb moved to approve a Hazard Mitigation Assistance Grant Agreement with the State of Oklahoma Department of Emergency Management and Homeland Security, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER ADOPTION OF RESOLUTION NO. 16(22) ESTABLISHING NEW RATES FOR RENTAL AND USE OF CITY OF MOORE PARK AND RECREATIONAL FACILITIES.

Sue Wood, Parks and Recreation Director, advised that staff proposed establishing new rates, primarily for non-residents, for rental and use of Park and Recreational facilities. Ms. Wood indicated that an additional category would be added to the fee schedule for Moore Public Schools. She added that this was the first proposed increase since 2016.

Councilwoman McKenzie moved to adopt Resolution No. 16(22) establishing new rates for rental and use of City of Moore park and recreational facilities, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER RESOLUTION NO. 17(22) ADOPTING THE SCHEDULE OF FEES AND CHARGES; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Brian Miller, Assistant City Attorney, stated that adoption of Resolution No. 17(22) would incorporate the fees approved under Agenda Item No. 8 into the fee schedule.

Councilwoman Hunt moved to adopt Resolution No. 17(22) adopting the Schedule of Fees and Charges; effective upon approval and remaining in effect until modified, amended or repealed; and repealing prior inconsistent fees, second by Councilman Blair. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:49 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD FEBRUARY 22, 2022.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2021-2022 IN THE AMOUNT OF \$1,079,083.74.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:50 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD FEBRUARY 22, 2022.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2021-2022 IN THE AMOUNT OF \$557,999.16.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:51 P.M.

Agenda Item Number 12 being:

NEW BUSINESS:

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

Noel Byron Church, 121 S. Ramblin Oaks Drive, appeared before the City Council to speak about drones that have been flying over his home and invading his privacy.

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

There were no items from the City Council.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, congratulated Tony Mensah, Public Works Director, and the Public Works and Silver Star Construction crews for their work clearing the streets during the last snow storm. He stated that he had received several compliments about the condition of the roadways. Councilwoman Hunt expressed her appreciation to the Parks Department for clearing a path at the park so citizens could continue walking their dogs.

Agenda Item Number 13 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 6:58 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