

**MINUTES OF A SPECIAL MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
AUGUST 3, 2022 – 6:45 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on August 3, 2022 at 6:45 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

Louie Williams
Councilman, Ward III

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

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, Betty Koehn; Fire Chief Greg Herbster; Parks & Recreation Director, Sue Wood; Manager of Information Technology, David Thompson; Police Chief, Todd Gibson; Police Major, Jon White; Sergeant David Dickinson; PC/IT Technician, Zane Gruver; Public Affairs Director, Deidre Ebrey; Public Works Director, Tony Mensah; and Veolia Water Project Manager, Robert Pistole.

Mayor Lewis announced that the regularly scheduled City Council Meeting for August 1, 2022 was not held due to the lack of a quorum. The agenda was reposted as a special meeting for August 3, 2022.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 18, 2022.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD JUNE 14, 2022.
- C) ACCEPT A 10' DRAINAGE EASEMENT ON LOT 4, BLOCK 18 OF THE WATERS ADDITION, PHASE V, MOORE, CLEVELAND COUNTY, OKLAHOMA. APPLICATION BY TABOR HOMES.
- D) ACCEPT A 5' DRAINAGE EASEMENT ON LOT 5, BLOCK 18 OF THE WATERS ADDITION, PHASE V, MOORE, CLEVELAND COUNTY, OKLAHOMA. APPLICATION BY TABOR HOMES.
- E) REAPPOINT RALPH SHERRARD AND SHEILA HAWORTH TO THE BOARD OF ADJUSTMENT FOR A 3-YEAR TERM.
- F) REAPPOINT BRANDON LAIB, GARY LUNOW, AND RALPH SHERRARD TO THE PLANNING COMMISSION FOR A 3-YEAR TERM.

G) APPROVE AN ADDITIONAL \$300 TO CORRECT A TYPOGRAPHICAL ERROR ON THE PURCHASE OF A 2023 LIGHTNING LOADER BODY FROM J & R EQUIPMENT OFF STATE CONTRACT NO. SW 197. (PREVIOUSLY \$128,300 WAS APPROVED).

H) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2021-2022 IN THE AMOUNT OF \$658,359.56 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$2,681,717.12.

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

Ayes: McKenzie, Blair, Hunt, Hamm, Lewis
Nays: Williams, Webb

Agenda Item Number 3 being:

CONSIDER APPROVAL OF ORDINANCE NO. 1002(22) AMENDING PART 9, CHAPTER 11 'WRECKERS AND TOWING SERVICES', SECTIONS 9-1101 THROUGH 9-1110 BY ADDING DEFINITIONS, ADDING INSPECTION REQUIREMENTS, DEFINING PROCESS FOR SUSPENSION AND REVOCATION OF CITY LICENSES, LIMITING ON-SITE VEHICLE STORAGE, ADDING SITE REQUIREMENTS FOR STORAGE YARDS AND PROVIDING FOR A 1-YEAR AMORTIZATION PERIOD, ESTABLISHING A ROTATION LOG AGREEMENT, ESTABLISHING PROCESS FOR REMOVAL OR SUSPENSION FROM ROTATION LOG, AND REPEALING SECTIONS 9-1111 THROUGH 9-1112;; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A REPEALER.

Elizabeth Weitman, Community Development Director, stated that a proposed amendment to the Wrecker Service Regulations had been discussed for some time. Ms. Weitman stated that the first informational meeting was held with local wrecker services on March 3, 2022 to discuss the first version of the proposed ordinance amendment. The wrecker companies were asked to submit any questions or concerns regarding the proposed ordinance. As a result, nine questions were received and answered. Ms. Weitman indicated that the proposed ordinance amendment was considered at the April 18, 2022 City Council Meeting but was tabled when additional concerns with the ordinance were brought up at the meeting. A second version of the ordinance was prepared and presented to the wrecker companies at a meeting held on July 6, 2022. Staff encouraged discussion and input regarding the proposed ordinance. Ms. Weitman outlined the items contained in the first version and items that were changed in the second version:

Version One:

- License renewal date of January 1 with an annual inspection of the storage yard with a one-year limit on stored vehicles unless extenuating circumstances exist.
- Process implemented for a license suspension and revocation.
- Requirement that stored vehicles be behind a sight proof fence.
- No auto business allowed on the same lot as a wrecker service.
- Creation of a Rotation Log Agreement limiting the list to five local companies.
- Title 42 Fee cannot be charged until day three of storage.
- Each storage yard must have a place of business on site that meets zoning and building requirements.
- No cash only wrecker services allowed on the rotation.

Version Two:

- No auto business can be located on the same lot as a wrecker service except for those businesses that have a Certificate of Occupancy issued prior to January 1, 2022. That would include any

wrecker service currently in operation with an accessory motor vehicle business on the same lot. Any new wrecker service that has an occupancy permit application that included a body shop or auto repair on the same lot would not be approved.

- Number of wrecker services on the rotation list reduced to four at the request of the wrecker companies. No wrecker service would be removed off the current rotation due to the number allowed. The Police Department doesn't believe the number should be reduced lower than four wrecker service companies.
- Compromise on the cash only issue was made. Wrecker services may provide cash only services. The City's paperwork will provide notification that the vehicle owner must be prepared to bring cash. The wrecker services would investigate putting in an ATM machine on their property.

Ms. Weitman advised that additional issues were brought up at the meeting. The wrecker services requested re-implementing quarterly meetings with the Police Department who advised that they would facilitate the request. She indicated that they also wanted to ensure that wrecker services not included on the rotation were licensed. Ms. Weitman contacted the Oklahoma Department of Public Safety and found that a separate wrecker service category Class G exists which allows a wrecker to transport a car from point A to point B with no storage. She advised that two wrecker services would fall within the Class G category. Staff would be working with those companies to get them licensed. Another issue involved the request to eliminate a \$20 fee due to the Moore Police Department when a wrecker services wants to designate a car as a Title 42 car and have it released into their custody. Ms. Weitman stated that next fiscal year the issue would be reviewed to determine if there was a way to eliminate the fee and maintain revenue levels. Councilwoman Hunt suggested that the fee might be passed on by the wrecker service.

Mayor Lewis asked if staff was satisfied with the changes. Ms. Weitman felt that, although some concessions were made, the ordinance appeared to be beneficial to the City Clerk, Community Development, and Police Departments.

Councilwoman Hunt and the other council members expressed their appreciation to Ms. Weitman for her work on the ordinance.

Councilwoman Hunt moved to approve Ordinance No. 1002(22) amending Part 9, Chapter 11 'Wreckers and Towing Services', Sections 9-1101 through 9-1110 by adding definitions, adding inspection requirements, defining process for suspension and revocation of City licenses, limiting on-site vehicle storage, adding site requirements for storage yards and providing for a 1-year amortization period, establishing a rotation log agreement, establishing process for removal or suspension from rotation log, and repealing Sections 9-1111 through 9-1112;; providing for severability; and providing for a repealer, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER THE PRELIMINARY PLAT OF HARLE ADDITION, LOCATED IN THE NE/4 OF SECTION 23, T10N, R3W, BEING SOUTH OF SE 4TH STREET AND WEST OF EASTERN AVENUE. APPLICATION BY SAMUEL HARLE. (PLANNING COMMISSION RECOMMENDED APPROVAL 9-0). WARD 1.

Elizabeth Weitman, Community Development Director, stated that the subject property, located south of SE 4th Street and west of Eastern Avenue, was zoned C-3 with a permissive use for a mini-storage. Ms. Weitman advised that the applicant proposed developing the property with two lots. The lot fronting

Eastern Avenue would be developed as a commercial retail site and the back lot was proposed as a mini-storage. She advised that public water and sewer were available to serve the site and access would be provided by Eastern Avenue with shared access. Ms. Weitman indicated that because the site contained a FEMA regulated floodplain, all requirements must be met for development within a floodplain. Also, on-site stormwater detention was required and must comply with the 2021 Stormwater Management Criteria by including a 50' buffer from top of bank from the drainage channel to the west, and all building structures must be constructed with the finished floor 2' above the BFE.

Ms. Weitman advised that the Envision Moore 2040 Plan designated the area as Neighborhood Commercial. She stated that the application was reviewed and found to be in compliance with the Plan. Staff recommended approval of the item.

Councilwoman McKenzie moved to approve the Preliminary Plat of Harle Addition, located in the NE/4 of Section 23, T10N, R3W, being south of SE 4th Street and west of Eastern Avenue, second by Councilman Blair. Motion carried by majority vote.

Ayes: McKenzie, Blair, Hunt, Lewis
Nays: Hamm
Absent: Williams, Webb

Agenda Item Number 5 being:

CONSIDER ACCEPTANCE OF A QUIT CLAIM DEED FROM OLYMPIC DEVELOPMENT COMPANY/JW MASHBURN FOR A 1.82 ACRE PARCEL OF LAND LOCATED IN THE NW/4 OF SECTION 13, T10N, R3W, BEING SOUTH OF NE 12TH STREET AND WEST OF BRYANT AVENUE.

Elizabeth Weitman, Community Development Director, stated that JW Mashburn was the developer of the Oak Creek and Gold Medal Additions. Ms. Weitman advised that one lot was not developed with the intention of selling it for commercial use. However, because the lot was located is at the convergence of two streams, and completely within the floodplain, it was unlikely to be developed. Therefore, Mr. Mashburn offered to deed the lot to the City. Mr. Weitman indicated that the lot was located across the street from Buck Thomas Park and could be used as staging for events, overflow parking or, with enough engineering it was possible it could be a usable lot at some point.

Councilman Hamm moved to accept a Quit Claim Deed from Olympic Development Company/JW Mashburn for a 1.82 acre parcel of land located in the NW/4 of Section 13, T10N, R3W, being south of NE 12th Street and west of Bryant Avenue, second by Councilwoman Hunt. Motion carried unanimously.

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

Council expressed their appreciation to Mr. Mashburn for his generous donation.

Agenda Item Number 6 being:

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE SW/4 OF SECTION 13, T10N, R3W, BEING EAST OF EASTERN AVENUE AND NORTH OF SE 4TH STREET. APPLICATION BY FIRST FIDELITY BANK.

Elizabeth Weitman, Community Development Director, advised that the proposed lot split was located north of the existing First Fidelity Bank on the corner of SE 4th and Eastern. Ms. Weitman stated that this

was a remnant property from when the structure was rebuilt with a smaller footprint. She added that because the subject contained a driveway curb cut and had access to water and sewer it would meet all of the requirements for a lot split.

Councilman Blair moved to approve a lot split located in the SW/4 of Section 13, T10N, R3W, being east of Eastern Avenue and north of SE 4th Street. Application by First Fidelity Bank, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF BODY CAMERA STORAGE FROM DAVENPORT GROUP IN THE AMOUNT OF \$131,032 USING STATE CONTRACT NO. SW1020D.

David Thompson, Manager of Information Technology, stated that the proposed purchase was to augment the Police Department's body camera storage. Mr. Thompson advised that the additional storage was anticipated to last for approximately five years.

Councilman Blair asked if the price was a one-time fee or if there was a recurring annual fee. Mr. Thompson advised that it was a one-time fee.

Councilman Blair moved to approve the budgeted purchase of body camera storage from Davenport Group in the amount of \$131,032 using State Contract No. SW1020D, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF A NEW JOB DESCRIPTION FOR A MENTAL HEALTH LIAISON IN THE POLICE DEPARTMENT, AND ASSIGN IT TO PAY GRADE 116 OF THE SALARY TABLE APPROVED BY CITY COUNCIL ON JUNE 20, 2016.

Police Chief Todd Gibson stated that the proposed job description was for the new budgeted position of Mental Health Liaison. Chief Gibson advised that the job duties would include facilitating wellness and mental health service and training for first responders, and would also provide service to the City's mental health consumers routinely in contact with police and fire personnel.

Mayor Lewis asked how soon the position would be filled. Chief Gibson felt there would be a high number of qualified applicants and anticipated filling the position within a month.

Councilwoman Hunt moved to approve a new job description for a Mental Health Liaison in the Police Department, and assign it to Pay Grade 116 of the salary table approved by City Council on June 20, 2016, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF A FY 21-22 BUDGET SUPPLEMENT FOR RISK MANAGEMENT, TRANSPORTATION IMPACT FEE, DONATIONS, AND 1/4 CENT SALES TAX TO BUDGET ADDITIONAL FUNDS AND RELATED EXPENSES.

Betty Koehn, Finance Director, requested approval of the following budget amendments for FY 22:

- Transfer additional funds from the MPWA to Moore Risk Management to cover increased insurance, claims costs, workers compensation, and fees.
- Budget Transportation Impact Fees for design of the 19th and Santa Fe Intersection.
- Budget additional funds to cover increased Fire and Emergency Management equipment costs.
- Budget excess sales tax for additional maintenance on residential streets.
- Budget donations received by the Fire Department and related expenses.

Mayor Lewis complimented Ms. Koehn for her work on the item.

Councilwoman McKenzie moved to approve a FY 21-22 budget supplement for Risk Management, Transportation Impact Fee, Donations, and 1/4 cent Sales Tax to budget additional funds and related expenses, second by Councilman Blair. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:09 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JULY 18, 2022.
- APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2021-2022 IN THE AMOUNT OF \$921,036.53 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$172,476.45.

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

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

Agenda Item Number 11 being:

CONSIDER APPROVAL OF A FY 22-23 BUDGET SUPPLEMENT TO BUDGET ADDITIONAL FUNDS AND RELATED EXPENSES FOR SANITATION TRUCKS.

Betty Koehn, Finance Director, requested approval to budget additional funds for FY 23 to cover increased costs associated with the purchase of four sanitation trucks approved at the July 18, 2022 City Council Meeting.

Trustee Blair to approve a FY 22-23 budget supplement to budget additional funds and related expenses for sanitation trucks, second by Trustee Hamm. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER APPROVAL OF A FY 21-22 BUDGET SUPPLEMENT FOR MPWA TO TRANSFER ADDITIONAL FUNDS TO RISK MANAGEMENT.

Betty Koehn, Finance Director, stated that the item was a companion to Agenda Item No. 9 approved earlier on the City Council agenda.

Trustee Hunt to approve a FY 21-22 budget supplement for MPWA to transfer additional funds to Risk Management, second by Trustee Hamm. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:12 P.M.

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JULY 18, 2022.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$250,899.21.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:12 P.M.

Agenda Item Number 14 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.

Councilwoman McKenzie stated that she received complaints from several families over the past six weeks regarding security at the cemetery. She felt that additional patrols through the cemetery would be helpful and suggested discussing the issue with staff in more detail following the meeting.

Mayor Lewis stated that National Night Out was held on August 2, 2022 and was a great success. He expressed appreciation to those employees who worked on the event and those individuals who were in attendance.

Mayor Lewis also thanked City Manager Brooks Mitchell for the good job that he was doing.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, stated that approximately 4,000 to 5,000 people were in attendance at National Night Out. Mr. Mitchell offered his congratulations to everyone involved in the very successful event.

Agenda Item Number 15 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:15 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