

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
FEBRUARY 6, 2023 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on February 6, 2023 at 6:30 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, Williams, Hamm, Lewis
ABSENT: Webb

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Brian Miller; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; Assistant Emergency Management Director, Kevin Smith; Finance Director, John Parker; Fire Chief Greg Herbster; Human Resources Director, Christine Jolly; Manager of Information Technology, David Thompson; Parks and Recreation Director, Sue Wood; Deputy Police Chief, Blake Green; Sergeant David Dickinson; Project-Grants Manager, Kahley Gilbert, Public Affairs Director, Deidre Ebrey; Public Works Director, Tony Mensah; and Veolia Water Project Manager, Robert Pistole.

Audio recording of the meeting did not begin until after Agenda Item No. 2.

Mayor Lewis presented a proclamation to Dee Ann Gay with First United Bank declaring February 17, 2023 as "United Acts of Kindness Day".

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JANUARY 17, 2023.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD DECEMBER 6, 2022.
- C) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD DECEMBER 13, 2022.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$5,210,303.25.

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

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

Agenda Item Number 3 being:

CONSIDER ADOPTION OF RESOLUTION NO. 47(23) AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION IN THE CITY OF MOORE, OKLAHOMA, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED VOTERS OF SAID CITY THE QUESTION OF ESTABLISHING A RATE FOR REQUIRED BI-WEEKLY RESIDENTIAL CURBSIDE RECYCLING FOR \$4.30 PER MONTH; PROVIDING FOR AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Brooks Mitchell, City Manager, stated that the ballot language for a proposed curbside recycling program with Republic Services included the cost of \$4.30 per month service. Mr. Mitchell advised that it was the City's intent to charge the residents \$3.90 per month and the rate for those individuals that qualify for a senior citizen's discount would be \$1.95 per month.

Councilwoman Hunt asked how the average person would know that the City plans to charge \$3.90 when the ballot language contains the rate of \$4.30. She felt the ballot language should include the amount the City plans to charge for the service. Mr. Mitchell indicated that the information disseminated to the public would inform them of the City's plan to charge \$3.90; however, the ballot language could be changed for clarification purposes if Council felt it was necessary. He noted that the City's bond counsel, Terry Hawkins, was in attendance to answer any questions.

Councilman Hamm stated that the contract included potential rate increases for fuel costs and the cost of separating items that were not recycled properly. Mr. Mitchell indicated that the contract included an allowance for those items. When the allowance amount is exceeded Republic has the ability to increase the rate. Councilman Williams asked if there was a guaranteed amount of time that the rate would stay the same or how often the rate could be changed. Mr. Mitchell stated that the five-year contract rate could be changed at each annual renewal. He advised that the contract allows for a 4% renewal increase or .17 cents for first year. Mr. Mitchell noted that this does not mean that the City would automatically pass the rate increase on to the citizens since the .17 cent increase would equal approximately \$50,000. However, he noted that it was possible that the fuel and audit items could cause an additional increase in the rate. Councilman Blair expressed concern that the .17 cent increase for the first year would be compounded over the next five years.

Councilman Hamm asked if the ballot language could legally include a rate of \$3.90 since the contract amount was actually \$4.30 and there would be a different rate for qualifying seniors. Terry Hawkins, bond counsel, stated that sometimes a not-to-exceed figure is utilized. Mr. Hawkins indicated that he did not participate in the negotiation process with the recycling company and merely used the figures he was given. He confirmed that if it was Council's preference the amount of the monthly rate included in the ballot language could be changed. Councilman Blair asked when action needed to be taken to ensure the item appeared on the ballot. Mr. Hawkins indicated that paperwork must be filed in early March in order to have the item on the May 9, 2023 ballot. Councilman Blair felt the item should be tabled and brought back with the amended documents to the February 21, 2023 meeting. Councilman Williams stated that the citizens should be made aware that the contract amount will increase 4% annually to make full disclosure of the contract terms.

Councilwoman McKenzie stated that she did not have a problem tabling the item; however, the City Council routinely votes on fee increases such as the cost for a second polycart. Councilman Williams stated that residents can choose whether they want to pay an increased rate for a second polycart but in this case it is a mandatory fee. He felt that "not to exceed language" should be included. Mr. Mitchell indicated that a "not to exceed" amount was not the proposal being considered by Council. He felt that

what the residents were charged would be up to the Council to determine. Councilman Williams agreed that the item should be tabled to allow for further discussion.

Councilman Blair moved to table Agenda Item No. 3, second by Councilman Williams.

Councilwoman McKenzie felt that additional discussion was necessary to determine whether the ballot language should be changed to reflect \$3.90 or the not to exceed amount of \$4.30 before tabling the item. Mr. Mitchell suggested that the language could include a not to exceed amount of \$3.90. He asked if Council had other modifications they would like made or if they needed additional time to research the issue. Councilman Williams expressed concern about the anticipated 4% increase each year. At some point the increase would become great enough that it would have to be passed on to the utility customers and the constituents should be made aware of that before voting on the item.

Citizens to Speak:

Barry Williams, 1061 NW 6th Street, commented that the cost for the service would increase a minimum of 4% annually, and could go even higher due to recycling costs. Mr. Williams asked if the City solicited bids for recycling services. He was told that this would be an add-on service with Republic; therefore, the City was not required to obtain competitive bids. Mr. Williams felt that it was possible another company could provide better service at a lower cost. He felt that his money was not being spent judiciously even if the City covers the extra cost. He felt the City should do their due diligence in obtaining the best service for the people.

A vote was then taken on the tabling motion.

Councilman Blair moved to table Agenda Item No. 3, second by Councilman Williams.

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

Agenda Item Number 4 being:

CONSIDER ADOPTION OF ORDINANCE NO. 1018(23) OF THE CITY OF MOORE, OKLAHOMA AMENDING SECTION 17-209 OF CHAPTER 2 OF PART 17 OF THE CODE OF ORDINANCES OF THE CITY OF MOORE, OKLAHOMA BY ADDING REQUIRED BI-WEEKLY RESIDENTIAL CURBSIDE RECYCLING AND ESTABLISHING A RATE THEREFOR; PROVIDING EFFECTIVE DATE FOR SAID INCREASE SUBJECT TO VOTER APPROVAL; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Councilman Blair moved to table Agenda Item No. 4, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER THE APPOINTMENT OF KATHY GRIFFITH TO THE MOORE URBAN RENEWAL AUTHORITY TO FILL THE REMAINING TERM OF DAVID ROBERTS DUE TO EXPIRE JUNE 30, 2024.

Brooks Mitchell, City Manager, recommended the appointment of Kathy Griffith to the Moore Urban Renewal Authority to fill the unexpired term of David Roberts who recently passed away. The term would expire June 30, 2024.

Councilwoman Hunt moved to appoint Kathy Griffith to the Moore Urban Renewal Authority to fill the remaining term of David Roberts due to expire June 30, 2024, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER THE FINAL PLAT OF URBANSKY FARM, SECTION 1, LOCATED IN THE SE/4 OF SECTION 19, T10N, R2W, BEING NORTH OF SE 19TH STREET AND WEST OF SUNNYLANE ROAD. APPLICATION BY FARZANEH DEVELOPMENT, LLP.

Elizabeth Weitman, Community Development Director, stated that the subject site contained 27 acres located north of SE 19th Street and west of S. Sunnyslane Road with 62 residential lots and three common areas. Ms. Weitman advised that the site was zoned R-1 as a PUD with a 50' minimum lot width in exchange for the following amenities:

- Divided median entryway landscaped with 13 trees and 24 shrubs.
- A pool, pool house, cabana and playground on the west side of the development with 38 trees and 20 shrubs.
- Automatic irrigation system for all required landscaping
- Residential exterior aesthetics with a minimum of 60% brick, rock, or stone.

Ms. Weitman stated that stormwater detention for the development was proposed with the existing pond on the west side of the site and with a smaller detention pond on the south side of the site. She stated that FEMA floodplains/floodways are located along the southern boundary of the property; however, the applicant does not plan to develop lots within the floodplain. A bridge box proposed to cross the floodplain would connect the Urbansky Farms development with the Cypress Creek development to the west. Access would be provided by a divided median entryway from S. Sunnyslane and by SE 17th through the Cypress Creek Addition. Ms. Weitman stated that SE 17th Street must be built to collector street standards.

The Planning Commission recommended approval of the preliminary plat contingent upon inclusion of a traffic calming technique along Olive Way. Ms. Weitman advised that a roundabout was included that will line up with the proposed recreational amenities on the west side of the property.

She noted that in the past the property was used as a dump site for wood remnants/chips. The west half of this phase of development would be affected; therefore the chips must be removed and fill dirt brought in to establish adequate build-sites. To ensure suitability for home construction on the affected lots, the applicant must provide a report on the removal of the wood chips and detailing adequate mitigation measures for development prior to dirt work commencing on the site.

Ms. Weitman advised that the Envision Moore 2040 Plan designated the area as Open Space Residential. The application was reviewed and found to be in conformance with the intent of the Plan; therefore, an amendment to the Plan was not necessary and staff recommended approval of the item.

Councilman Williams moved to approve the Final Plat of Urbansky Farm, Section 1, located in the SE/4 of Section 19, T10N, R2W, being north of SE 19th Street and west of Sunnyslane Road. Application by Farzaneh Development, LLP, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF ORDINANCE NO. 1019(23) AMENDING PART 12, CHAPTER 5, ARTICLE K, SECTION 12-613 OF THE MOORE LAND DEVELOPMENT CODE BY AMENDING THE TRANSPORTATION IMPACT FEE SCHEDULE FOR RESIDENTIAL, RETAIL, AND COMMERCIAL DEVELOPMENTS.

Elizabeth Weitman, Community Development Director, stated that periodically staff reviews the Transportation Impact Fees to ensure the fee is adequate for capital improvement projects. With the arterial roadway construction costs increasing significantly over the past several years the current fees were determined to be too low. Traffic Engineering Consultants ("TEC") was consulted to work with staff in recommending fees that would take into account inflation and more adequately address the cost to the City for arterial roadway construction. Ms. Weitman stated that fees are collected when a developer files a final plat; however, builders are not required to pay Transportation Impact Fees. Ms. Weitman supplied a list of Moore's current and proposed fees as well as a cost comparison with the City of Oklahoma City. She advised that all of the land use categories listed included fee increases. Ms. Weitman noted that the land use categories of Gas or Convenience Stores and Restaurant, Fast Food/Fast Casual fees did go up; however, since there is a trend of having very small building footprints and relying more on drive-thru service, a minimum fee of \$5,000 and \$4,000 respectively were proposed in order to recoup the money the City would be spending.

2023 Transportation Impact Fee Comparisons

Land Use Category	Assessment Type	Moore Current Fee	Moore Proposed Fee	City of OKC Fee
Residential				
Single Family R-1	Per Lot	\$647	\$900	*
Multi-Family R-2, R-3, R-4, R-5	Per Unit	\$453	\$600	**
Senior Housing	Per Unit	\$236	\$300	***
Retail and Commercial				
Gas or Convenience Stores	Gross Sq. Ft.	\$3.44	\$5.50; \$5,000 minimum	\$2.47
Restaurant, Fast Food/Fast Casual	Gross Sq. ft.	\$3.00	\$4.00; \$4,000 minimum	\$2.47
Restaurant, Other	Gross Sq. Ft.	\$0.35	\$0.50	\$1.44
All other retail or commercial	Gross Sq. Ft.	\$0.35	\$0.50	\$1.44
Office	Gross Sq. Ft.	\$0.25	\$0.35	\$1.16

Industrial	Gross Sq. Ft.	\$0.36	\$0.50	\$0.40
Industrial, Personal Storage Facility	Gross Sq. Ft.	\$0.10	\$0.15	\$0.40
Institutional	Gross Sq. Ft.	\$0.25	\$0.35	\$1.16

* \$0.37 per square foot. For 2,000 sf home- \$740.00
 ** \$0.37 per square foot. No Discounted Rate for multi-family
 *** \$0.37 per square foot. No Discounted Rate for Senior Citizens

Notes:

- 1) Last Major Adjustment to Traffic Impact Fees - 2013
- 2) Accumulative Inflation since 2013 is 26% to 30%.
- 3) Proposed Column Assumes 30% Inflation

Councilman Blair moved to approve Ordinance No. 1019(23) amending Part 12, Chapter 5, Article K, Section 12-613 of the Moore Land Development Code by amending the transportation impact fee schedule for residential, retail, and commercial developments, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH FREESE AND NICHOLS, INC. IN THE AMOUNT OF \$54,840 FOR PROFESSIONAL SERVICES FOR PHASE 1 OF THE LEAD AND COPPER RULE REVISION ("LCRR") COMPLIANCE PROGRAM MANDATED BY THE ENVIRONMENTAL PROTECTION AGENCY ("EPA")

Jerry Ihler, Assistant City Manager, advised that the Environmental Protection Agency submitted revisions to the Lead and Copper Regulations effective December 16, 2021 and implemented mandates on the removal of harmful levels of lead and copper from drinking water. The revision requires that all cities take action to protect customers from health risks associated with lead and copper.

Mr. Ihler indicated that the proposed agreement with Freese and Nichols, Inc. in the amount of \$54,840 was for Phase 1 of a Compliance Plan. Data would be collected to prepare a risk assessment utilized in that the planning process for protecting citizens from receiving water contaminated with lead and copper.

Councilwoman Hunt moved to approve an agreement with Freese and Nichols, Inc. in the amount of \$54,840 for professional services for Phase 1 of the Lead and Copper Rule Revision ("LCRR") Compliance Program mandated by the Environmental Protection Agency ("EPA"), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF AMENDMENT NO. 2 WITH FREESE AND NICHOLS, INC. IN THE AMOUNT OF \$114,500 FOR ADDITIONAL SERVICES FOR THE NE 12TH STREET RECONSTRUCTION PROJECT FROM I-35 TO EASTERN AVENUE.

Jerry Ihler, Assistant City Manager, advised that initially the scope of the NE 12th Street project from I-35 to Eastern Avenue was more of a rehabilitation project by replacing panels, making improvements, and providing a bicycle/pedestrian pathway. However, with the ACOG grant the amount increased the budget from a \$3 million to \$9 million project of which the City would be responsible for \$1.8 of the estimated cost. The remainder of the \$9 million would be paid for by the state and federal government. The Geotechnical Survey on the soil indicated that 12th Street had more deterioration than anticipated. Due to the expanded scope of the project 12th Street will be replaced, landscaping and concept designs added, the drainage box near Sonic will be extended to build a full bike trail.

Councilwoman Hunt moved to approve Amendment No. 2 with Freese and Nichols, Inc. in the amount of \$114,500 for additional services for the NE 12th Street Reconstruction Project from I-35 to Eastern Avenue, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER APPROVAL OF CHANGE ORDER NO. 2 WITH SAC SERVICES, INC. IN THE AMOUNT OF \$18,850 FOR CONSTRUCTION OF ADDITIONAL PARKING AS PART OF THE TURNER AVENUE WIDENING & RECONSTRUCTION PROJECT; AND INCREASE THE CONTRACT PROJECT TIME BY 20 CALENDAR DAYS FOR DELAYS AND FOR CONSTRUCTION OF THE ADDITIONAL PARKING.

Jerry Ihler, Assistant City Manager, advised proposed Change Order 2 with SAC Services, Inc. for was the addition of a driveway at Turner and Main and parking at the corner of Turner and SE 4th Street. Mr. Ihler stated that off-street parking was added on Turner Avenue just east of The Urban Dog House. Since the property owner planned to add parking on the west side of Turner they have agreed to split the cost with the City equally.

Councilwoman McKenzie moved to approve Change Order No. 2 with SAC Services, Inc. in the amount of \$18,850 for construction of additional parking as part of the Turner Avenue Widening & Reconstruction Project; and increase the contract project time by 20 calendar days for delays and for construction of the additional parking, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER APPROVAL OF MODIFICATIONS TO THE PERSONNEL POLICY AND PROCEDURES MANUAL BY AMENDING ARTICLE 2 "EMPLOYEE ACTIVITIES" BY PROHIBITING SMOKING IN CITY VEHICLES; ARTICLE 3 "RECRUITMENT AND SELECTION" BY ADDING CLEANUP LANGUAGE AND REMOVAL OF

UNNECESSARY SECTIONS; ARTICLE 5 "LEAVES OF ABSENCE" BY ESTABLISHING RULES AND PROCEDURES FOR DONATION OF SICK LEAVE AND USE OF DONATED SICK LEAVE, AND BY ADDING CLEANUP LANGUAGE AND REMOVAL OF UNNECESSARY SECTIONS; AND ARTICLE 6 "PERFORMANCE EVALUATIONS AND PERFORMANCE INCREASES" BY ADDING CLEANUP LANGUAGE AND REMOVAL OF UNNECESSARY SECTIONS.

Brooks Mitchell, City Manager, asked that the item be tabled at the request of staff.

Councilman Williams moved to table Agenda Item No. 11, second by Councilwoman Hunt. Motion carried by majority vote.

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

Agenda Item Number 12 being:

CONSIDER AUTHORIZING THE PURCHASE OF 26 CUSTOM WASTE RECEPTACLES (PIZZA BOX BINS) FROM CLEAN RIVER RECYCLING SOLUTIONS IN THE AMOUNT OF \$28,463.70 AS THE LOWEST RESPONSIBLE WRITTEN QUOTE.

Sue Woods, Parks and Recreation Director, advised that the budgeted item was for 26 custom recycle containers for pizza boxes and party supplies as part of the trash container update for the parks. Ms. Woods stated that the large receptacles would be for items that do not fit in the regular trash containers, and would be placed at the pavilions where parties and family unions are routinely held.

Councilman Williams moved to authorize the purchase of 26 custom waste receptacles (pizza box bins) from Clean River Recycling Solutions in the amount of \$28,463.70 as the lowest responsible written quote, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER THE BUDGETED PURCHASE OF A CHASSIS CAB, TO SUPPORT THE BODY OF A NEW BUCKET TRUCK, FROM BILL KNIGHT FORD IN THE AMOUNT OF \$45,699.00 USING STATE CONTRACT NO. SW 035

Tony Mensah, Public Works Director, advised that Agenda Items No. 13 and 14 are for the purchase of a chassis cab and body for a new bucket truck. The new truck would replace an existing bucket truck that requires frequent repairs. Mr. Mensah indicated that the bucket truck would be utilized by several departments within the City.

Councilman Blair moved to approve the budgeted purchase of a chassis cab, to support the body of a new bucket truck, from Bill Knight Ford in the amount of \$45,699.00 using State Contract No. SW 035, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER THE BUDGETED PURCHASE OF A BUCKET TRUCK BODY FROM VIKING-CIVES MIDWEST INC. IN THE AMOUNT OF \$108,500.00 USING SOURCEWELL CONTRACT NO. 062222-VCM.

Councilman Blair moved to approve the budgeted purchase of a bucket truck body from Viking-Cives Midwest Inc. in the amount of \$108,500.00 using Sourcwell Contract No. 062222-VCM, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 15 being:

CONSIDER THE BUDGETED PURCHASE OF A HYUNDAI 35L-9A FORKLIFT FROM G.W. VAN KEPPEL COMPANY IN THE AMOUNT OF \$56,537.70 USING SOURCEWELL CONTRACT NO. 091520-HCE.

Tony Mensah, Public Works Director, advised that the City does not have a forklift in the fleet requiring staff to rent one when needed. This is sometimes costly and time consuming. Mr. Mensah added that the forklift would be delivered within 30 days.

Councilman Blair moved to approve the budgeted purchase of a Hyundai 35L-9A forklift from G.W. Van Keppel Company in the amount of \$56,537.70 using Sourcwell Contract No. 091520-HCE, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 16 being:

CONSIDER THE BUDGETED PURCHASE OF A 2023 POLARIS RANGER CREW 570 SP SIDE-BY- SIDE UTV FROM ROTHER BROS., INC. IN THE AMOUNT OF \$26,961.97 WITH A SIGNAL LIGHTS AND TAG MOUNT KIT USING SOURCEWELL CONTRACT NO. 122200-PSI.

Tony Mensah, Public Works Director, advised that the proposed UTV was requested by the Animal Control Department and would be utilized in areas such as City parks and fields that are not accessible by truck. Council asked if the vehicle would be driven on the City streets since it would be tagged or if a trailer would be purchased. Mr. Mensah indicated that the vehicle would be street legal; however the purchase of a trailer would be requested during the next budget year.

Councilman Blair moved to approve the budgeted purchase of a 2023 Polaris Ranger Crew 570 SP Side-by- Side UTV from Rother Bros., Inc. in the amount of \$26,961.97 with a Signal Lights and Tag Mount Kit using Sourcwell Contract No. 122200-PSI, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 17 being:

CONSIDER RESOLUTION NO. 48(23) ADOPTING A SUBSTANTIAL AMENDMENT TO THE 2022 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN; AND AUTHORIZE THE MAYOR TO SUBMIT THE AMENDED PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Kahley Gilbert, Project-Grants Manager, advised that the 2022 CDBG Action Plan was originally approved by Council on July 18, 2022 and approved by the U.S. Department of Housing and Urban Development on September 23, 2022. This year's public improvement project consisted of a sewer line replacement in the Armstrong Addition. Ms. Gilbert indicated that approximately \$170,000 remained unutilized following completion of the project. She advised that the Parks Department requested CDBG funding for construction of a pickle ball court in Kiwanis Park. This project would be located in a low income area and was identified in the City's Consolidated Plan making it an eligible project for funding. The project would include construction of the court, fencing surrounding the court, and lighting installation. The proposed substantial amendment would involve adding the Kiwanis Park pickle ball court to the 2022 Action Plan and moving the leftover funds from the Armstrong sewer replacement project to the pickle ball court project.

Councilwoman McKenzie moved to adopt Resolution No. 48(23) adopting a substantial amendment to the 2022 Community Development Block Grant Action Plan; and authorize the Mayor to submit the amended plan to the U.S. Department of Housing and Urban Development, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 18 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF TEN (10) MOTOROLA APX 6000 SERIES HANDHELD RADIOS FROM MOTOROLA SOLUTIONS IN THE AMOUNT OF \$59,778.10 USING STATE CONTRACT NO. 37435-OMES, OK SW 1053M.

Deputy Police Chief Blake Green requested authorization for the budgeted request for ten handheld radios.

Councilman Williams moved to authorize the budgeted purchase of ten (10) Motorola APX 6000 Series handheld radios from Motorola Solutions in the amount of \$59,778.10 using State Contract No. 37435-OMES, OK SW 1053M, second by Councilman Blair. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:19 P.M.

Agenda Item Number 19 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JANUARY 17, 2023.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$1,150,673.20.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:20 P.M.

Agenda Item Number 20 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JANUARY 17, 2023.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$374,664.68.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:21 P.M.

Agenda Item Number 21 being:

NEW BUSINESS:

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

Al Jones, 3308 SE 89th, Trailer 268, Oklahoma City, appeared before Council to request that they look into a complaint he made against the Moore Police Department regarding issues related to his daughter's mental health evaluation. Councilman Hamm asked the City Manager look into the investigation done by the Police Department and report his findings to the City Council.

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

Councilman Hamm asked for an update on the strip center located at 12th and Broadway that was posted for condemnation on February 1, 2023. Brooks Mitchell, City Manager, stated that the property owner has

a plan in place to rehabilitate the property. If that does not happen the City will move forward with the condemnation process. Councilman Hamm indicated that he would like to be kept updated since he noticed that the doors have been pried open potentially allowing entry into the building. He also stated that the 4th Street exit for northbound I-35 has been mowed but it appears that trash was left behind. Councilman Hamm asked the City Manager contact ODOT regarding the situation.

Councilwoman McKenzie asked for an update regarding the recent lane changes for northbound traffic due to the Eastern Avenue street project. Jerry Ihler, Assistant City Manager, advised that both northbound lanes have been closed from 4th to 19th. Traffic will be switched over to one direction each way on the northbound lanes of Eastern Avenue from SE 19th Street to between SE 12th and SE 13th Streets, and the southbound lanes from 19th to between 12th and 13th would be closed.

Councilwoman McKenzie expressed appreciation to Allen Contracting for being responsive to concerns from residents along Eastern Avenue by filling low spots due to the construction making it easier to enter and exit the addition there. Councilman Williams thanked Jerry Ihler for his assistance in working on a solution for the addition of a driveway and parking at the corner of Turner and Main.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City/Trust Manager.

Agenda Item Number 22 being:

EXECUTIVE SESSION:

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED BY EARTH ANGEL LLC AND EMERALD CORPORATION LLC, REPRESENTED BY NATION LAW FIRM LLC, 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) CONVENE INTO EXECUTIVE SESSION

Councilman Blair moved to convene into executive session, second by Councilman Williams. Motion carried unanimously.

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

The City Council convened into executive session at 7:36 p.m.

C) RECONVENE FROM EXECUTIVE SESSION

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

the City Council reconvened from executive session at 7:42 p.m.

D) ACTION

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED BY EARTH ANGEL LLC AND EMERALD CORPORATION LLC, REPRESENTED BY NATION LAW FIRM LLC, 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 Earth Angel LLC and Emerald Corporation LLC, represented by Nation Law Firm LLC, 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), second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 23 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:43 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

MELISSA HUNT, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2023.

ATTEST:

VANESSA KEMP, City Clerk