

**MINUTES OF THE REGULAR MEETING OF  
OF THE MOORE CITY COUNCIL  
THE MOORE PUBLIC WORKS AUTHORITY  
AND THE MOORE RISK MANAGEMENT BOARD  
DECEMBER 4, 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 December 4, 2023 at 6:30 p.m. with Vice-Mayor Melissa Hunt presiding.

*Adam Webb*  
*Councilman, Ward I*

*Kathy Griffith*  
*Councilwoman, Ward I*

*Melissa Hunt*  
*Councilwoman, Ward II*

*Vacant*  
*Councilman, Ward II*

*Jason Blair*  
*Councilman, Ward III*

*Louie Williams*  
*Councilman, Ward III*

PRESENT: Griffith, Williams, Webb, Hunt  
ABSENT: Blair, Lewis

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; Emergency Management Director, Gayland Kitch; Finance Director, John Parker; Fire Chief Greg Herbster; Human Resource Director, Christine Jolly; Information Technology Director, David Thompson; Parks and Recreation Director, Sue Wood; Police Chief Todd Gibson; Police 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.

Vice-Mayor Hunt presented a proclamation to Brian Ruttman, Moore Norman Technology Center Superintendent and CEO, commemorating the 50th Anniversary of the Moore-Norman Technology Center. Mr. Ruttman expressed his appreciation for the proclamation and for Council's support and stated that it was their privilege to serve the community of Moore. He also expressed his appreciation for the partnership with the Moore Police Department on the Basic Peace Officer's Certification Program which is a benchmark around the Country. Mr. Ruttman recognized Max Venard who has been a board member for MNTC for 30 years and he will be running for another term. Mr. Venard thanked the City Council for the recognition. Vice-Mayor Hunt expressed her appreciation to Moore Norman Technology Center for the important work they do in the development of the work force in Oklahoma.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 20, 2023.
- B) APPROVE THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD NOVEMBER 9, 2023.
- C) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD OCTOBER 10, 2023.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$2,981,554.38.

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

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 3 being:**

CONSIDER ACCEPTANCE OF THE CITY'S FINANCIAL AUDIT FOR THE FISCAL YEAR ENDED JUNE 30, 2023.

Brooks Mitchell, City Manager, introduced Bob Dillion with Dillion & Associates, who gave a short presentation regarding the results of the City's financial audit. Mr. Dillon advised that examination of the financial statements did not disclose any material misstatements and the City was issued an Unmodified Opinion. He added that a report was also issued on the Single Audit which covers federal expenditures in the amount of \$8.2 million, including \$4.8 million in ARPA funds and \$2.4 million in FEMA funds. Mr. Dillon noted that there were no findings or questioned costs related to the federal programs.

Mr. Dillon stated that Dillion & Associates previously completed the City's millage calculation of property tax at 15.45 mills. He advised that the millage rate has remained steady over the past several years. He indicated that the City typically collects close to 100% of the assessments and this year it was around 99%.

Mr. Dillon advised that the City is required to have sufficient revenues to cover 125% of the debt service on the revenues notes. Last year there was enough revenue to cover five times the debt service. Any excess sales tax after the pledge was returned to the general fund. The sales and use tax increased by 4% last year. There was a total of \$53 million collected in sales and use tax indicating new retailers and strong sales within the City limits. The General Fund fund balance of \$23 million included a carry-over to the current budget year of \$17 million. A reserve fund in the amount of \$4.5 million was established for unforeseen emergencies. The City's long-term debt decreased by \$4 million over the year.

The City Council thanked Mr. Dillon for his report.

**Councilman Webb moved to accept the City's Financial Audit for fiscal year ended June 30, 2023, second by Councilman Williams. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 4 being:**

CONSIDER REZONING APPLICATION NO. 1034, LOCATED IN THE SW/4 OF SECTION 14, T10N, R3W, BEING SOUTH OF NW 5<sup>TH</sup> STREET AND WEST OF I-35, FROM C-5 AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT TO C-5/PUD AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT/PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 19(23). APPLICATION BY HIGH FLYER HOLDINGS, INC. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 3.

Elizabeth Weitman, Community Development Director, advised that the vacant C-5 property is located south of NW 5<sup>th</sup> Street and west of the I-35 Service Road. The applicant proposed a commercial lease

space for uses that are more intense than those allowed under the C-5 zoning district by right. Ms. Weitman stated that to achieve the desired development the applicant requested a rezoning to C-5 as a Planned Unit Development. Public sewer is available from Telephone Road and must be extended east to serve the site. Water is available; however, for fire protection purposes, the waterline must be upgraded to 8" and extended east through the site. Because the property is under one acre in size stormwater detention is not required. She added that no FEMA floodplain is located on the property. Access will be provided by the I-35 Service Road. Ms. Weitman indicated that the applicant proposed a cross-access parking agreement with the adjacent commercial lot to the west, which he also owns, with access between the lots. She advised that the applicant is utilizing a PUD to expand upon the allowable uses in the C-5 Automotive and Commercial Recreation District while providing protections to preserve the commercial integrity of the I-35 Corridor. The City may relax certain requirements in exchange for amenities that would not otherwise be required. The PUD proposal included the following amenities:

- A minimum of 80% masonry facade is required.
- Required landscaping amount that exceeds City Code by 15%.
- No outdoor storage or display allowed at any time on the property.
- All dumpsters must be located behind the front building line with a fence or masonry wall enclosure to screen the dumpster from I-35.

Ms. Weitman stated that the developer would be allowed increased latitude in the types of businesses allowed to locate on the site. An all inclusive listed was included in the PUD Design Statement; however, a few of the uses include the following:

- Automotive Sales and Rentals, no outdoor display/storage
- Automotive and Equipment Storage, indoor only
- Custom Manufacturing
- Wholesaling
- Participant Recreation and Entertainment with alcoholic beverages permitted.
- Light industrial uses intended for small scale users with limited manufacturing abilities, with no outdoor display/storage.

The Envision Moore 2040 Plan designated the area as Transitional Commerce. Typical uses include heavy commercial, light industrial, and some supporting office uses. The application was reviewed and found to be in conformance with the intent of the Plan. Staff recommended approval of the application contingent upon the following:

- All overhead doors visible from I-35 be glass or decorative in nature.
- A professional landscaping plan required at the building permit stage with an automatic sprinkle system required for all landscaping.

**Councilman Webb moved to approve Rezoning Application No. 1034, located in the SW/4 of Section 14, T10N, R3W, being south of NW 5<sup>th</sup> Street and west of I-35, from C-5 Automotive and Commercial Recreation District to C-5/PUD Automotive and Commercial Recreation District/Planned Unit Development; and approve Ordinance No. 19(23), second by Councilwoman Griffith. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 5 being:**

CONSIDER REZONING APPLICATION NO. 1040, LOCATED IN THE NE/4 OF SECTION 11, T10N, R3W, BEING SOUTH OF NE 27<sup>TH</sup> STREET AND WEST OF EASTERN AVENUE, FROM A-2 SUBURBAN AGRICULTURAL DISTRICT TO R-2/PUD TWO-FAMILY DWELLING DISTRICT AS A PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 25(23). APPLICATION BY J&R PARTNERS, LLC/DAVID BOX. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 2.

Elizabeth Weitman, Community Development Director, advised that the vacant A-2 site is located south of NE 27<sup>th</sup> Street and west of Eastern Avenue. The applicant proposes to develop the property with ten duplexes and one single-family detached home, or 21 living units. Ms. Weitman stated that the applicant requested to rezone the property to R-2 as a Planned Unit Development in order to achieve the desired densities. Public water must be extended to serve the site, and public sewer must be extended from the east and north boundary of the property. Because the property is over one acre in size stormwater detention is required. No FEMA floodplain is located on the site. Access will be provided by N. Eastern Avenue with one proposed driveway.

Ms. Weitman stated that the PUD proposal included the following amenities:

- A minimum of 70% masonry facade is required.
- 42 trees and 21 shrubs is required and served with an automatic sprinkler system.
- A 500 sf pergola with two picnic tables
- Playground for resident's use.

The Envision Moore 2040 Plan calls for the location to be Urban Residential which includes a mix of attached and detached living units up to seven dwelling units per acre. Patio homes and duplexes should be located within ¼ mile to Neighborhood Commercial or Community Commercial land uses. The application was reviewed and found to be in compliance with the intent of the plan. Staff recommended approval of the application.

Councilman Williams asked if there was an HOA. Ms. Weitman stated that the property would remain under one ownership who would be responsible for maintaining the common areas.

**Councilman Williams moved to approve Rezoning Application No. 1040, located in the NE/4 of Section 11, T10N, R3W, being south of NE 27<sup>th</sup> Street and west of Eastern Avenue, from A-2 Suburban Agricultural District to R-2/PUD Two-Family Dwelling District as a Planned Unit Development; and approve Ordinance No. 25(23), second by Councilman Webb. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 6 being:**

CONSIDER REZONING APPLICATION NO. 1041, LOCATED IN THE SW/4 OF SECTION 28, T10N, R2W, BEING NORTH OF SE 34<sup>TH</sup> STREET AND EAST OF SOONER ROAD, FROM A-1 RURAL AGRICULTURAL DISTRICT TO A-2/PUD SUBURBAN AGRICULTURAL DISTRICT AS A PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 26(23). APPLICATION BY CHARLES AND CATHERINE SMITH. (PLANNING COMMISSION RECOMMENDED APPROVAL 5-1). WARD 1.

Elizabeth Weitman, Community Development Director, stated that the A-1 subject site is located north of SE 34<sup>th</sup> Street and east of Sooner Road and contains an existing metal building and a metal pole barn. The applicant proposes to develop the west 300' as a fossil and mineral preparation, showroom, and sales business, with the east 3 acres as a homesite for one single-family home. Ms. Weitman stated that in order to achieve the desired development the applicant is requesting a rezoning to A-2 as a Planned Unit Development. A 12" public waterline is located south of the site at the Twin Lakes Addition entrance and must be extended to serve the site. Because public sewer is not anticipated to be available to the site, the applicant proposes to utilize a private septic system. Since the property is over one acre in size stormwater detention is required. No FEMA floodplain is located on the site. Access will be provided by Sooner Road with one existing driveway. Access to the residential site is proposed from a gravel drive from the business parking lot.

Ms. Weitman stated that the applicant is utilizing a Planned Unit Development which includes the following amenities:

- A 100% EFIS facade is required along the west side of the existing building.
- 15 trees are required for the commercial tract, 10 of which must be evergreen trees to serve as a buffer to the residential homes to the south. An irrigation system is required.
- Site-proof fencing is required for the "trailer bullpen" shown on the site plan.

The Envision Moore 2040 Plan designates the area as Open Space Residential. The application was reviewed as to its conformance with the intent of the Plan. Ms. Weitman stated that if Council determines the proposed development maintains the rural nature of the area, and the amenities provide sufficient protection to the surrounding residential properties, an amendment to the Plan is not necessary and staff recommends approval of the item.

Ms. Weitman stated that several residents appeared at the Planning Commission to speak in opposition to the application. Concerns were raised regarding light trespass, increased noise, increased traffic, and property aesthetics. In response the applicant stated that preparation of the fossils and minerals would take place in-doors, and the EFIS facade was increased from the originally proposed 25% to 100% of the west side of the metal building for aesthetic purposes. Ms. Weitman stated that a protest letter was received stating the application was spot zoning. Ms. Weitman forwarded the letter to the City Council but noted for the record that she disagreed with that statement.

Councilman Williams asked if the commercial and residential lots could not be separated in the future. Ms. Weitman felt it was possible that they could be separated. The zoning would remain the same with a PUD; however, an access easement would need to be provided to access the residential lot. Vice-Mayor Hunt asked if the property were sold could another business utilize the site. Ms. Weitman advised that the PUD was very specific and the only business that could operate on the site is a fossil and mineral preparation, showroom, and sales business.

Applicant, Charles Smith, 6400 SE 149th, Oklahoma City advised that he plans to utilize the property for fossils and minerals. He felt that most of the opposition to the item was because of the building aesthetics which they hope to deal with through the design statement.

Diana Milum, 4500 Texoma Place, asked how far Mr. Smith intended to extend the building and if it would be located within the 3 acres that would include his home. Councilman Williams advised that it would be extended 80' but would not extend into the residential lot. Ms. Milum expressed concern that the property would become commercial in the middle of a residential area. Ms. Weitman stated that the PUD specifically stated that only the west 300' can be used for commercial purposes. The remainder of the property must be used for only one single-family home. Any future requests to change the zoning would go through the same public comment and consideration process.

**Councilwoman Griffith moved to approve Rezoning Application No. 1041, located in the SW/4 of Section 28, T10N, R2W, being north of SE 34<sup>th</sup> Street and east of Sooner Road, from A-1 Rural Agricultural District to A-2/PUD Suburban Agricultural District as a Planned Unit Development; and approve Ordinance No. 26(23), second by Councilman Webb. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 7 being:**

CONSIDER REZONING APPLICATION NO. 1039, LOCATED IN THE NE/4 OF SECTION 26, T10N, R3W, BEING SOUTH OF SW 19<sup>TH</sup> STREET AND WEST OF EASTERN AVENUE, FROM I-2 MEDIUM INDUSTRIAL DISTRICT TO I-2/PUD MEDIUM INDUSTRIAL DISTRICT AS A PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 24(23). APPLICATION BY MITCHEL DAVIDSON. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 3.

Elizabeth Weitman, Community Development Director, advised that the subject property is located south of SE 19<sup>th</sup> and west of Eastern Avenue. The vacant property is zoned I-2 Medium Industrial District, and the applicant proposes to develop a mini-storage operating on a private septic system. To achieve the desired development the applicant requested a rezoning to I-2 as a Planned Unit Development.

Ms. Weitman stated that public water is available to serve the site. She noted that, although public sewer is available from SE 19<sup>th</sup> Street, the elevation is not sufficient to accommodate a public sewer extension. Therefore, the applicant intends to install a septic system in accordance with Oklahoma Department of Environmental Quality standards. Because the property is over an acre in size stormwater detention is required. There is no FEMA floodplain located on the site. Access will be provided by S. Eastern Avenue with one driveway proposed. Ms. Weitman noted that there is currently a driveway across the southwest corner of the site for access to 2097 S. Eastern Avenue from Dale Drive. Because this is the only access point for 2097 S. Eastern Avenue, any future development will be required to maintain this access. However, because Dale Drive is not constructed to City standards for industrial sites, and due to the congested nature of SE 19<sup>th</sup> Street at the intersect with Dale Drive, the subject lot will not have access to Dale Drive.

Ms. Weitman indicated that the applicant is utilizing a PUD to allow the operation of an on-site septic system. The PUD includes the following amenities:

- A minimum of 15% increase in landscaping above base landscaping requirements.
- S. Eastern Avenue facade shall be 75% masonry, not metal.

The Envision Moore 2040 Plan calls for the location to be Transitional Commerce. Staff believes the application is in conformance with the intent of the Plan and recommends approval of the item.

**Councilman Webb moved to approve Rezoning Application No. 1039, located in the NE/4 of Section 26, T10N, R3W, being south of SW 19<sup>th</sup> Street and west of Eastern Avenue, from I-2 Medium Industrial District to I-2/PUD Medium Industrial District as a Planned Unit Development; and approve Ordinance No. 24(23), second by Councilman Williams. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 8 being:**

CONSIDER DECLARING THIRTY (30) SAFARILAND SECOND CHANCE BODY ARMOR/VESTS AS SURPLUS AND AUTHORIZE THEIR DONATION TO THE OKLAHOMA ASSOCIATION OF CHIEFS OF POLICE FOR DONATION TO AGENCIES ACROSS THE STATE OF OKLAHOMA.

Chief Todd Gibson stated that body armor for police officers is replaced every five years based on the manufacturer's warranty. He requested that 30 vests be declared as surplus and donated to the Oklahoma Association of Chiefs of Police who will obtain liability waivers and place them in the hands of officers in rural areas that may not have vests.

**Councilman Williams moved declare thirty (30) Safariland Second Chance body armor/vests as surplus and authorize their donation to the Oklahoma Association of Chiefs of Police for donation to agencies across the State of Oklahoma, second by Councilman Webb. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 9 being:**

CONSIDER DECLARING FIVE (5) PICKUP TRUCKS, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", AS SURPLUS.

Tony Mensah, Public Works Director, stated that staff would request five trucks from 2000 to 2008 that have been replaced with new vehicles be declared surplus and sold at auction.

**Councilman Webb moved to declare five (5) pickup trucks, more particularly described in Exhibit "A", as surplus, second by Councilman Williams. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 10 being:**

CONSIDER AUTHORIZING THE CAB AND CHASSIS OF UNIT NO. 91656, POTHOLE PATCH TRUCK, WHICH WAS DEEMED SURPLUS BY COUNCIL ON JUNE 5, 2023, TO BE REPURPOSED FOR THE INSTALLATION OF A NEW BRINE APPLICATION SYSTEM.

Tony Mensah, Public Works Director, stated that the cab and chassis of a pothole patch truck previously declared as surplus is still serviceable, it was only the body that is bad. Staff would request utilizing the cab and chassis for the new brine application system instead of purchasing a new vehicle, since the vehicle would only be used a few times each year.

**Councilman Webb moved to authorize the Cab and Chassis of Unit No. 91656, Pothole Patch Truck, which was deemed surplus by Council on June 5, 2023, to be repurposed for the installation of a new Brine Application System, second by Councilman Williams. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 11 being:**

CONSIDER APPROVAL OF AMENDMENT NO. 1 IN THE AMOUNT OF \$233,800 WITH FREESE AND NICHOLS FOR PHASES 2,3 AND 4 OF THE LEAD AND COPPER RULE COMPLIANCE PROGRAM MANDATED BY THE ENVIRONMENTAL PROTECTION AGENCY.

Jerry Ihler, Assistant City Manager, stated that in January 2021 the Environmental Protection Agency released revisions to the Lead and Copper Rule Compliance Program which sets new standards on removal of harmful levels of copper and lead in the drinking water. A plan for addressing lead and copper must be submitted to the EPA by October 2024. Freese and Nichols was previously retained by the City for Phase 1 which involves an initial assessment of building plans and county records to identify areas which may contain lead and copper. Phase 2 would involve preparation of a GIS map of service line material inventory. The map will have information on the private service line between the meter and the house and the public line from the meter to the main. A mobile application will be created to allow for update of the data such as when Veolia makes repairs to a service line. Phase 3 is field verification to identify areas with higher lead risk. Phase 4 involves development of communication for public outreach requirements. This will allow residents to look at the information to determine their own risk. Mr. Ihler recommended approval of amendment to the contract with Freese and Nichols for Phases 2, 3 and 4 of the Lead and Copper Rule Compliance Program.

Councilman Williams asked if remediation would occur at a later time. Mr. Ihler stated that the EPA recently released information on remediation. At this point municipalities would have ten years to remediate service lines with high lead concentrations.

**Councilman Webb moved to approve Amendment No. 1 in the amount of \$233,800 with Freese and Nichols for Phases 2,3 and 4 of the Lead and Copper Rule Compliance Program mandated by the Environmental Protection Agency, second by Councilman Williams. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 12 being:**

CONSIDER APPROVING AMENDMENT NO. 1 IN THE AMOUNT OF \$30,000 TO THE AGREEMENT WITH TRAFFIC ENGINEERING CONSULTANTS, INC. FOR PROFESSIONAL TRANSPORTATION ENGINEERING SERVICES FOR ADDITIONAL CITYWIDE STRIPING PLANS FOR THE SW 19<sup>TH</sup> STREET (SANTA FE AVENUE TO EASTERN AVENUE) PROJECT, ODOT JOB NO. 35804(04).

Jerry Ihler, Assistant City Manager, advised that in 2022 ODOT awarded the City around \$325,000 from ACOG for striping two miles of roadway along the 19<sup>th</sup> Street Corridor from Santa Fe to Eastern Avenue. The City entered into an agreement with Traffic Engineering Consultants for plan preparation which was submitted to ODOT. He indicated that during this time ODOT solicited bids for contracts on all ODOT striping and pavement marking projects. Mr. Ihler stated that award of the contract resulted in a significant cost savings which will allow the scope of the project to include the striping of an additional five to six miles of roadway. The proposed amendment to the contract with Traffic Engineering Consultants in the amount of \$30,000 was for the required plans for the extended project.

**Councilman Williams moved to approve Amendment No. 1 in the amount of \$30,000 to the Agreement with Traffic Engineering Consultants, Inc. for professional transportation engineering services for additional citywide striping plans for the SW 19<sup>th</sup> Street (Santa Fe Avenue to Eastern Avenue) Project, ODOT Job No. 35804(04), second by Councilwoman Griffith. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 13 being:**

CONSIDER AWARDING BID NO. 2024-004 TO SILVER STAR CONSTRUCTION IN THE AMOUNT OF \$932,200 AS THE LOWEST MOST RESPONSIVE BIDDER FOR THE S. BRYANT AND SE 4<sup>TH</sup> STREET AND DRAINAGE IMPROVEMENTS; AND APPROVE CONTRACT FOR SAME.

Jerry Ihler, Assistant City Manager, advised that on October 4, 2023 the City received six bids for the street and drainage improvement project for S. Bryant and SE 4<sup>th</sup> Street. The project would involve moving Bryant Avenue to the west to allow channel improvements on both sides of the roadway from SE 4<sup>th</sup> Street north for approximately 1,000 feet. Mr. Ihler advised that the bids ranged from \$782,000 to \$1.196 million. Mr. Ihler stated that staff did not recommend awarding the bid to the low bidder. The bid was submitted by an unknown company and contained multiple errors. Some of the references did not exist or gave the company a poor recommendation based on the quality of their work. Therefore, staff would recommend awarding the contract to the second lowest bidder, Silver Star Construction, in the amount of \$932,200.

Vice-Mayor Hunt thanked Mr. Ihler for his diligence in checking out the references.

**Councilman Williams moved to award Bid No. 2024-004 to Silver Star Construction in the amount of \$932,200 as the lowest most responsive bidder for the S. Bryant and SE 4<sup>th</sup> Street and Drainage Improvements; and approve contract for same, second by Councilman Webb. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 14 being:**

CONSIDER APPROVAL OF THE 2022 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) AND ADOPT RESOLUTION NO. 71(23) SUBMITTING SAID REPORT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Kahley Gilbert, Project Grants Manager, advised that a Consolidated Annual Performance and Evaluation Report ("CAPER") is submitted to HUD at the end of each program year. Adoption of Resolution No. 71(23) would submit the CAPER Report for Program Year 2022 which ran from October 1, 2022 and ended September 2023. Ms. Gilbert stated that the City was allocated \$338,776 in entitlement grant funds with an additional \$205,652.58 in available CDBG-COVID. Projects which received funding include:

- Home delivered meals for seniors
- Counseling for sexually abused children
- Youth counseling
- Forensic interviews for children

- Fair Housing Services
- Substance Abuse Counseling
- Parking lot reconstruction for the Moore Food and Resource Center
- Completed construction of a pickball court at Kiwanis Park

Ms. Gilbert stated that a total of 1,686 residents benefited from 2022 Entitlement and COVID funds. She noted that \$37,755.63 in unallocated funds will be rolled over into next year's infrastructure project.

**Councilman Webb moved to approve the 2022 Consolidated Annual Performance and Evaluation Report (CAPER) and adopt Resolution No. 71(23) submitting said report to the U.S. Department of Housing and Urban Development, second by Councilman Williams. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:31 P.M.**

**Agenda Item Number 15 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD NOVEMBER 20, 2023.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$558,851.41.

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

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**Agenda Item Number 16 being:**

CONSIDER APPROVAL OF OPTION 0243132 FROM MIDWEST EMPLOYERS CASUALTY COMPANY FOR THE CITY'S EXCESS WORKERS COMPENSATION INSURANCE POLICY WITH AN ANNUAL PREMIUM OF \$152,444, FOR A TOTAL OF \$304,888 FOR TWO YEARS, WITH TOM BECKMAN WITH THE BECKMAN COMPANY AS AGENT.

Brian Miller, City Attorney, stated that the agenda item was for renewal of the City's Excess Workers Compensation Insurance policy. Mr. Miller advised that Midwest Employers Casualty Company offered the City a one-year option and a two-year option. Mr. Miller stated that the two-year option would lock in the rate which is beneficial since insurance rates are trending up. He advised that the annual premium amount is \$152,444. Mr. Miller noted that Tom Beckman with The Beckman Company was available to answer any questions.

**Trustee Webb moved to approve Option 0243132 from Midwest Employers Casualty Company for the City's Excess Workers Compensation Insurance Policy with an annual premium of \$152,444, for a total of \$304,888 for two years, with Tom Beckman with the Beckman Company as agent, second by Trustee Griffith. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:33 P.M.**

**Agenda Item Number 17 being:**

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD NOVEMBER 20, 2023.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$286,205.04.

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

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH VICE-MAYOR MARK HAMM PRESIDING AT 7:34 P.M.**

**Agenda Item Number 18 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 Williams stated that he attended the Christmas Spectacular and Tree Lighting Ceremony on December 1, 2023 at The Station. He commented that he was very impressed with the event and noted that there was a large number of spectators in attendance. Councilman Webb and Councilman Williams thanked Sue Wood, Parks and Recreation Director, and her staff for their hard work.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, also expressed his appreciation to Sue Wood, Parks and Recreation Director, Police Chief Todd Gibson, Fire Chief Greg Herbster, and Gayland Kitch, Emergency Management Director for their hard work in making the Christmas Spectacular on Friday, December 1, 2023 and the Christmas Parade on Saturday, December 2, 2023 successful events for the City.

**Agenda Item Number 19 being:**

ADJOURNMENT

**Councilman Williams moved to adjourn the City Council meeting, second by Councilwoman Griffith. Motion carried unanimously.**

Ayes: Griffith, Williams, Webb, Hunt  
Nays: None  
Absent: Blair, Lewis

**The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:35 p.m.**

TRANSCRIBED BY:

\_\_\_\_\_  
RHONDA BAXTER, Executive Assistant

FOR:

\_\_\_\_\_  
KATHY GRIFFITH, MPWA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
VANESSA KEMP, City Clerk