

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD
AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY
APRIL 17, 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 April 17, 2023 at 6:30 p.m. with Vice-Mayor Adam Webb 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: Hunt, Williams, Hamm, Webb

ABSENT: McKenzie, Blair, Lewis

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney/Risk Manager, Brian Miller; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; Finance Director, John Parker; Fire Chief Greg Herbster; Human Resources Director, Christine Jolly; Network Technician, Thomas Farrar; Parks and Recreation Director, Sue Wood; Police Chief, Todd Gibson; Police Sergeant, Nathan Wells; Project Grants Manager, Kahley Gilbert; Public Affairs Director, Deidre Ebrey; Senior Accountant, Doris Levy; and Project Manager with Veolia Water, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 3, 2023.
- B) ADOPT RESOLUTION NO. 49(23) APPROVING THE FEBRUARY 2023 COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (CDBG-DR) PROGRAM INTERNAL AUDIT REPORT.
- C) APPROVE A CONTRACT WITH THE CENTRAL OKLAHOMA TRANSPORTATION AND PARKING AUTHORITY ("COTPA") D/B/A EMBARK TO PROVIDE NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES FOR SENIORS OVER 60 YEARS OF AGE WITH \$15,000 IN MATCHING FUNDS FROM THE CITY.
- D) GRANT AN EASEMENT LOCATED IN THE NW/4, SECTION 23, T10N, R3W TO OKLAHOMA GAS & ELECTRIC ("OG&E") TO PROVIDE SERVICE TO THE STATION EXPANSION PROJECT.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$2,983,113.37.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE NW/4 OF SECTION 10, T10N, R3W, BEING SOUTH OF NW 27TH STREET AND WEST OF I-35. APPLICATION BY JIM LAGREE.

Elizabeth Weitman, Community Development Director, advised that the proposed lot split is located south of NW 27th Street and west of I-35 in the North Moore Business Park. Ms. Weitman stated that the business park was zoned I-1 and contained 10 acres. The applicant proposes to split the vacant south end from the larger business park. She advised that the new lot would be 2 acres in size. City water was available; however, public sewer must be extended to serve the site. Ms. Weitman indicated that the new lot must be platted prior to development and stormwater detention was required. She stated that because the two resulting lots were in conformance with the I-1 zoning district, and the surrounding industrial developments, staff recommended approval of the item.

Councilman Williams asked if the applicant planned to develop the site. Ms. Weitman advised that the applicant planned to construct similar buildings to those in the existing business park with no substantial change in use.

Councilwoman Hunt moved to approve a lot split located in the NW/4 of Section 10, T10N, R3W, being south of NW 27th Street and west of I-35. Application by Jim Lagree, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER AUTHORIZING THE PURCHASE OF NINETEEN (19) PORTABLE/HANDHELD RADIOS AND RELATED ACCESSORIES FROM L3HARRIS TECHNOLOGIES, INC. IN THE AMOUNT OF \$58,487.70 OFF STATE CONTRACT NO. SW1053.

Police Chief Gibson stated that the agenda item was for the budgeted purchase of 19 handheld radios off the state contract. He advised that the City Council previously approved the purchase of 10 handheld radios from Motorola Solutions; however, after researching the subject further, it was discovered that staff could purchase an equally effective radio from L3Harris Technologies for a lower price enabling them to purchase 19 radios instead of 10.

Councilman Williams moved to authorize the purchase of nineteen (19) portable/handheld radios and related accessories from L3Harris Technologies, Inc. in the amount of \$58,487.70 off State Contract No. SW1053, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AUTHORIZING THE PURCHASE OF THIRTY-FOUR (34) MOBILE/VEHICLE MOUNTED RADIOS AND RELATED ACCESSORIES FROM L3HARRIS TECHNOLOGIES INC. IN THE AMOUNT OF \$180,200.00 OFF STATE CONTRACT NO. SW1053.

Police Chief Gibson advised that the item was for the budgeted state contract purchase of 34 radios that would be installed in new police vehicles. He noted that by changing the brand of radio the cost would be \$54,000 less than originally anticipated.

Councilman Hamm asked if the new vehicles had been delivered. Chief Gibson stated that they have received 20 vehicles. The cars will be marked within the week. He added that, if the item is approved, the radios would be delivered within 30 days with installation occurring immediately thereafter.

Councilman Hamm moved to authorize the purchase of thirty-four (34) mobile/vehicle mounted radios and related accessories from L3Harris Technologies Inc. in the amount of \$180,200.00 off State Contract No. SW1053, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF THIRTY-TWO (32) SAFARILAND BULLETPROOF VESTS OFF STATE CONTRACT NO. SW0764 FROM SPECIAL OPS IN THE AMOUNT OF \$29,568.00, 50% OF THIS COST WILL BE REIMBURSED USING DEPARTMENT OF JUSTICE PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP GRANT FUNDS, TO REPLACE VESTS DUE TO EXPIRE IN 2023.

Police Chief Gibson advised that the item was for purchase of body armor worn by the police officers every day. He stated that the vests were replaced after the warrantied life expectancy of five years. The proposed purchase of 32 vests is the allotted number due for replacement. Chief Gibson stated that this was a budgeted state contract purchase with an anticipated 50% reimbursement from the federal government.

Councilman Williams moved to authorize the budgeted purchase of thirty-two (32) Safariland bulletproof vests off State Contract No. SW0764 from Special Ops in the amount of \$29,568.00, 50% of this cost will be reimbursed using Department of Justice Patrick Leahy Bulletproof Vest Partnership grant funds, to replace vests due to expire in 2023, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER RENEWAL OF A CONTRACT WITH PIVOT, INC. IN THE AMOUNT OF \$18,000 FOR OPERATION OF A COMMUNITY INTERVENTION CENTER TO RECEIVE AND HOLD JUVENILES WHO HAVE BEEN TAKEN INTO CUSTODY BY LAW ENFORCEMENT AGENCIES.

Police Chief Gibson advised that the item was for the annual renewal of a contract with PIVOT. Juveniles who are taken into custody for status offenses or statutory violations are taken to the Community Intervention Center operated by PIVOT. Chief Gibson advised that this benefits the City by allowing the officers to return to patrol much sooner. Another benefit is that PIVOT provides family resources and resources for the children that are taken to the facility. Chief Gibson stated that Major Belling did an outstanding job on negotiating the contract amount from the requested \$25,000 to \$18,000. He stated that this was a modest increase compared to last year's contract amount of \$15,000.

Councilman Hamm moved to approve a contract with PIVOT, Inc. in the amount of \$18,000 for operation of a Community Intervention Center to receive and hold juveniles who have been taken into custody by law enforcement agencies, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF A SPORTS ASSOCIATION AGREEMENT FOR THE 2023-2024 MOORE YOUTH BASEBALL PROGRAM HELD AT BUCK THOMAS PARK.

Sue Wood, Parks and Recreation Director, stated that the item was for approval of the annual Sports Association Agreement with Moore Youth Baseball. Ms. Wood indicated that this was ongoing process with staff continually working to improve all aspects of the baseball program.

Councilwoman Hunt asked if the issue regarding the gates at Buck Thomas Park had been addressed. Ms. Wood advised that staff was researching new gates and installation options.

Councilman Williams moved to approve a Sports Association Agreement for the 2023-2024 Moore Youth Baseball Program held at Buck Thomas Park, second by Councilman Hamm. Motion carried by majority vote.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH BETHESDA, INC. FUNDED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS ADDING INTAKES AND INDIVIDUAL COUNSELING SESSIONS TO THE PREVIOUSLY APPROVED GROUP COUNSELING SESSIONS.

Kahley Gilbert, Projects-Grant Manager, advised that the City entered into a CDBG funded agreement with Bethesda in September 2022 to provide group counseling for abused children. Bethesda requested to

amend their budget to include intakes and individual counseling sessions. Ms. Gilbert stated that the requested items was included in their original funding application and were CDBG eligible.

Councilman Williams moved to approve an amendment to the agreement with Bethesda, Inc. funded with Community Development Block Grant funds adding intakes and individual counseling sessions to the previously approved group counseling sessions, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER, AND IF DEEMED APPROPRIATE, AUTHORIZE PARTICIPATION IN THE 2022 GLOBAL OPIOID SETTLEMENTS WITH CVS, WAL-MART, WALGREENS, ALLERGAN, AND TEVA; INCLUDING AGREEING TO THE TERMS OF THE GLOBAL SETTLEMENTS, THE RELEASE OF ALL CLAIMS AGAINST THESE ENTITIES, AND THE PERMISSIBLE USES OF MONIES RECEIVED PURSUANT TO THE SETTLEMENTS FOR OPIOID ABATEMENT; AND DESIGNATION OF CITY MANAGER, BROOKS MITCHELL, TO SIGN THE SUBDIVISION PARTICIPATION FORMS TO FINALIZE PARTICIPATION IN THESE SETTLEMENTS.

Brian Miller, City Attorney, stated that in August 2022 the City Council authorized participation in opioid settlements against the three largest distributors. In late 2022 settlements were reached with CVS, Wal-Mart and Walgreens in addition to manufacturers Allergan and Teva as a continuation of the prior settlement. Approval of the item would allow the City to participate in the additional settlements for the purpose of opioid abatement within the City.

Councilwoman Hunt moved to authorize participation in the 2022 global opioid settlements with CVS, Wal-Mart, Walgreens, Allergan, and Teva; including agreeing to the terms of the global settlements, the release of all claims against these entities, and the permissible uses of monies received pursuant to the settlements for opioid abatement; and designation of City Manager, Brooks Mitchell, to sign the subdivision participation forms to finalize participation in these settlements, second by Councilman Williams. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:42 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD APRIL 3, 2023.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$1,441,304.76.

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

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

MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:43 P.M.

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD APRIL 3, 2023
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$106,980.38.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN LOUIE WILLIAMS PRESIDING AT 6:43 P.M.

Agenda Item Number 13 being:

ROLL CALL

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

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD MARCH 20, 2023.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH VICE-MAYOR GLENN LEWIS PRESIDING AT 6:44 P.M.

Agenda Item Number 15 being:

NEW BUSINESS:

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

Brian Overling, 2732 SE 38th, appeared before Council, along with Charles Hladik who serves as HOA President of Seiter Farms, to express concern over recent construction through their addition. Mr. Overling indicated that a utility company dug up an area and never re-sodded it. He added that the City was laying line for the southeast lift station project from Indian Hills Road through their common area. During the process their sprinklers were damaged. Mr. Overling asked for assurances that the damages would be repaired. Jerry Ihler, Assistant City Manager, advised that he had previously addressed their concerns through an email response with HOA President Charles Hladik. Mr. Ihler spoke to ONG who indicated they intended to resod the area in approximately one week. Mr. Ihler also spoke to the contractor regarding the damage to the sprinklers and informed them that under the bid specifications they were responsible for the damage. He planned to readdress the issue at a construction meeting scheduled for April 19, 2023. Mr. Ihler felt the situation would be resolved at that time and he would contact Mr. Overling or Mr. Hladik with an update on the situation. Councilman Hamm requested that the City Council also be updated following the construction meeting. Councilwoman Hunt stated that ONG has been in her neighborhood and the quality of the repair work was not acceptable. Brooks Mitchell, City Manager, indicated that staff would look into the situation.

Charles Hladik, 2605 SE 39th, stated that he is the president of the HOA for Seiter Farms. Mr. Hladik advised that he had contacted Jerry Ihler, Assistant City Manager, last year because ONG performed work in their area and did not replace the sod. Mr. Ihler was able to get that accomplished. Mr. Hladik hoped that the current situation would be rectified as well. He stated that he was hoping to keep up to date on the construction from the sewer line so he can notify the residents of the disruption.

Emily Midgett, 14401 S. Anderson Road, expressed safety concerns regarding the baseball fields at Buck Thomas Park. Ms. Midgett stated that there were padlocked gates posted as emergency exits only. She advised that at the time she discovered the locked gates, games were occurring on eight of the ten fields with only two exits available. She felt that in the case of an emergency she and her family would have been unable to exit the park safely. Ms. Midgett indicated that she had spoken with the Moore Baseball Association six weeks prior and was told they could not install different gates without City approval. She emailed and spoke to Sue Wood, Parks and Recreation Director, regarding the problem but did not feel the situation was being resolved. Brooks Mitchell, City Manager, stated that while staff looked into various options in order to fix the situation the gates would remain unlocked.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Hamm advised that the Police Department had posted on their Facebook page that they had apprehended some thieves. The City Council expressed appreciation for the Moore Police Department and the work that they do.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, stated that budget meetings with the City Council would be held later in the week.

Agenda Item Number 16 being:

EXECUTIVE SESSION:

- A) CONSIDER APPROVAL OF THE FISCAL YEAR 2023-2024 CONTRACT BETWEEN THE CITY OF MOORE AND THE FRATERNAL ORDER OF POLICE ("FOP") LODGE 131 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).
- B) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE POSSIBLE ACTION REGARDING PENDING CLAIM BY ERIC PARROW AGAINST THE CITY OF MOORE, AND AUTHORIZE LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- C) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 6:59 p.m.

The remainder of the meeting was not recorded.

- D) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:06 p.m.

- D) ACTION

- A) DISCUSS, APPROVAL OF THE FISCAL YEAR 2023-2024 CONTRACT BETWEEN THE CITY OF MOORE AND THE FRATERNAL ORDER OF POLICE ("FOP") LODGE 131 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

Councilwoman Hunt moved to approve the Fiscal Year 2023-2024 contract between the City of Moore and the Fraternal Order of Police ("FOP") Lodge 131 as authorized by 25 Okla. Stat. § 307(B)(2), second by Councilman Williams. Motion carried unanimously.

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

- B) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE POSSIBLE ACTION REGARDING PENDING CLAIM BY ERIC PARROW AGAINST THE CITY OF MOORE, AND AUTHORIZE LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman Hunt moved to approve payment of the settlement amount in the pending claim filed by Eric Parrow against the City of Moore, and authorize legal counsel and staff to take action as necessary and appropriate in the interest of the City of Moore as authorized by 25 Okla. Stat. § 307(B)(4), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 17 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, Moore Risk Management, and Moore Economic Development Authority meetings were adjourned at 7:07 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