

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
MAY 1, 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 May 1, 2023 at 6:30 p.m. with Councilman Louie Williams presiding.

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

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Brian Miller; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; 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 Becky Miller; Public Affairs Director, Deidre Ebrey; Public Works Director, Tony Mensah; Senior Accountant, Doris Levy; and Veolia Water Project Manager, Robert Pistole.

Councilman Williams read a proclamation declaring May 14-20, 2023 as "Police Week" in the City of Moore. He then read a proclamation honoring the life and service of former City Councilwoman Mary Marical.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 17, 2023.
- B) APPROVE THE MINUTES OF THE SPECIAL WORK STUDY SESSION HELD APRIL 3, 2023.
- C) DECLARE THE FOLLOWING ITEMS FROM THE PUBLIC WORKS DEPARTMENT, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", AS SURPLUS: 2005 HARPER MOWER, 1984 FORD FARM TRACTOR, 1983 FORD FARM TRACTOR, HUNTER ROAD FORCE TIRE BALANCER, HUNTER TIRE MACHINE, SNAP-ON TIRE BALANCER, SNAP-ON TIRE MACHINE, GLYCLEAN ANTI-FREEZE AND COOLANT RECYCLING SYSTEM, T-TECH PRO PLUS TRANSMISSION FLUID EXCHANGER, GAS BUGGY FUEL TRANSFER TANK, AND VARIOUS MISCELLANEOUS PARTS.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$3,682,330.39.

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

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

Agenda Item Number 3 being:

CONSIDER ADOPTION OF A RESOLUTION NO. 50(23) PERTAINING TO THE GENERAL OBLIGATION BONDS OF 2023, APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS AT AN ELECTION HELD ON NOVEMBER 9, 2021, FIXING THE AMOUNT OF BONDS TO MATURE EACH YEAR, FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW.

Brooks Mitchell, City Manager, indicated that the item was for approval of the last issuance of the 2021 General Obligation Bonds approved by the voters on November 9, 2021 for the construction and equipping of a new animal shelter. Mr. Mitchell indicated that the City's financial advisor and bond counsel were in attendance to answer any questions.

Councilman Blair moved to adopt Resolution No. 50(23) pertaining to the General Obligation Bonds of 2023, approved by a majority of the qualified voters at an election held on November 9, 2021, fixing the amount of Bonds to mature each year, fixing the time and place the Bonds are to be sold and authorizing the Clerk to give notice of said sale as required by law, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A LIBRARY SERVICES, FACILITIES AND MAINTENANCE AGREEMENT WITH THE PIONEER LIBRARY SYSTEM FOR FISCAL YEAR 2023-2024.

Brooks Mitchell, City Manager, recommended renewal of the Library Services, Facilities and Maintenance Agreement for FY 23-24.

Councilman Blair moved to approve a Library Services, Facilities and Maintenance Agreement with the Pioneer Library System for Fiscal Year 2023-2024, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A CONTRACT WITH DILLON AND ASSOCIATES TO PERFORM THE CITY'S ANNUAL AUDIT IN AN AMOUNT NOT TO EXCEED \$61,500.

John Parker, Finance Director, stated that the City had contracted with Dillon and Associates for preparation of the City's annual audit for the past several years. Mr. Parker advised that staff was happy with their performance and recommended approval of the proposed contract.

Councilwoman Hunt moved to approve a contract with Dillon and Associates to perform the City's annual audit in an amount not to exceed \$61,500, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF A RELEASE OF A 15' WATERLINE EASEMENT (BOOK 2942, PAGE 869) LOCATED IN THE NE/4 OF SECTION 10, T10N, R3W, BEING SOUTH OF NW 27TH STREET AND WEST OF I-35. APPLICATION BY QUIKTRIP.

Elizabeth Weitman, Community Development Director, advised that an existing waterline runs through the future site of a QuikTrip. Ms. Weitman indicated that QuikTrip required a release of the waterline easement since they plan to abandon the existing line and reroute it during construction of a convenience store at this location.

Councilwoman Hunt moved to approve a release of a 15' waterline easement (Book 2942, Page 869) located in the NE/4 of Section 10, T10N, R3W, being south of NW 27th Street and west of I-35. Application by QuikTrip, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF ORDINANCE NO. 1027(23) AMENDING PART 12, CHAPTER 3, SECTION 12-396(B) OF THE MOORE LAND DEVELOPMENT CODE BY AMENDING THE MAXIMUM HEIGHT OF REAR AND SIDE FENCING FROM 7-FEET TO 8-FEET, ESTABLISHING SETBACK REQUIREMENTS FOR FENCES, ESTABLISHING RESTRICTIONS FOR BARBED WIRE FENCING, AND DEFINING METHOD OF MEASUREMENT FOR FENCE HEIGHT.

Elizabeth Weitman, Community Development Director, stated that the Land Development Code currently sets a maximum height for rear and side yard fencing at 7-feet. Because fencing does not come in 7-foot sections staff would propose approval of Ordinance No. 1027(23) amending the Land Development Code by changing the maximum height requirement for side and rear yard fencing from 7-feet to 8-feet. The ordinance also includes a mandatory 5-foot setback from any structure due to the narrowed space between the fence top and the soffit to prevent the potential spread of fire. Ms. Weitman stated that barbed wire fencing was currently allowed in agricultural and industrial zoning districts; however, Ordinance No. 1027(23) would make a shared fence line with a residential property ineligible for barbed wire fencing due to safety reasons. She advised that the ordinance also included a one-to-one stepdown transition option from the 8-foot fence to 4-feet from the front building line.

Councilman Blair moved to approve Ordinance No. 1027(23) amending Part 12, Chapter 3, Section 12-396(B) of the Moore Land Development Code by amending the maximum height of rear and side fencing from 7-feet to 8-feet,

establishing setback requirements for fences, establishing restrictions for barbed wire fencing, and defining method of measurement for fence height, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. FOR ON-CALL STORMWATER MANAGEMENT CONSULTING IN AN AMOUNT NOT TO EXCEED \$50,000.

Elizabeth Weitman, Community Development Director, stated that the City of Moore was starting a new five-year program for stormwater management with the Department of Environmental Quality. Ms. Weitman noted that the new permit included some new requirements within the following six categories.

1. Public Participation and Involvement
2. Industrial Permitting and Inspections – The new category requires the City to permit certain industrial users for authorized discharges into the storm sewer network and to inspect the facilities. A list of industrial users will be provided by the DEQ.
3. Elicit Discharge and Inspections – Occurs when unauthorized materials are poured into the storm drain system.
4. Construction Site Inspections
5. Post Construction Management – Working with sites after construction is complete to ensure stormwater discharge is as clean as possible. New requirements within the existing category will require low impact development in certain instances and ordinance changes to make the development code more environmentally friendly.
6. Good Housekeeping – Ensures the City owned sites have clean stormwater discharge.

Ms. Weitman stated that the agenda item was for approval of a contract with Freese and Nichols, Inc. for on-call stormwater management consulting services in an amount not to exceed \$50,000. She felt that assistance would be necessary with industrial permitting, dry weather screening or sampling of creeks, and the reporting and implementation of standard operating procedures. She advised that funding would be from Fund 11 which includes dedicated funds for water and stormwater improvements.

Councilwoman Hunt moved to approve a professional services agreement with Freese and Nichols, Inc. for on-call Stormwater Management Consulting in an amount not to exceed \$50,000, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER AUTHORIZING STAFF TO SOLICIT REQUESTS FOR PROPOSALS FOR CONSTRUCTION OF PICKLEBALL COURTS AT KIWANIS PARK LOCATED AT 501 E. MAIN.

Sue Wood, Parks and Recreation Director, stated that the item was for authorization to solicit RFPs for construction of two pickleball courts utilizing CDBG funds.

Councilman Williams asked where the pickleball courts would be located within Kiwanis Park. Ms. Wood indicated they would be located within the walking trail.

Councilwoman Hunt moved to authorize staff to solicit Requests for Proposals for Construction of Pickleball Courts at Kiwanis Park located at 501 E. Main, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER RENEWAL OF A CONTRACT WITH BRASSFIELD LANDSCAPING, LLC IN THE AMOUNT OF \$57,652 FOR THE MOWING AND MAINTENANCE OF VARIOUS CITY OWNED PROPERTIES.

Sue Wood, Parks and Recreation Director, stated that Agenda Items No. 10 through 13 were for renewal of budgeted landscaping and mowing contracts. Ms. Wood advised that each company would be responsible for different parks.

Councilman Blair moved to renew a contract with Brassfield Landscaping, LLC in the amount of \$57,652 for the mowing and maintenance of various City owned properties, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER RENEWAL OF A CONTRACT WITH TUS NUA LAWN AND LANDSCAPE, LLC IN THE AMOUNT OF \$49,560 FOR THE MOWING AND MAINTENANCE OF VARIOUS CITY OWNED PROPERTIES.

Councilman Blair moved to renew a contract with Tus Nua Lawn and Landscape, LLC in the amount of \$49,560 for the mowing and maintenance of various City owned properties, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER RENEWAL OF A CONTRACT WITH BRASSFIELD LANDSCAPING, LLC IN THE AMOUNT OF \$8,390 FOR FLOWERBED MAINTENANCE OF VARIOUS CITY OWNED PROPERTIES.

Councilman Blair moved to renew a contract with Brassfield Landscaping, LLC in the amount of \$8,390 for flowerbed maintenance of various City owned properties, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER RENEWAL OF A CONTRACT WITH K & G HOME AND LANDSCAPING BY DESIGN IN THE AMOUNT OF \$10,500 FOR FLOWERBED MAINTENANCE OF VARIOUS CITY OWNED PROPERTIES.

Councilman Blair moved to approve a contract with K & G Home and Landscaping by Design in the amount of \$10,500 for flowerbed maintenance of various City owned properties, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER APPROVAL OF A QUOTE FROM LEGACY LANDSCAPING AND FENCING IN THE AMOUNT OF \$12,660 FOR CONSTRUCTION OF EIGHT 36-INCH GATES WITH AN EXIT PANIC BAR AT THE BUCK THOMAS PARK SPORTS COMPLEXES.

Sue Wood, Parks and Recreation Director, stated that the low quote from Legacy Landscaping and Fencing in the amount of \$12,660 was for construction of eight 36-inch gates with an exit panic bar for the Buck Thomas Park Sports Complexes. Ms. Wood advised that four gates would be located at the baseball field, two at the softball field, and two at the football field.

Councilwoman Hunt thanked Ms. Wood for the Parks Department's prompt response to this request.

Councilwoman Hunt moved to approve a quote from Legacy Landscaping and Fencing in the amount of \$12,660 for construction of eight 36-inch gates with an exit panic bar at the Buck Thomas Park Sports Complexes, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 15 being:

CONSIDER AMENDING THE PREVIOUSLY AUTHORIZED PURCHASE OF NINETEEN (19) PORTABLE/HANDHELD RADIOS AND RELATED ACCESSORIES IN THE PREVIOUSLY APPROVED AMOUNT OF \$58,487.70 FROM L3HARRIS TECHNOLOGIES, INC., AS THE LOWEST WRITTEN QUOTE, INSTEAD OF UTILIZING STATE CONTRACT NO. SW1053.

Police Chief Todd Gibson stated that the item was previously approved utilizing State Contract No. SW1053; however, it was later determined that L3Harris Technologies offered a lower price.

Councilman Blair moved to amend the previously authorized purchase of nineteen (19) portable/handheld radios and related accessories in the previously approved amount of \$58,487.70 from L3Harris Technologies, Inc., as the lowest written quote, instead of utilizing State Contract No. SW1053, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 16 being:

CONSIDER AMENDING THE PREVIOUSLY AUTHORIZED PURCHASE OF THIRTY-FOUR (34) MOBILE/VEHICLE MOUNTED RADIOS AND RELATED ACCESSORIES FROM L3HARRIS TECHNOLOGIES INC. IN THE PREVIOUSLY APPROVED AMOUNT OF \$180,200.00, WAIVING COMPETITIVE BIDDING AS PRICE IS LESS THAN STATE CONTRACT NO. SW1053.

Councilman Blair moved to amend the previously authorized purchase of thirty-four (34) mobile/vehicle mounted radios and related accessories from L3Harris Technologies Inc. in the previously approved amount of \$180,200.00, waiving competitive bidding as price is less than State Contract No. SW1053, second by Councilwoman Hunt. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:56 P.M.

Agenda Item Number 17 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD APRIL 17, 2023.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$1,064,775.99.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:56 P.M.

Agenda Item Number 18 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD APRIL 17, 2023.
- B) APPROVE PAYMENT OF A WORKERS COMPENSATION SETTLEMENT IN THE AMOUNT OF \$48,966.00 FOR CBR NO. 2050000998 TO SCOTT WENDLING AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL.

- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2022-2023 IN THE AMOUNT OF \$48,728.11.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:57 P.M.

Agenda Item Number 19 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.

There were no items from the City Council.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, announced that Main Street would be closed from Broadway to the railroad tracks for reconstruction of a storm drain. Mr. Mitchell reminded everyone to vote on May 9, 2023.

Agenda Item Number 20 being:

ADJOURNMENT

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

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

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

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

MELISSA HUNT, MPWA Secretary

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

ATTEST:

VANESSA KEMP, City Clerk