

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
SEPTEMBER 3, 2024 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on September 3, 2024 at 6:30 p.m. with Mayor Mark Hamm presiding.

Adam Webb
Councilman, Ward I

Kathy Griffith
Councilwoman, Ward I

Melissa Hunt
Councilwoman, Ward II

Rob Clark
Councilman, Ward II

Sid Porter
Councilman, Ward III

Louie Williams
Councilman, Ward III

PRESENT: Hunt, Williams, Clark, Hamm

ABSENT: Griffith, 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; Fire Chief Greg Herbster; Emergency Management Director, Gayland Kitch; Finance Director, John Parker; Human Resource Director, Christine Jolly; ; Information Technology Director, David Thompson; Parks and Recreation Director, Sue Wood; Police Chief Todd Gibson; Police Sergeant Becky Miller; Public Affairs Director/Assistant City Manager, Deidre Ebrey; Public Works Director, Tony Mensah; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 19, 2024.
- B) DECLARE OBSOLETE MARTEL CAMERA SYSTEMS AND RELATED ACCESSORIES, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", AS SURPLUS AND AUTHORIZE THEIR DISPOSAL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$895,443.39 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2024-2025 IN THE AMOUNT OF \$2,319,428.74.

Councilwoman Hunt moved to approve Consent Docket Items A-C, second by Councilman Williams. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm

Nays: None

Absent: Griffith, Webb

Agenda Item Number 3 being:

CONSIDER AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE ONE (1) BUDGETED TRIMBLE X7 3D FORENSIC LASER SCANNING SYSTEM, WITH ASSOCIATED SOFTWARE AND TRAINING PACKAGES FROM ALLTERRA CENTRAL IN THE AMOUNT OF \$45,629.50, AFTER THE TRADE-IN OF EXISTING FARO X330 SCANNER AND ACCESSORIES (SN-LLS071608825), AS THE LOWEST QUOTE.

Chief Gibson advised that the police department utilizes a 3D forensic scanner to reconstruct indoor and outdoor crime scenes. The budgeted item is for the replacement of the existing Faro scanner with a Trimble scanner. He added that replacement was necessary since FARO no longer supports the scanner software and hardware. He added that some of the local departments are also transitioning to the Trimble scanner.

Councilman Williams moved to approve authorizing the Police Department to purchase one (1) budgeted Trimble X7 3D Forensic Laser Scanning System, with associated software and training packages from AllTerra Central in the amount of \$45,629.50, after the trade-in of existing Faro X330 scanner and accessories (SN-LLS071608825), as the lowest quote, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 4 being:

CONSIDER AUTHORIZING STAFF TO SOLICIT REQUEST FOR PROPOSALS ("RFP") REGARDING THE DESIGN, CONCEPT RENDERINGS, AND PROGRAMMING OF A JOINT PUBLIC SAFETY TRAINING CENTER.

Chief Gibson stated that the importance of first-responder training in service to the community has been previously discussed. Because the community is growing and police officers are facing more complex challenges, staff is requesting authorization to solicit Request for Proposals for design of a public safety center for the Police and Fire Departments. Chief Gibson advised that the MPAC Center has been a great contribution toward training; however, there are still needs that revolve around the ability to exercise high liability, low frequency actions such as in armed encounters. He indicated that the officers need to be able to practice on a firing range but due to the lack of rural areas they struggle to find an appropriate location. There is also a need to practice driving. Several times a year they practice tactical vehicle intervention techniques to stop a high-speed chase. They must practice the maneuver to maintain and reinforce those skills. Chief Gibson felt the time, effort, and money put towards training not only reduces liability and the incidence of use of force, but raises the quality of service, the level of professionalism, and creates a better community.

Fire Chief Herbster stated that when he started his career Moore was a bedroom community with smaller homes, a couple of two-story apartment complexes, and some strip shopping centers. Now Moore is thriving with large homes, large shopping centers and retail stores, and massive apartment complexes. Expectations for standard of service by emergency responders has grown. Chief Herbster felt that to attain that level of service employees must be equipped with the knowledge and skills they need to be successful at their jobs. He stated that Moore has a young fire department with a rising call volume magnifying the need for training. Live fire training is essential for the safety of the firefighters and the community. ISO requirements for annual firefighter training is:

- 18 hours of live fire training in a training tower. (Moore does not have a training tower).
- 192 hours of company training
- 16 hours of officer training
- 6 hours of hazmat training. (Moore does 8 to 24 hours annually depending on the certification).
- 60 hours of new driver training and 12 hours of training for existing drivers. The Fire Department does a minimum of 92 hours, and 12 hours for existing drivers.

Chief Herbster stated that there is a need for the firemen to have a safe place to learn to drive a fire truck without the possibility of causing damage to property. Chief Herbster felt it was imperative to have a facility to accommodate training needs in order to provide the best level of service to the community. He thanked the City Council for what they do for the community and for their support for public safety.

Brooks Mitchell, City Manager, stated that he envisioned following a similar Request for Proposals process where proposals are solicited, companies interviewed with Council involvement, and a recommendation presented for Council's consideration.

Councilman Williams moved to authorize staff to solicit Request for Proposals ("RFP") regarding the design, concept renderings, and programming of a Joint Public Safety Training Center, second by Councilman Clark. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 5 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH NORMAN REGIONAL HOSPITAL AUTHORITY D/B/A EMSSTAT FOR THE CITY OF MOORE TO PROVIDE DISPATCHING SERVICES FOR EMERGENCY MEDICAL CALLS.

Chief Gibson advised that the City took over dispatching services for EMSSTAT within the community. The item is for renewal of the annual agreement which contains no significant changes.

Councilwoman Hunt moved to approve an agreement with Norman Regional Hospital Authority d/b/a EMSSTAT for the City of Moore to provide dispatching services for emergency medical calls, second by Councilman Williams. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 6 being:

CONSIDER ONE YEAR RENEWAL OF A CONTRACT WITH NEXTECH WITH MIRANDA FAMILY LIGHTS IN THE AMOUNT OF \$22,400.00 FOR THE DESIGN AND IMPLEMENTATION OF THE SEASONAL CHRISTMAS LIGHT SHOW AT THE STATION IN CENTRAL PARK.

Sue Wood, Parks and Recreation Director, stated that the item was for renewal of a contract for the annual design of the Christmas light show at The Station. Ms. Wood advised that the show is changed each year and displayed using digital equipment owned by the City.

Councilman Williams moved to approve a one-renewal of a contract with NexTech with Miranda Family Lights in the amount of \$22,400.00 for the design and implementation of the seasonal Christmas Light Show at the Station in Central Park, second by Councilman Clark. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 7 being:

CONSIDER APPROVAL OF AMENDMENT NO. 3 TO THE AGREEMENT WITH C.H. GUERNSEY AND COMPANY FOR ADDITIONAL DESIGN SERVICES FOR THE SW 34TH STREET WIDENING & RECONSTRUCTION PROJECT FROM I-35 TO BROADWAY AND NORTH TO WILLOW PINE IN THE AMOUNT OF \$47,802.

Jerry Ihler, Assistant City Manager, stated that the proposed street widening and reconstruction project on SW 34th from Little River to east of Eastern contains an existing 72" water line that has been in service for over 40 years, and a 48" that has been in service for 15 years. Both lines are owned by the City of Oklahoma. Mr. Ihler advised that it was recommended that the City of Moore obtain an analysis of the 72" pipeline to determine what impact the additional weight from the street widening would cause to the capacity of the pipe and the pressure it will hold. This will allow adjustments to be made to protect the pipelines prior to the start of construction.

Councilman Williams asked if the City would have to coordinate with Oklahoma City on any repairs that are deemed necessary to the pipeline. Mr. Ihler indicated that coordination with Oklahoma City would be necessary. He also recommended that Oklahoma City be responsible for any required improvements.

Mr. Ihler requested approval of Amendment No. 3 in the amount of \$47,802 with C.H. Guernsey and Company for the requested study.

Councilman Williams moved to approval of Amendment No. 3 to the Agreement with C.H. Guernsey and Company for additional design services for the SW 34th Street Widening & Reconstruction Project from I-35 to Broadway and north to Willow Pine in the amount of \$47,802, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 8 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH THE STATE OF OKLAHOMA AND THE OKLAHOMA OPIOID ABATEMENT BOARD TO RECEIVE ANNUAL PAYMENTS UNDER THE DISTRIBUTORS SETTLEMENT AGREEMENT.

Brooks Mitchell, City Manager, stated that the item was in reference to a lawsuit filed a number of years ago for opioid abatement. A settlement was reached and the legislature appropriated monies to be distributed to those that participated in the lawsuit. Approval of the agreement allows the City to receive its share of the opioid monies on an ongoing basis.

Mayor Hamm asked if the City had a plan for the use of the monies. Mr. Mitchell stated a plan was not put into place since there was no assurances any money would be received. Now that a settlement was reached a plan will be determined and brought to the City Council for their consideration. Councilwoman Hunt noted that there is a list of allowable items included in the documentation.

Councilman Williams moved to approve an agreement with the State of Oklahoma and the Oklahoma Opioid Abatement Board to receive annual payments under the Distributors Settlement Agreement, second by Councilman Clark. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 9 being:

CONSIDER APPROVAL OF A UTILITY RELOCATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$29,271.84 WITH OKLAHOMA GAS GATHERING, LLC FOR THE RELOCATION OF TWO CASING VENTS FOR A 6" GAS LINE CROSSING TELEPHONE ROAD AT SW 27TH STREET FOR CONSTRUCTION AND MAINTENANCE OF THE TELEPHONE ROAD (SW 19TH STREET TO SW 34TH STREET) PROJECT.

Jerry Ihler, Assistant City Manager, stated an Oklahoma Gas Gathering line crosses Telephone Road at SW 27th Street requiring the relocation of two casing vents as part of the construction project located on Telephone Road from SW 19th to SW 34th.

Councilwoman Hunt moved to approve a Utility Relocation Agreement in an amount not to exceed \$29,271.84 with Oklahoma Gas Gathering, LLC for the relocation of two casing vents for a 6" gas line crossing Telephone Road at SW 27th Street for construction and maintenance of the Telephone Road (SW 19th Street to SW 34th Street) Project, second by Councilman Williams. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 10 being:

CONSIDER APPROVAL OF RESOLUTION NO. 95(24) CORRECTING RESOLUTION NO. 87(24) PROGRAMMING THE RECONSTRUCTION OF THE S. SUNNYLANE BRIDGE, LOCATED SOUTH OF SE 34TH STREET AND NORTH OF MOORE CITY LIMITS, AS A SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) PROJECT.

Elizabeth Weitman, Community Development Director, stated that Resolution No. 95(24) corrects the cost estimate included in Resolution No. 87(24), approved on August 1, 2024, regarding the programming of STP-UZA project for the reconstruction of the S. Sunnyslane bridge located south of SE 34th Street and north of the city limit line. Resolution No. 87(24) contained the total estimated cost of \$2,097,101 with \$1,677,680 in federal funds and matching funds in the amount of \$419,421. Resolution No 95(24)

corrects the cost estimate to read \$2,973,110 with the City responsible for 20% and the federal government reimbursing the City for 80%.

Councilman Williams moved to approve Resolution No. 95(24) correcting Resolution No. 87(24) programming the reconstruction of the S. Sunnyslane bridge, located south of SE 34th Street and north of Moore City Limits, as a Surface Transportation Program Urbanized Area (STP-UZA) project, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:52 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 19, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$258,885.00 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2024-2025 IN THE AMOUNT OF \$254,684.56.

Trustee Williams moved to approve Consent Docket Items A-B, second by Trustee Hunt. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 12 being:

CONSIDER APPROVAL OF THE BUDGETED PURCHASE OF 1,404 95-GALLON SANITATION POLYCARTS FROM SIERRA CONTAINER GROUP AT A TOTAL COST OF \$85,528.60 AS THE LOWEST RESPONSIBLE QUOTE.

Tony Mensah, Public Works Director, stated that the proposed purchase of 1,404 polycarts is due to an increase in new accounts, requests for additional polycarts, and replacement of old polycarts. Mr. Mensah stated that staff recommended purchasing the carts from Sierra Container Group since they manufacture the carts using virgin resin which makes the carts last longer than the ones made from recycled material.

Trustee Williams moved to approve the budgeted purchase of 1,404 95-gallon sanitation polycarts from Sierra Container Group at a total cost of \$85,528.60 as the lowest responsible quote, second by Trustee Clark. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 8:54 P.M.

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 19, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2024-2025 IN THE AMOUNT OF \$92,710.99.

Trustee Clark to approve Consent Docket Items No. A-B, second by Trustee Williams. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR MARK HAMM PRESIDING AT 8:55 P.M.

Agenda Item Number 14 being:

NEW BUSINESS:

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

There were no citizens to speak.

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

There were no items from the City Council.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, congratulated former Councilman Jason Blair on winning the run-off election for the Oklahoma House of Representatives District 53. Mr. Mitchell thanked former Representative Mark McBride for his work with the City over the past 12 years.

Mr. Mitchell congratulated Tony Mensah, Public Works Director for being able to schedule big trash pickup for one week out over the past three years with few exceptions.

He stated that a settlement agreement was reached with Mike Galier on the improved properties in Cleveland Heights that were purchased by the Moore Urban Renewal Authority. Mr. Mitchell advised that residents will have six months to move out, and relocation packages will be available to them when they are ready. He stated that there is one more improved property that the Moore Urban Renewal Authority is attempting to acquire. Mr. Mitchell noted that the Urban Renewal Authority now owns approximately 75% of the properties in Cleveland Heights.

Mayor Hamm announced the passing of Eddie Vickers who served on the Park Board for many years. He stated that the City appreciated his service to the Parks Department and offered his condolences to Mr. Vickers' family.

Agenda Item Number 15 being:

EXECUTIVE SESSION:

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING CASE NO. CJ-2023-119 FILED IN CLEVELAND COUNTY BY THERESA MANNING 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 OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING CASE NO. CJ-2023-361 FILED IN CLEVELAND COUNTY BY KIMBERLY GILLELAND 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 OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- C) ACCEPT, DISCUSS, AND CONSIDER SUBMITTED APPLICATIONS AND, IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION TO APPOINT A SELECTED APPLICANT TO FILL THE VACANT WARD 3 SEAT ON THE CITY COUNCIL AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1).
- D) CONVENE INTO EXECUTIVE SESSION
Councilman Williams moved to convene into executive session, second by Councilman Clark. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

The City Council convened into executive session at 6:58 p.m.

- E) RECONVENE FROM EXECUTIVE SESSION

PRESENT: Hunt, Williams, Clark, Hamm
ABSENT: Griffith, Webb

The City Council reconvened from executive session at 7:18 p.m.

- F) ACTION

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING CASE NO. CJ-2023-119 FILED IN CLEVELAND COUNTY BY THERESA MANNING 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 OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman Hunt moved to direct staff to proceed as directed in executive session regarding pending Case No. CJ-2023-119, second by Councilman Clark. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

- B) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING CASE NO. CJ-2023-361 FILED IN CLEVELAND COUNTY BY KIMBERLY GILLELAND 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 OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman Hunt moved to direct staff to proceed as directed in executive session regarding pending Case No. CJ-2023-361, second by Councilman Clark. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

- C) ACCEPT, DISCUSS, AND CONSIDER SUBMITTED APPLICATIONS AND, IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION TO APPOINT A SELECTED APPLICANT TO FILL THE VACANT WARD 3 SEAT ON THE CITY COUNCIL AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1).

Councilwoman Hunt moved to direct staff to proceed as directed in executive session regarding an appointment to fill the vacant Ward 3 seat, second by Councilman Blair. Motion carried unanimously.

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

Agenda Item Number 16 being:

ADJOURNMENT

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

Ayes: Hunt, Williams, Clark, Hamm
Nays: None
Absent: Griffith, Webb

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:20 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

ROB CLARK, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2024.

ATTEST:

VANESSA KEMP, City Clerk