

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
JUNE 7, 2021 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on June 7, 2021 at 6:30 p.m. with Vice-Mayor Mark Hamm 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: Blair, Hunt, Williams, Webb, Hamm
ABSENT: McKenzie, Lewis

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Randy Brink; Assistant City Attorney, Brian Miller; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; Director of Public Affairs, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief Greg Herbster; Human Resources Director, Christine Jolly; Manager of Information Technology, David Thompson; Police Chief, Todd Gibson; Police Sergeant David Dickinson; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; and Veolia Water Project Manager, Robert Pistole.

Vice-Mayor Hamm read a proclamation honoring Parks and Recreation employee Whitney Wathen who was awarded the "2021 Young Professional Award" from the Oklahoma Recreation and Parks Society.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 17, 2021.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD APRIL 13, 2021.
- C) APPROVE THE REAPPOINTMENT OF JEFF ARVIN, CHARLES PAYNE, AND ROBERT WASHINGTON TO THE PARK BOARD FOR THREE-YEAR TERMS.
- D) ACCEPT A 15' ROADWAY AND UTILITY EASEMENT FROM THE FIRST INDIAN BAPTIST CHURCH OF MOORE LOCATED IN THE SW/4 OF SECTION 25, T10N, R3W, BEING SOUTH OF SW 19TH STREET AND WEST OF BROADWAY AVENUE.
- E) ACCEPT A 20' UTILITY EASEMENT FROM FIRST UNITED BACK AND TRUST COMPANY LOCATED IN THE NW/4 OF SECTION 23, T10N, R3W, BEING SOUTH OF SW 4TH STREET AND EAST OF TELEPHONE ROAD.

- F) APPROVE A MEMORANDUM AGREEMENT FOR FY 21-22 WITH THE OKLAHOMA WATER RESOURCES BOARD AND THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGING AND AUTHORIZE PAYMENT IN THE AMOUNT OF \$5,900.
- G) APPROVE RENEWAL OF AN AGREEMENT FOR FY 21-22 WITH SIGNAL SYSTEM MANAGEMENT, INC. IN THE AMOUNT OF \$17,520 TO MAINTAIN COMMUNICATIONS AND MONITOR TRAFFIC SIGNAL OPERATIONS AT VARIOUS INTERSECTIONS WITHIN THE CITY.
- H) APPROVE A ONE-YEAR EXTENSION OF THE PUBLIC WORKS MAINTENANCE CONTRACT WITH SILVER STAR CONSTRUCTION CO., INC.
- I) CONSIDER RENEWAL OF A CONTRACT WITH APOLLO BUILDING SYSTEMS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.
- J) APPROVE RENEWAL OF AN INTERLOCAL AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS FOR CLEVELAND COUNTY FOR GRADING, DRAINAGE, AND HARD SURFACING OF CERTAIN STREETS WITHIN THE CITY.
- K) APPROVE A CONTRACT WITH STAN DRAKE FOR PROJECT SERVICES RELATED TO THE CITY OF MOORE'S STREETS AND DRAINAGE.
- L) APPROVE AN AMENDMENT TO THE AGREEMENT WITH AGING SERVICES APPROVED IN APRIL 2020 TO PROVIDE HOME DELIVERED MEALS TO SENIOR RESIDENTS FUNDED WITH ROUND 1 OF COMMUNITY DEVELOPMENT BLOCK GRANT - COVID-19 FUNDS.
- M) APPROVE AN AMENDMENT TO THE AGREEMENT WITH AGING SERVICES APPROVED NOVEMBER 2020 TO PROVIDE HOME DELIVERED MEALS TO SENIOR RESIDENTS FUNDED WITH ROUND 2 OF COMMUNITY DEVELOPMENT BLOCK GRANT - COVID-19 FUNDS.
- N) APPROVE AN AMENDMENT TO THE AGREEMENT WITH METROPOLITAN FAIR HOUSING COUNCIL TO PROVIDE FAIR HOUSING SERVICES FOR MOORE RESIDENTS FUNDED WITH COMMUNITY DEVELOPMENT BLOCK GRANT - COVID-19 FUNDS.
- O) DECLARE 2010 EXMARK (VIN: LZA27KC604), 2006 SNAPPER (VIN: 200273070), 2013 BOBCAT (VIN: 94250401128), 2013 BOBCAT (VIN: 94250401129) AND 2004 TORO 328-D (VIN: 30626-230000789) MOWERS FOR THE PARKS AND RECREATION DEPARTMENT AS SURPLUS.
- P) DECLARE A 2002 FORD F-250 (VIN: 1FTNF20L32EB83605), FLEET MAINTENANCE UNIT NO. 02831 AND A 2006 FORD F-150 (VIN: 1FTRX12W86NA24813), CODE ENFORCEMENT UNIT NO. 05423 AS SURPLUS.
- Q) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$5,412,893.18.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF THE FY 2021-2022 ANNUAL BUDGET AND ADOPT RESOLUTION NO. 992(21).

Brooks Mitchell, City Manager, stated that the proposed budget in the amount of \$131.5 million was posted to the City's website and a public hearing held on May 17, 2021. Mr. Mitchell indicated that no comments were received regarding the proposed budget. He advised that there was a \$24 million increase from the FY 20-21 budget due primarily to the G.O. Bond projects and the Costco incentive. A 2% increase in sales tax was budgeted for FY 22. Mr. Mitchell stated that the budget contained a 1.4% COLA for non-union employees and merit increases for all eligible employees. Also included was 13 new positions, 12 of which were in Public Safety and 1 in Animal Control. Mr. Mitchell indicated that the budget called for an increase in commercial sanitation rates of between \$5 and \$40 per month. Mr.

Mitchell stated that the budget contained \$26 million in capital outlay which consisted of G.O. Bond projects, renovation of the Public Works facility, expanding the equipment storage area at Buck Thomas Park, and various vehicles and equipment.

Councilman Hamm expressed his hope that the Regional Transportation Authority would give considerable thought regarding funding for a future commuter rail service before the City invests additional funds in a study since the State legislature had limited the funding source to sales tax.

Councilman Blair moved to approve the FY 2021-2022 annual budget and adopt Resolution No. 992(21), second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER THE PRELIMINARY PLAT OF OAKRIDGE CROSSING NORTH, LOCATED IN THE SW/4 OF SECTION 27, T10N, R3W, BEING NORTH OF SW 34TH STREET AND EAST OF SANTA FE AVENUE. APPLICATION BY TWD OKLAHOMA PROPERTIES, LLC/TOM TURNER. (PLANNING COMMISSION RECOMMENDED APPROVAL 8-0). WARD 3.

Elizabeth Weitman, Community Development Director, stated that the vacant subject site was located north of SW 34th and east of Santa Fe Avenue. Ms. Weitman advised that the property was located directly across the street from Oakridge Elementary School and was bounded to the east and north by the existing Bluestem Ridge Addition. She advised that the property was zoned C-3 with the Bluestem Ridge development in the early 2000s. Ms. Weitman advised that the applicant proposed developing the site with three commercial lots. She stated that public water and sewer were available to serve the site, and access would be provided from S. Santa Fe Avenue and SW 34th Street. She indicated that access would be limited to shared access drives and curb cuts to the arterial roadways would be minimized and reviewed with the final plat. Ms. Weitman advised that no FEMA floodplain was located on the site. The developer proposed a common detention pond at the northeast corner of the property to discharge into the existing storm sewer for the Bluestem Ridge Addition. Ms. Weitman stated that the Envision Moore 2040 Plan designed the area as Neighborhood Commercial described as a commercial center of neighborhood significance which includes a mix of office, retail, and service uses. She advised that the application was reviewed and found to be in compliance with the intent of the Plan. Therefore, staff recommended approval of the item.

Councilman Williams asked how the water would be transported from the pond to the storm sewer in the Bluestem Ridge Addition. Ms. Weitman stated that the Bluestem Ridge storm sewer meets up with the Oak Ridge Addition storm sewer. She indicated that the goal would be to not overburden the storm sewer with additional water; therefore, the applicant's engineer would design the detention pond for a 500 year storm instead of a 100 year storm. Ms. Weitman advised that Meshek and Associates would review the plans to ensure they would work with the existing storm sewer. Councilman Williams asked what type of commercial development was being proposed. Ms. Weitman stated that the first lot to be developed was for a day care called the Goddard School.

Councilman Williams moved to the Preliminary Plat of Oakridge Crossing North, located in the SW/4 of Section 27, T10N, R3W, being north of SW 34th Street and east of Santa Fe Avenue, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER REZONING APPLICATION NO. RZ-1007, LOCATED IN THE SW/4 OF SECTION 12, T10N, R3W, BEING NORTH OF NE 12TH STREET AND EAST OF EASTERN AVENUE, FROM R-3/PUD GENERAL RESIDENTIAL DISTRICT/PLANNED UNIT DEVELOPMENT TO AMEND THE EXISTING R-3 PLANNED UNIT DEVELOPMENT WITH REVISED LAYOUT TO INCLUDE A CLUBHOUSE; AND APPROVE ORDINANCE NO. 973(21). APPLICATION BY AEDIFCARE DOMOS MULTIS, LLC/JASON THOMPSON. (PLANNING COMMISSION RECOMMENDED APPROVAL 6-2). WARD 2.

Elizabeth Weitman, Community Development Director, stated that the subject site was located north of NE 12th Street and east of Eastern Avenue. Ms. Weitman advised that in 2009 it was zoned R-3 with a PUD to allow for the expansion of Hayden's Landing. At that time 48 units were being proposed with no stormwater detention and very limited site amenities. Since that time the owner had renovated the existing apartments but no new apartments were constructed. She advised that the applicant was seeking to update the approved PUD with modern amenities which would include a community building, fitness facility, gated dog park, 16 one-car garages, and 59 trees. Ms. Weitman stated that the Comprehensive Plan designated the area as Community Commercial which would contain a mix of commercial and residential uses. Because of the increase in useable open space and the quality of amenities being provided staff recommended approval of the amendment to the approved PUD No. 841.

Ms. Weitman stated that no citizens appeared at the Planning Commission meeting to speak against the item, and discussion with the Planning Commissioners focused primarily on the proposed trash compactor located on the north side of the property. Ms. Weitman noted that a protest letter was received from a neighboring property owner questioning ownership of the property and the boundary of the legal description. The letter also expressed concern regarding the condition of the existing apartments. Ms. Weitman advised that staff did a brief survey of the apartments and found minor electrical issues but did not find anything requiring exterior property maintenance. She advised that there were a lot of elements with the HVAC units that were grandfathered in because they were so old and parts were not easily obtained for repairs. Ms. Weitman stated that the existing apartments were approved many years ago and were never part of a PUD. However, the existing vacant property was previously approved for apartments as a PUD. The applicant was now proposing to amend the PUD Design Statement to allow modern amenities with a new layout. Councilwoman Hunt asked if the item under consideration was denied could the applicant still develop the property under the PUD approved in 2009. Ms. Weitman stated that staff would need to reach an agreement with the developer since the original PUD did not include detention.

Jason Thompson, 1807 Summerhaven Way, Edmond, Oklahoma, represented the property ownership group. Mr. Thompson felt two different issues were being discussed. The complaint talked about the existing property; however, the PUD before the Council was related to the new development. Mr. Thompson stated in response to the property maintenance complaint that when the property is redeveloped they plan to mirror the exterior to match the pre-existing property. They would reskin the stone and repaint and repair the fascia or soffit to match. He stated that although the issues were not addressed specifically in the PUD they have plans to do it. Mr. Thompson also addressed the issue regarding the trash compactor. He stated that Fire Codes were much different in the mid-1970s. The area you would use to drive around the complex was the only location for the trash dumpsters. However, they discussed a plan with the Moore Fire Department to install a trash compactor to allow the removal of the trash dumpsters. Mr. Thompson advised that the complaint filed by the adjoining property owners included an adverse possession claim. He felt the issue would be part of a civil suit and had nothing to do

with the agenda item being considered. Mr. Thompson stated that if they win the case against the adjoining property owners nothing would change; however, if they lose the case they would amend their plans to build.

Councilwoman Hunt commented that a sign at the apartment complex stated that they were newly renovated and asked what renovations were made. Mr. Thompson stated that in 2010 and 2011 approximately \$2 million in interior renovations occurred. At that time painting and renovations to the fascia, soffit and siding were made along with new stairwells and landscaping on the interior. Since that time new washers and dryers, countertops, and cabinets were installed in each unit and extensive renovations made to the interior. Mr. Thompson stated that when they build the new apartments they will reskin the exterior of the older apartments at the same time. They would not want to have a new complex with a much older complex next to it.

Cale Maddy, 2434 N. Janeway, Suite A, Moore, Oklahoma, stated that he was an attorney representing Chad and Janice Wise who owned the property to the west of the proposed PUD at 1332 N. Eastern Avenue. Mr. Maddy felt that the PUD had been sold as a new PUD with several amenities. He felt that the new amenities were not part of the PUD itself as required by Code. He stated that the neighboring property owner was not bound by the PUD. Typically this could be cured by a reciprocal easement agreement or a cost sharing agreement between the two property owners who would share in the application. However, if there is no binding legal obligation for the existing apartment complex to assent or provide the amenities, there would essentially be no amenities for the new PUD other than the detention pond. Mr. Maddy advised that the current apartment complex residents push through the fence and walk through a field to access Eastern Avenue. His client's property was located in the northwest corner. Assuming they fail on the adverse possession lawsuit and the Council approves the PUD they will likely be dealing with residents along the western side of the new PUD who have no parking whatsoever. They must walk along the north part of the new complex or around the south side of the new complex to get to the new access drive at the bottom. For the people up in the northeast corner the temptation would be to push through a fence to access Eastern Avenue more quickly than by the means provided to them. Mr. Maddy stated that by keeping the two properties separate and by not including the existing apartment complex as part of a new PUD they can avoid any legally binding obligation to upgrade. Because the current owner of the existing apartment complex was Hayden's Landing he did not believe they were not part of the PUD and therefore were not obligated by it. Mr. Maddy asked the City Council to deny the application.

Councilwoman Hunt asked if the City had any recourse if the applicant did not make the renovations to the existing apartment complex. Ms. Weitman stated that when the applicant turned in a building permit application for the new apartment complex they would go through the PUD Design Statement, the Staff Report, and minutes of the City Council Meeting to determine what amenities were included and ensure they are done.

Councilman Williams asked if the two properties were owned by the same people. Ms. Weitman stated it was her understanding that they were. Mr. Maddy indicated that there were two different owners. Ms. Weitman stated that before a building permit was issued they would be required to plat the property. At that time the two lots could be joined into one plat.

Mr. Thompson advised that he cannot have the land in the same name as the apartments because they have to be single asset LLCs. He indicated that he owns the land and the apartment complex. He felt it would be foolish to spend \$5 million on a new apartment complex and leave the apartments untouched. He stated he was obligated to supply those amenities under the PUD and had no problem with the City Council holding him to what he said would occur during the meeting. They want the two complexes to be one when they are finished. There will be sidewalks provided. The whole parameter of the complex would be fenced. They plan to shut off the entrance/exit from 12th Street to funnel traffic through the west

entrance from Eastern; however, the Fire Department would be provided access from 12th Street. They want a grand entrance because they own the road that comes onto Eastern and to 12th Street. They plan to make that Hayden's Landing Drive with sidewalks accommodating those traveling to Eastern or 12th Street.

Vice-Mayor Hamm stated that Council depended upon the recommendations of staff. Ms. Weitman recommended approval contingent upon the items listed under the recommendations. She stated that she was recommending approval because it was previously approved for apartments and the PUD would provide a significant improvement over the original plan. Councilman Williams asked if all of the traffic from both complexes would be funneled west to one road. Ms. Weitman was unaware of Mr. Thompson's plan regarding this issue. She stated that the Fire Marshal must approve this plan and felt it was important to keep one entrance onto 12th Street.

Councilman Webb felt ownership was still unclear. Ms. Weitman stated her belief that one individual owned both properties but they were under different company names.

Councilwoman Hunt moved to approve Rezoning Application No. RZ-1007, located in the SW/4 of Section 12, T10N, R3W, being north of NE 12th Street and east of Eastern Avenue, from R-3/PUD General Residential District/Planned Unit Development to amend the existing R-3 Planned Unit Development with revised layout to include a clubhouse; and approve Ordinance No. 973(21), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF THE FY 21-22 CONTRACT WITH THE MOORE PUBLIC SCHOOL DISTRICT FOR THE PROVISION OF SEVEN UNIFORMED SCHOOL RESOURCE OFFICERS AND ONE POLICE VEHICLE FOR WHICH THE CITY WILL RECEIVE 65% REIMBURSEMENT OF THE OFFICERS' SALARY AND BENEFITS AND 65% OF THE COST OF THE VEHICLE IN A TOTAL AMOUNT NOT TO EXCEED \$384,937.02.

Police Chief Todd Gibson stated that proposed contract renewal was for seven School Resource Officers for the Moore Public School District. Chief Gibson felt the contract was one of the most advantageous community partnerships and recommended approval.

Vice-Mayor Hamm asked if discussion occurred regarding placement of a School Resource Officer in the elementary schools. Chief Gibson indicated that that issue was discussed with the school's Director of Safety and Security Dustin Horstkoetter who stated that they planned to institute additional roving patrols at the elementary schools but no full-time officers would be assigned at this time.

Councilman Blair moved to approve the FY 21-22 contract with the Moore Public School District for the provision of seven uniformed School Resource Officers and one police vehicle for which the City will receive 65% reimbursement of the officers' salary and benefits and 65% of the cost of the vehicle in a total amount not to exceed \$384,937.02, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF AN ANNUAL CONTRACT WITH NORMAN REGIONAL HOSPITAL AUTHORITY D/B/A EMSSTAT FOR THE CITY TO PROVIDE EMERGENCY MEDICAL 9-1-1 AND NON-EMERGENCY DISPATCH SERVICES, IN EXCHANGE FOR SAID SERVICES EMSSTAT WILL PAY THE CITY APPROXIMATELY \$23,422.25 ON A CALENDAR QUARTER-YEAR BASIS.

Police Chief Todd Gibson stated that the proposed contract renewal was for the City to provide the dispatching of ambulances for Norman Regional Hospital through the Police and Fire Communications Center. Chief Gibson felt that one of the benefits was a significantly decreased response time for ambulances. It was his understanding that Norman Regional Hospital, the Communications Center, and the Police and Fire Departments were very pleased with the services provided. Chief Gibson added that the contract included reimbursement for the dispatching services.

Vice-Mayor Hamm asked if the City employed an additional dispatcher to cover the extra dispatching services provided to Norman Regional Hospital. Chief Gibson indicated that there were two additional dispatchers working in the Communications Center as part of the contract.

Councilman Webb moved to approve an annual contract with Norman Regional Hospital Authority d/b/a EMSSTAT for the City to provide emergency medical 9-1-1 and non-emergency dispatch services, in exchange for said services EMSSTAT will pay the City approximately \$23,422.25 on a calendar quarter-year basis, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

APPROVE AN OPERATIONAL AGREEMENT WITH THE CLEVELAND COUNTY SHERIFF'S OFFICE FOR A MULTI-JURISDICTIONAL SPECIAL WEAPONS AND TACTICS TEAM.

Police Chief Todd Gibson indicated that the proposed agreement formalizes a mutual aid agreement with the Cleveland County Sheriff's Office for special weapons and tactics provided by the City of Moore's SWAT team. In exchange for the services the Cleveland County's Sheriff's Office would reimburse the City for associated costs and agreed to purchase equipment which would be beneficial to both Cleveland County residents and the residents of the City of Moore.

Vice-Mayor Hamm asked if a plan was in place if an event occurred within the City requiring the tactical team while the team was assisting the Cleveland County Sheriff's Office. Chief Gibson stated a contingency plan would be to divert resources to Moore or alternatively the team for the Oklahoma Highway Patrol would respond as backup when necessary.

Councilman Williams moved to approve an Operational Agreement with the Cleveland County Sheriff's Office for a Multi-Jurisdictional Special Weapons and Tactics Team, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF THE PLAN DOCUMENT AND SUMMARY PLAN DESCRIPTION SETTING FORTH THE PROVISIONS OF THE CITY OF MOORE AND MOORE PUBLIC WORKS AUTHORITY EMPLOYEE HEALTH BENEFITS PLAN, RESTATED EFFECTIVE JANUARY 1, 2021, ALLOWING THE CITY TO MAINTAIN COMPLIANCE WITH FEDERAL LAWS AND TO MATCH THE TEMPLATE USED BY ASSURED BENEFITS ADMINISTRATORS, THE CITY'S THIRD PARTY ADMINISTRATORS.

Christine Jolly, Human Resources Director, stated that the third-party administrator for the City's Health Benefits Plan, Frates Benefits Administrators, recently joined with Assured Benefits Administrators ("ABA"). Part of the transition involved the restatement of the Plan Document to fit ABA's template. Staff had been working with ABA since February 2020 to ensure that the restatement did not change, add, or delete any benefit already in the Plan Document. The template gives more industry standard language, better protects the Plan, and includes COVID mandates, HIPAA requirements and other updates as required by law. Ms. Jolly noted that Gallagher, the City's health insurance consultant, also reviewed the restatement of the Plan document. Staff recommended approval of the item.

Councilman Webb moved to approve the Plan Document and Summary Plan Description setting forth the provisions of the City of Moore and Moore Public Works Authority Employee Health Benefits Plan, restated effective January 1, 2021, allowing the City to maintain compliance with federal laws and to match the template used by Assured Benefits Administrators, the City's Third Party Administrators, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER AUTHORIZING PAYMENT OF \$35,190.14 TO THE OKLAHOMA MUNICIPAL LEAGUE FOR SERVICE FEES FOR FY 21; \$17,595.07 TO BE PAID JULY 2021 AND \$17,595.07 TO BE PAID JANUARY 2022.

Betty Koehn, Finance Director, advised that the City had been a member of the Oklahoma Municipal League ("OML") for more than 20 years. OML represents municipalities at the State Capital and provides beneficial training and publications. Staff requested authorization to continue membership in OML for another year.

Vice-Mayor Hamm suggested the City research the possibility of representation on the OML Board of Directors when a vacancy occurs.

Councilman Williams moved to authorize payment of \$35,190.14 to the Oklahoma Municipal League for service fees for FY 21; \$17,595.07 to be paid July 2021 and \$17,595.07 to be paid January 2022, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER APPROVAL OF A FY 20-21 BUDGET SUPPLEMENT TO BUDGET FUNDS AND RELATED EXPENSES FOR THE 2021B AND 2021C SALES TAX NOTES, DONATED FUNDS, AND THE CARES ACT.

Betty Koehn, Finance Director, stated the proposed budget supplement was for increased funding in several areas. Ms. Koehn requested authorization to increase the budget for the 2021B and 2021C sales tax note proceeds and related projects along with issuance expenses associated with the notes. She also requested authorization to increase the Fire Department donation account to include donations from Wal-Mart and Cleveland County to be used for the purchase of stabilization struts. Also included in the budget supplement was authorization to budget CARES Act funds for the street sweeper, the logistic controller for the Public Safety generator, air purification systems at the Fire Stations, Public Safety building, the Station, and City Hall along with reimbursement of the Transportation Impact Fees for expenses related to the SW 25th and Telephone Road roadway expenses related to the street clearing during the February winter storm.

Councilman Blair moved to approve a FY 20-21 budget supplement to budget funds and related expenses for the 2021B and 2021C Sales Tax Notes, donated funds, and the CARES Act, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER RENEWAL OF A CONTRACT WITH TRIFECTA COMMUNICATIONS FOR VIDEO PRODUCTION BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.

Deidre Ebrey, Director of Public Affairs, requested approval of a renewal contract with Trifecta Communications for videography, photography and marketing assistance to the City.

Councilwoman Hunt moved to approve a contract with Trifecta Communications for video production beginning July 1, 2021 and ending June 30, 2022, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER RENEWAL OF A CONTRACT WITH DOTMAN GRAPHIC DESIGN, INC. FOR WEBSITE DEVELOPMENT AND WEBSITE MAINTENANCE BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.

Deidre Ebrey, Director of Public Affairs, requesting approval of a renewal contract with Dotman Graphic Design, Inc. for website development and maintenance. Ms. Ebrey noted that they will merge Parks and

Recreation into the City's website. She felt the functionality of the website was superior to what it was before and was very user friendly. Ms. Ebrey noted that it was a safe CMS platform that was not exclusive to the developer and the City owns the content.

Councilman Williams asked if staff can update the site. Ms. Ebrey indicated that staff can update the site and the company can too.

Councilwoman Hunt moved to approve renewal of a contract with Dotman Graphic Design, Inc. for website development and website maintenance beginning July 1, 2021 and ending June 30, 2022, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER APPROVAL OF LEASE TO OWN FINANCING WITH F.I.T. LEASING THROUGH ADVANCED EXERCISE FOR CARDIO EXERCISE EQUIPMENT FOR THE STATION RECREATION CENTER TO BE PAID MONTHLY FOR A PERIOD OF ONE YEAR, WITH AN OPTION TO RENEW FOR TWO ADDITIONAL YEARS.

Sue Wood, Parks and Recreation Director, stated that the lease-to-own financing with F.I.T. Leasing was for the purchase of fitness equipment previously approved by the City Council.

Councilman Williams moved to approve a lease to own financing with F.I.T. Leasing through Advanced Exercise for cardio exercise equipment for The Station Recreation Center to be paid monthly for a period of one year, with an option to renew for two additional years, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 15 being:

CONSIDER RENEWAL NO. 3 OF A FOUR-YEAR CONTRACT RENEWAL WITH THE CENTRAL OKLAHOMA TRANSPORTATION AND PARKING AUTHORITY ("COTPA") D/B/A EMBARK TO PROVIDE NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES FOR SENIORS FOR THE PERIOD OF JULY 1, 2021 TO JUNE 30, 2022; AND APPROVE MATCHING FUNDS IN THE AMOUNT OF \$15,000.

Brooks Mitchell, City Manager, requested renewal of the contract with the Central Oklahoma Transportation and Parking Authority ("COTPA") for non-emergency medical transportation services for seniors.

Councilman Blair moved to approve renewal No. 3 of a four-year contract renewal with the Central Oklahoma Transportation and Parking Authority ("COTPA") d/b/a EMBARK to provide non-emergency medical transportation services for seniors for the period of July 1, 2021 to June 30, 2022; and approve matching funds in the amount of \$15,000, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 16 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF CLEVELAND COUNTY AND THE CITY OF MOORE FOR THE RECONSTRUCTION OF SANTA FE AVENUE FROM SW 34TH STREET TO INDIAN HILLS ROAD; AND AUTHORIZE PAYMENT OF THE CITY'S SHARE IN THE AMOUNT OF \$125,000.

Jerry Ihler, Assistant City Manager, stated the proposed agreement with Cleveland County was for the reconstruction of Santa Fe Avenue from SW 34th Street to Indian Hills Road. Mr. Ihler advised that the City's share of the project in the amount of \$125,000 would be funded using CARES Act funds.

Councilwoman Hunt moved to approve an agreement with the Board of County Commissioners of Cleveland County and the City of Moore for the reconstruction of Santa Fe Avenue from SW 34th Street to Indian Hills Road; and authorize payment of the City's share in the amount of \$125,000, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 17 being:

CONSIDER ACCEPTANCE OF A QUOTE FROM INDUSTRIAL TRUCK EQUIPMENT ("I.T.E.") IN THE AMOUNT OF \$29,925, AS THE LOWEST AND MOST RESPONSIBLE QUOTE, FOR THE BUDGETED REFURBISHMENT OF A 2012 "TERMINATOR" SANITATION TRUCK (UNIT NO. 12770, VIN 1NPVH28XXCD134421).

Tony Mensah, Public Works Director, stated that the item was to refurbish the body of a 2012 grapple truck. Staff recommended acceptance of a quote from Industrial Truck Equipment who submitted the lowest and most responsible quote.

Councilman Webb moved to accept a quote from Industrial Truck Equipment ("I.T.E.") in the amount of \$29,925, as the lowest and most responsible quote, for the budgeted refurbishment of a 2012 "Terminator" sanitation truck (Unit No. 12770, VIN 1npvh28xxcd134421), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 18 being:

CONSIDER AUTHORIZING THE BUDGETED REFURBISHMENT OF A 2015 SANITATION ROUTE TRUCK (UNIT NO. 15765, VIN 3BPZL20X9FF269583) FROM BRIDGEPORT TRUCK MANUFACTURING, INC. IN THE AMOUNT OF \$50,000 AS A SOLE SOURCE PROVIDER.

Tony Mensah, Public Works Director, advised that staff would propose refurbishing the body of a 2015 Sanitation route truck. Because Bridgeport Truck Manufacturing, Inc. is the original manufacturer of the truck they are considered a sole source provider.

Councilman Williams asked if work on the truck would be performed by the company in Texas. Mr. Mensah indicated that it would.

Councilman Blair moved to authorize the budgeted refurbishment of a 2015 sanitation route truck (Unit No. 15765, VIN 3bpz120x9ff269583) from Bridgeport Truck Manufacturing, Inc. in the amount of \$50,000 as a sole source provider, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 19 being:

CONSIDER MODIFYING ARTICLE 5, SECTION 5.1(1) "HOLIDAYS" IN THE PERSONNEL POLICY AND PROCEDURES MANUAL BY ADDING CHRISTMAS EVE AS A RECOGNIZED HOLIDAY.

Brian Miller, Assistant City Attorney, stated that the item was for an amendment to Article 5, Section 5.1(1) "Holidays" in the Personnel Policy and Procedures Manual by adding Christmas Eve as a recognized holiday. Mr. Miller indicated that clarification on when the holiday would be observed was also addressed.

Councilman Webb moved to modify Article 5, Section 5.1(1) "Holidays" in the Personnel Policy and Procedures Manual by adding Christmas Eve as a recognized holiday, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 20 being:

CONSIDER ORDINANCE NO. 970(21) AMENDING PART 9 LICENSE AND BUSINESS REGULATIONS BY ADDING CHAPTER 15 HOME OCCUPATIONS; SECTION 9-1501 PURPOSE AND INTENT; SECTION 9-1502 HOME OCCUPATIONS; SECTION 9-1503 APPLICABILITY AND EXEMPTIONS; AND SECTION 9-1504 ACTION REGARDING COMPLAINTS AND VIOLATIONS OF STANDARDS; PROVIDING FOR A REPEALER; AND PROVIDING FOR SEVERABILITY.

Brian Miller, Assistant City Attorney, advised that Ordinance No. 970(21) addressed the subject of home occupations. Mr. Miller stated that he and Community Development Director Elizabeth Weitman reviewed similar ordinances from various municipalities and combined relevant parts to form the proposed ordinance. Mr. Miller felt that the ordinance was a good balance in recognizing the interests of an individual supplementing their income with a home occupation, and protecting the neighborhood from the potential impacts associated with a home business.

Kristi Couse, 813 Carol Ann Place, previously appeared before the City Council to request authorizing to operate a business from her home. Ms. Couse stated that she came from Chicago where it was not easy dealing with local government. She anticipated some difficulty when approaching the City but stated it

had been a pleasure. Ms. Couse thanked Brian Miller and any others who worked on the ordinance which would allow her to work from home. Ms. Couse also thanked the City Council for listening to the concerns of those individuals who appear before them.

Councilman Webb moved to approve Ordinance No. 970(21) amending Part 9 License and Business Regulations by adding Chapter 15 Home Occupations; Section 9-1501 Purpose and Intent; Section 9-1502 Home Occupations; Section 9-1503 Applicability and Exemptions; and Section 9-1504 Action Regarding Complaints and Violations of Standards; providing for a repealer; and providing for severability, second by Councilwoman Hunt. Motion carried by majority vote.

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

Agenda Item Number 21 being:

CONSIDER ORDINANCE NO. 971(21) AMENDING PART 12, LAND DEVELOPMENT CODE; CHAPTER 4 ZONING REGULATIONS; ARTICLE I DEFINITIONS; SECTION 12-473 WORDS AND TERMS DEFINED BY AMENDING THE DEFINITION OF HOME OCCUPATION; PROVIDING FOR A REPEALER; AND PROVIDING FOR SEVERABILITY.

Brian Miller, Assistant City Attorney, stated that Ordinance 972(21) would change the definition of "Home Occupation" in the Land Development Code to match the changes that were included in Ordinance No. 970(21) approved under Agenda Item No. 20.

Councilman Webb moved to approve Ordinance No. 971(21) amending Part 12, Land Development Code; Chapter 4 Zoning Regulations; Article I Definitions; Section 12-473 Words and Terms Defined by amending the definition of Home Occupation; providing for a repealer; and providing for severability, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 22 being:

CONSIDER RESOLUTION NO. 993(21) ADOPTING THE SCHEDULE OF FEES AND CHARGES; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED, OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Brian Miller, Assistant City Attorney, advised that that the commercial waste rates have not been changed since 2010. Mr. Miller stated that rates being charged to commercial businesses are less than what was being charged to the City by our vendor. Resolution No. 993(21) would update the Fee Schedule to incorporate the new Commercial Rate Schedule and included a clause which states that the rates would be adjusted each year by the same percentage rate charged by the City's vendor.

Councilman Williams confirmed that Item 7.B of the Fee Schedule which dealt a grace period in regard to delinquent charges was removed. He also noted an error in the section immediately below 7.B referencing Utilities in Section 2.D which should have read Section 2.E.

Councilman Blair moved to adopt Resolution No. 993(21) adopting the Schedule of Fees and Charges; effective upon approval and remaining in effect until modified, amended, or repealed; and repealing prior inconsistent fees, second by Councilman Williams. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:34 P.M.

Agenda Item Number 23 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD MAY 17, 2021.
- B) RATIFY ACTION OF THE CITY COUNCIL REGARDING APPROVAL OF THE PLAN DOCUMENT AND SUMMARY PLAN DESCRIPTION SETTING FORTH PROVISIONS OF THE CITY OF MOORE AND MOORE PUBLIC WORKS AUTHORITY EMPLOYEE HEALTH BENEFITS PLAN.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$1,512,984.19.

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

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

Agenda Item Number 24 being:

CONSIDER APPROVAL OF THE FY 2021-2022 ANNUAL BUDGET AND ADOPT RESOLUTION NO. 252(21).

Trustee Blair moved to approve the FY 2021-2022 annual budget and adopt Resolution No. 252(21), second by Trustee Williams. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:35 P.M.

Agenda Item Number 25 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD MAY 17, 2021.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$458,337.05.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:36 P.M. WITH VICE-MAYOR MARK HAMM PRESIDING.

Agenda Item Number 26 being:

NEW BUSINESS:

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

Ronald Samaniego, 900 SW 38th Street, appeared before the City Council to request a discount on a second polycart. Mr. Samaniego stated that previously citizens were allowed five trash bags to be picked up each week, but that service was discontinued during the early part of the pandemic. Mr. Samaniego stated that he was disabled and on a fixed income but was not eligible for a senior discount. He felt he could not afford \$7 to \$10 for a second polycart. Mr. Samaniego requested a fee for the second polycart of not more than \$3.50 to make it more affordable. Councilman Williams advised that the price for a second polycart had already been discounted to \$7.50; however, he suggested that Council could discuss the possibility of offering a discount to disabled individuals.

- 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, expressed appreciation to the Finance Director Betty Koehn and her staff for their work on the budget. Councilman Williams stated his opinion that the City has a phenomenal City staff. Councilwoman Hunt agreed.

Agenda Item Number 27 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:41 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

MELISSA HUNT, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2021.

ATTEST:

VANESSA KEMP, City Clerk