

**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
JUNE 21, 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 21, 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: McKenzie, Blair, Hunt, Lewis, Williams, Hamm
ABSENT: Webb

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Randy Brink; Assistant City Attorney/Risk Manager, Brian Miller; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief, Greg Herbster; Human Resources Director, Christine Jolly; Manager of Information Technology, David Thompson; Parks and Recreation Director, Sue Wood; Police Chief Todd Gibson; Sergeant Rebecca Miller; and Public Works Director, Tony Mensah; 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 JUNE 7, 2021.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD MAY 4, 2021.
- C) ADOPT RESOLUTION NO. 994(21) APPROVING THE MAY 2021 COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (CDBG-DR) PROGRAM INTERNAL AUDIT REPORT.
- D) ACCEPT THE DONATION OF A PERMANENT ROADWAY EASEMENT AND A UTILITY EASEMENT FROM MILO LEASING, INC. AN OKLAHOMA CORPORATION IN EXCHANGE FOR THE CONVEYANCE OF A 20' STRIP FROM ADJACENT PARCEL 2 FOR CONSTRUCTION OF ADDITIONAL PARKING WITH ACCESS FROM SE 3RD STREET AND A DUMPSTER PAD TO ALLOW FOR MAINTENANCE AND CONSTRUCTION OF THE SE 4TH ST. RAILROAD UNDERPASS PROJECT.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$1,998,635.31.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF ORDINANCE NO. 972(21) AMENDING PART 12, CHAPTER 5, ARTICLE J, BY REMOVING CURRENT DRAINAGE REGULATIONS FOR DEVELOPMENT WITHIN THE CITY OF MOORE AND ADOPTING THE STORMWATER MANAGEMENT CRITERIA UPDATE MANUAL AS THE DRAINAGE REGULATIONS FOR THE CITY OF MOORE.

Elizabeth Weitman, Community Development Director, gave a brief summary of the changes made to the proposed Stormwater Management Criteria. Ms. Weitman advised that compromises were made with the development community in nine areas. Some issues, which had previously been brought to their attention and been addressed, included using the HydroCad program instead of the HMES program, allowing a reduction in the riparian buffer in certain circumstances, and increasing the open space detention maintenance easement to 15'.

Ms. Weitman stated that the proposed Drainage Criteria Update was discussed at a special meeting of the City Council held on May 14, 2021. After a lengthy discussion Council asked that the development community submit suggested changes to staff for consideration. She stated that a list was submitted and reviewed by both staff and the consultant, Meshek and Associates. It was determined that two additional changes were acceptable. Instead of requiring 2' of freeboard they decided to adopt the OWRB table for standards and incorporate it into the proposal. Another change replaced a graph used to calculate overland flow with an equation from the National Engineering Handbook.

Ms. Weitman advised that five suggestions were declined. The consultant felt that the issues in question contributed to the drainage issues from underestimating the amount of stormwater runoff. Therefore, instead of the developer's request for 1' of freeboard, 2' of freeboard would be required because past flooding events allowed water into homes constructed 1' above the base flood elevation. Also required was 2' of freeboard between the soffit of culvert with a width greater than 20' and the 100-year water surface elevation. This would primarily be culverts underneath roadways. The 2' of freeboard was to allow for possible clogging of debris and siltation to prevent overflow onto roadways. She noted that other culverts less than 20' wide have separate requirements that don't require the 2' of freeboard. Ms. Weitman stated that the Rational Method runoff coefficient uses the Wright McLaughlin modifier and they feel it is the appropriate modifier to account for increased impervious surface and decreased filtration. She advised that general design criteria talked about a maintenance easement around detention ponds that was originally set at 20'. During previous discussions it was lowered to 15'; however, the development community requested it be set at 5' which the consultant felt was insufficient for maintenance purposes. Ms. Weitman stated that the topic that was most controversial was the Rational Method versus the Unit Hydrograph Method. Ms. Weitman stated that the Unit Hydrograph Method would be used on calculations for drainage basins over 20 acres. The development community requested that it be used for anything over 40 acres; however, because there were examples of flooding in these situations, it was determined that 20 acres was appropriate.

Ms. Weitman turned the floor over to engineer Kyle Miller with Meshek and Associates who gave an example of a downstream property owner who was experiencing major flooding from The Waters Addition following heavy rains. Mr. Miller advised that he compared outputs from a drainage report from the developer that utilized the Modified Rational Method to hydrology Meshek prepared utilizing the NRCS or the Unit Hydrograph Method. Mr. Miller showed Council a table that was produced for the 100-year flood that showed the difference between historic and developed flow. The NRCS Method reflected an

increase in the peak flow and in the overall volume of water. Mr. Miller studied the area between The Waters and the next property downstream. He noted that he did not have all of the pond data to do a direct comparison; however, the NRCS Method indicated an increase of 4½ times the volume for historic and 3½ times the volume for developed than the Modified Rational Method. He stated that this was a significant difference that had to be accounted for. He pointed out differences in how the storm duration was calculated. The Modified Rational Method measures a storm based on the size of the watershed. In the example given the storm duration was calculated at approximately 45 minutes. In the NRCS Method they produced a storm that was 24 hours. Comparing the two methods they found there was a difference of 23.3 hours. The rainfall difference for NRCS predicted 5 inches more than the Modified Rational Method in both historic and developed. He estimated that two to four times the magnitude in both the peak flow and volume were not being accounted for in the design. Mr. Miller stated that the developer made calculations based on what was required at the time; however, the industry was constantly changing in an attempt to be more precise and accurate and sometimes that required changing the methods used.

Vice-Mayor Hamm asked if the ponds at The Waters were not designed to handle the water during peak flows. Mr. Miller stated that he did not obtain enough information to state that. He was pointing out that the developer designed the ponds to mitigate the peak flows as required at the time. Vice-Mayor Hamm confirmed through Mr. Miller that calculations based on the recommended method would have increased the size of the detention systems and stormwater infrastructure overall to handle the larger flows and volume of water that was predicted. He stated that in the NRCS Method timing was crucial in tying the watershed together to see how the design impacted everything downstream. He felt that when discussing limiting a Rational design for a stormsewer system to 20 acres, the point should be to limit how much a storm sewer can affect the timing of the watershed. Mr. Miller looked at the volume from historic to developed and felt the additional volume was due to the impervious area creating more runoff. He stated that you can change peak flow and adjust timing but you can't get rid of the extra volume. He felt Moore was experiencing problems due to the extra volume. They are attempting to anticipate what the watershed was doing and give enough freeboard to deal with the unexpected.

Marvin Haworth, 2800 Shady Creek Lane, stated that he was a homebuilder and developer in Moore and was representing himself and the Homebuilders Association. Mr. Haworth stated that he was still opposed to the stormwater management criteria being proposed as written. He felt it would have been more appropriate to have created comparison graphs utilizing the Rational Method and not the Modified Rational Method. He stated that the project was not a 40 acre project and was not representative of what they were asking to be done. Mr. Haworth stated they would also like to see the pond berm easements at 5' instead of the proposed 15' unless it was found to be absolutely necessary for maintenance purposes.

Ryan Steward, 1201 NE 27th, stated that he prepared packets of information for the City Council regarding flooding that was occurring on his property. Mr. Steward wanted to bring a resident's perspective on the issue and felt his property was a prime example of why the Rational Method does not work on this size drainage basin. Mr. Steward stated that an engineer estimated 300 acres drain into the basin that meets at different points on his 20-acre property. Based on his research the Rational Method was not intended to be used by several entities on drainage acres equal to 100 to 200 acres. The Rational Method was used on The Waters neighborhood creating 2½ times the flow rate and volume since the development started behind his property. Mr. Steward felt that regulations must be in place requiring developers to control their water before releasing it downstream. Mr. Steward stated that the pond could handle the water until 1½ years ago when the development started. Then they lowered the pond dam and widened the spillway creating extra volume without adequate detention time because the Rational Method didn't justify leaving the pond dam up to 4'. He felt his property had been severely damaged by this. Mr. Steward indicated that he had not had any additional communications with the developer and asked that the City Council revoke building and occupancy permits and to not plat any more of the property until a solution was found. He did not feel the cost of this situation should be passed on to him.

Councilwoman Hunt moved to approve Ordinance No. 972(21) amending Part 12, Chapter 5, Article J, by removing current drainage regulations for development within the City of Moore and adopting the Stormwater Management Criteria Update manual as the drainage regulations for the City of Moore, second by Councilman Williams. Motion carried by majority vote.

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

Councilwoman Hunt asked Ms. Weitman if staff could meet with Mr. Steward regarding his concerns. Ms. Weitman indicated that the developer was starting on the last phase of the development. She did not feel anything could be done to legally stop them because they met the Code requirements that existed at the time of development.

Councilman Williams stated that this was the first effort in trying to make improvements to the drainage criteria. He indicated that they would continue to evaluate the criteria and might feel additional changes were necessary later in the process. However, he stressed that they must make some changes now to prevent situations such as Mr. Steward's from occurring in the future. Vice-Mayor Hamm stated that he and Councilwoman Hunt would be happy to continue the discussion with Mr. Steward who was in their ward.

Agenda Item Number 4 being:

CONSIDER APPROVAL OF AN EMERGENCY PROVISION FOR ORDINANCE NO. 972(21) FINDING IT IMMEDIATELY NECESSARY FOR THE PRESERVATION OF THE PEACE, HEALTH, SAFETY AND PUBLIC GOOD OF THE CITY OF MOORE AND THE INHABITANTS THEREOF THAT THE PROVISIONS OF THIS ORDINANCE BE PUT INTO FULL FORCE AND EFFECT, AN EMERGENCY IS HEREBY DECLARED TO EXIST BY REASON WHEREOF THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE AND EFFECT FROM AND AFTER THE DATE PROVIDED HEREIN AS PROVIDED BY LAW

Mayor Lewis asked for a legal opinion from City Attorney Randy Brink on whether the item met the legal definition as an emergency. Mr. Brink indicated that it was his opinion it qualified as an emergency.

Councilwoman Hunt approval of an emergency provision for Ordinance No. 972(21), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A CONTRACT WITH FREESE AND NICHOLS, INC. IN THE AMOUNT OF \$99,625 FOR THE LAKE THUNDERBIRD TMDL COMPLIANCE PLAN UPDATE.

Elizabeth Weitman, Community Development Director, stated that the proposed contract with Freese and Nichols, Inc. was for review of the TMDL monitoring program required by the State of Oklahoma in accordance with a court action. She advised that under the TMDL program the City was required to monitor the quarterly output of pollutants within the stormwater system. The City must collect the results for a five-year period, analyze them, and report the results to DEQ. Ms. Weitman indicated that Freese and Nichols would prepare the report along with a 5-year plan using the data points to recommend both

structural and nonstructural improvements to help the City meet the required targets. Ms. Weitman stated that this was a budgeted item.

Councilman Williams asked who performed the monitoring for the City. Ms. Weitman advised that the City utilizes Veolia's storm reaction team who takes samples at predetermined sites during a qualifying storm event.

Councilman Blair moved approve a contract with Freese and Nichols, Inc. in the amount of \$99,625 for the Lake Thunderbird TMDL Compliance Plan Update, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AUTHORIZING AN ENGINE INFRAME OVERHAUL FOR SANITATION TRUCK NO. 13763, IN THE AMOUNT OF \$20,502.74 TO RUSH TRUCKS AS A SOLE SOURCE REPAIR FACILITY FOR A CUMMINS ENGINE.

Mayor Lewis moved to authorize an engine inframe overhaul for Sanitation Truck No. 13763, in the amount of \$20,502.74 to Rush Trucks as a sole source repair facility for a Cummins engine, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER ACCEPTANCE OF A QUOTE FOR THE PURCHASE OF A 6' BLACK VINYL CHAIN LINK FENCE WITH PARK, MAINTENANCE, AND QUARANTINE ENTRY GATES, AND A CONCRETE MOW STRIP ALONG FENCE LINE FROM NORMAN FENCE COMPANY IN THE AMOUNT OF \$32,450 AS THE LOWEST QUOTE.

Sue Wood, Parks and Recreation Director, stated that the project would create a grassy area east of the dog park in Buck Thomas Park. The area would be used as an alternate site for the large numbers of dogs that come to the park to allow for regrowth of the grass and maintenance in the existing area.

Councilman Williams moved to acceptance of a quote for the purchase of a 6' black vinyl chain link fence with park, maintenance, and quarantine entry gates, and a concrete mow strip along fence line from Norman Fence Company in the amount of \$32,450 as the lowest quote, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AUTHORIZING THE UTILIZATION OF THE PUBLIC WORKS MAINTENANCE CONTRACT WITH SILVER STAR CONSTRUCTION FOR THE REMOVAL OF AN ASPHALT AND CONCRETE WALKING TRAIL AT BUCK THOMAS PARK AND REPLACEMENT WITH AN 8' CONCRETE WALKING TRAIL WITH CONCRETE PADS WITH TRASHCANS, BENCH LOCATIONS, AND PARK RULES SIGNAGE, ALONG WITH THE PURCHASE AND INSTALLATION OF TWO 30' BY 6' IRON BRIDGES AT A TOTAL ESTIMATED BUDGETED COST OF \$268,851.94.

Sue Wood, Parks and Recreation Director, advised that the item was for replacement of the asphalt walking trail at Buck Thomas Park along with replacement of two bridges that were found to have safety issues. Councilwoman McKenzie asked if the item was for replacement of the entire asphalt walking trail. Ms. Wood advised that it would replace all of the asphalt and some of the concrete sections of the trail.

Councilwoman Hunt moved to authorize the utilization of the Public Works Maintenance contract with Silver Star Construction for the removal of an asphalt and concrete walking trail at Buck Thomas Park and replacement with an 8' concrete walking trail with concrete pads with trashcans, bench locations, and park rules signage, along with the purchase and installation of two 30' by 6' iron bridges at a total estimated budgeted cost of \$268,851.94, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER ACCEPTANCE OF A QUOTE FROM ADVANCED EXERCISE IN THE AMOUNT OF \$32,001.00 FOR THE BUDGETED PURCHASE OF TWENTY LIFE FITNESS IC5 INDOOR CYCLES.

Sue Wood, Parks and Recreation Director, stated that the proposed purchase of 20 fitness bikes would replace bikes that were installed when The Station was constructed. Ms. Wood advised that the bikes being replaced would be put into surplus.

Councilwoman McKenzie moved to accept a quote from Advanced Exercise in the amount of \$32,001.00 for the budgeted purchase of twenty Life Fitness IC5 indoor cycles, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF 82 PURADIGM AIR & SURFACE CONTAMINATE UNITS IN THE AMOUNT OF \$99,280 FROM EAGLE DISINFECTION GROUP, AS A SOLE SOURCE PROVIDER, TO BE USED AT THE FIRE STATIONS, POLICE DEPARTMENT, MUNICIPAL COURT, THE STATION AT CENTRAL PARK, AND CITY HALL, USING CARES ACT FUNDS.

Brian Miller, Assistant City Attorney, stated that the Fire Department requested that the City look into the possibility of purchasing air purification and surface disinfectant units. Mr. Miller advised that the City of Oklahoma City utilizes the system at their Police and Fire Stations as well as for the Airport and their Mass Transit System. Mr. Miller stated that the Puradigm Air & Surface Contaminate Unit was the only unit they found that could disinfect both surfaces and the air. He advised that the units would take the place of fogging units for disinfection purposes. Mr. Miller stated that he and Assistant Chief Marlar went through each of the City buildings to determine the number of units needed and their proposed location. In total they would require 82 units at a cost of \$99,280. He noted that annual maintenance of the units would cost approximately \$22,000.

Brooks Mitchell, City Manager, advised that CARES Act funds would pay for the units and City funds would be used to cover maintenance costs.

Councilman Blair moved to authorize the budgeted purchase of 82 Puradigm Air & Surface Contaminate Units in the amount of \$99,280 from Eagle Disinfection Group, as a sole source provider, to be used at the Fire Stations, Police Department, Municipal Court, the Station at Central Park, and City Hall, using CARES Act funds, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AUTHORIZING THE PURCHASE OF ONE (1) LICENSE PLATE READER SYSTEM IN THE AMOUNT OF \$17,340 FROM MOTOROLA SOLUTIONS, INC. FROM THE UNITED STATES GENERAL SERVICES ADMINISTRATION ("GSA") CONTRACT PURSUANT TO PART 7, SECTION 7-205(6).

Police Chief Todd Gibson stated that the proposed License Plate Reader System would be used in support of the District Attorney's Drug and Violent Crimes Task Force which acts as the City's de facto narcotics unit.

Councilman Hamm asked how the license plate reader would be used. Chief Gibson stated that the unit would be mounted to a police car and when it located a vehicle found in the NCIC or OLETS system associated with a major crime it would flag the officer.

Councilman Williams asked if this was a budgeted item. Chief Gibson indicated the system would be purchased using seizure funds.

Mayor Lewis moved to authorize the purchase of one (1) License Plate Reader system in the amount of \$17,340 from Motorola Solutions, Inc. from the United States General Services Administration ("GSA") contract pursuant to Part 7, Section 7-205(6), second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 12 being:

APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MOORE AND THE OKLAHOMA BUREAU OF NARCOTICS AND DANGEROUS DRUGS FOR COPS ANTI-METHAMPHETAMINE PROGRAM TASK FORCE FOR THE SHARING OF LOCAL AND STATE RESOURCES TO COMBAT METHAMPHETAMINE IN THE CITY OF MOORE AND STATE OF OKLAHOMA.

Police Chief Todd Gibson advised that the Oklahoma Bureau of Narcotics ("OBN") received a grant for enforcement of methamphetamine. The proposed partnership with OBN would allow the City to leverage grant funds to combat local methamphetamine related crimes.

Vice-Mayor Hamm asked Chief Gibson to provide the City Council with information regarding current drug activity within the community.

Councilman Blair moved to approve an Interlocal Agreement between the City of Moore and the Oklahoma Bureau of Narcotics and Dangerous Drugs for COPS Anti-Methamphetamine Program Task Force for the sharing of local and State resources to combat Methamphetamine in the City of Moore and State of Oklahoma, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH INFRASTRUCTURE MANAGEMENT SERVICES ("IMS") IN THE AMOUNT OF \$134,713 FOR PROFESSIONAL SERVICES TO COMPLETE A COMPREHENSIVE PAVING CONDITION SURVEY (PAVEMENT MANAGEMENT STUDY) OF THE CITY OF MOORE'S STREET SYSTEM.

Jerry Ihler, Assistant City Manager, stated that there was approximately 325 center line miles of arterial, collection, collector, and residential roads within the City of Moore. The value of this pavement asset was estimated at around \$325,000,000. Mr. Ihler stated that the proposed agreement with Infrastructure Management Services ("IMS") was for a Pavement Management Study to determine the condition of the roadways. IMS would bring vans into Moore that utilized sensors, lasers, and cameras to detect cracks in the pavement. Deflection tests would also be performed to determine the condition of the base underneath the pavement. He stated that the report would include a pavement condition index number for each road and a five-year rehabilitation and maintenance program. The program would include methods of repair, rehabilitation and overlays for roads that were in fair to good condition to extend the life of the street. Mr. Ihler stated that the funding source for the study would be the Transportation Impact Fees for the arterial roadway portion of the study and the ½ cent sales tax in Fund 12 would fund the residential street portion.

Councilman Williams asked how long it would take to collect the data for the study and if the City would own the data when the study was complete. Ms. Ihler stated that the City would own the data, and that IMS estimated it would take six to eight months to complete the report.

Councilman Williams moved to approve an agreement with Infrastructure Management Services ("IMS") in the amount of \$134,713 for professional services to complete a comprehensive paving condition survey (Pavement Management Study) of the City of Moore's street system, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER, AND IF DEEMED APPROPRIATE, ACCEPT NOMINATIONS AND ELECT A VICE-MAYOR.

Councilman Blair expressed his appreciation to Councilman Hamm for serving as Vice-Mayor over the past year and for doing such a great job. Vice-Mayor Hamm thanked Councilman Blair for his comments and stated that it had been an honor to serve. Councilman Blair stated that two years ago the City Council decided to have a one-year term for Vice-Mayor and to alternate the position between wards. He indicated that the first year the position was selected from Ward 1 and last year from Ward 2. He then nominated Louie Williams as a Ward 3 councilman to serve as Vice-Mayor.

Councilman Blair moved to nominate Louie Williams to serve as Vice-Mayor, second by Mayor Lewis. Motion carried by majority vote.

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

Agenda Item Number 15 being:

CONSIDER THE APPOINTMENT OF COUNCILMAN MARK HAMM TO SERVE AS A MEMBER ON THE ACOG BOARD OF DIRECTORS, INTERMODAL TRANSPORTATION POLICY COMMITTEE, GARBER WELLINGTON POLICY COMMITTEE, AND THE 911 ASSOCIATION BOARD OF DIRECTORS, WITH THE REMAINING CITY COUNCIL MEMBERS TO SERVE AS ALTERNATES.

Mayor Lewis moved to appoint Councilman Mark Hamm to serve as a member on the ACOG Board of Directors, Intermodal Transportation Policy Committee, Garber Wellington Policy Committee, and the 911 Association Board of Directors, with the remaining City Council Members to serve as alternates, second by Councilwoman Hunt. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT APPROXIMATELY 7:28 P.M.

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JUNE 7, 2021.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$921,659.56.

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

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

Agenda Item Number 17 being:

CONSIDER AWARDING BID NO. 2021-012(A) FOR PIPING MATERIAL FOR THE SELS SEWER FORCE MAIN IMPROVEMENT PROJECT TO ISCO INDUSTRIES, INC. IN THE AMOUNT OF \$2,212,549.84 AS THE LOWEST RESPONSIVE BIDDER.

Jerry Ihler, Assistant City Manager, advised that Agenda Items No. 17, 18 and 19 were companion items relating to the same project. Mr. Ihler stated that due to the sudden increase in the price of materials staff had been looking at ways to reduce the overall cost for the Southeast Lift Station project. On Agenda Item No. 17 the City bid out the HDPE piping material to prevent having the 10% to 12% markup from the contractor that was awarded the project, plus the cost of the maintenance bond which would include 5% of the overall cost. Mr. Ihler stated that three bids were received for 3.3 miles of 36" HDPE pipe. The low bid was from ISCO Industries in the amount of \$2,212,549.84.

Trustee Hunt moved to award Bid No. 2021-012(A) for piping material for the SELS Sewer Force Main Improvement Project to ISCO Industries, Inc. in the amount of \$2,212,549.84 as the lowest responsive bidder, second by Trustee Williams. Motion carried unanimously.

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

Agenda Item Number 18 being:

CONSIDER AWARDING BID NO. 2021-012(B) FOR VALVE MATERIAL FOR THE SELS SEWER FORCE MAIN IMPROVEMENT PROJECT TO HAYNES EQUIPMENT CO., LLC IN THE AMOUNT OF \$164,875.00 AS THE LOWEST RESPONSIVE BIDDER.

Trustee Hunt moved to award Bid No. 2021-012(B) for valve material for the SELS Sewer Force Main Improvement Project to Haynes Equipment Co., LLC in the amount of \$164,875.00 as the lowest responsive bidder, second by Trustee Williams. Motion carried unanimously.

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

Agenda Item Number 19 being:

CONSIDER AWARDING A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE BIDDER, KRAPFF AND REYNOLDS, IN THE AMOUNT OF \$3,509,640.00 FOR THE SELS SEWER FORCE MAIN IMPROVEMENT PROJECT.

Trustee Hunt moved to award a construction contract to the lowest responsive bidder, Krapff and Reynolds, in the amount of \$3,509,640.00 for the SELS Sewer Force Main Improvement Project, second by Trustee Blair. Motion carried unanimously.

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

Agenda Item Number 20 being:

RECEIVE THE COURT APPOINTED COMMISSIONERS REPORT AND AUTHORIZE PLACEMENT OF FUNDS INTO THE COURT BASED ON THE COMMISSIONER'S ESTIMATES OF JUST COMPENSATION DUE TO THE PROPERTY OWNER BY REASON OF THE TAKING OF THE PROPERTY FOR THE CONSTRUCTION AND MAINTENANCE OF THE SE BASIN GRAVITY FLOW SANITARY SEWER LINE IMPROVEMENT PROJECT.

Trustee McKenzie moved to receive the Court Appointed Commissioners Report and authorize placement of funds into the court based on the Commissioner's Estimates of Just Compensation due to the property owner by reason of the taking of the property for the construction and maintenance of the SE Basin Gravity Flow Sanitary Sewer Line Improvement Project, second by Trustee Blair. Motion carried unanimously.

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

Agenda Item Number 21 being:

CONSIDER, AND IF DEEMED APPROPRIATE, ACCEPT NOMINATIONS AND ELECT A VICE-CHAIR OF THE TRUST.

Trustee Hunt moved to appoint Adam Webb as Vice-Chair of the Trust, second by Trustee Blair. Motion carried unanimously.

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

Agenda Item Number 22 being:

CONSIDER, AND IF DEEMED APPROPRIATE, ACCEPT NOMINATIONS AND ELECT A SECRETARY OF THE TRUST.

Trustee McKenzie moved to appoint Melissa Hunt as Secretary of the Trust, second by Trustee Williams. Motion carried by majority vote.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:37 P.M.

Agenda Item Number 23 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JUNE 7, 2021.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$401,980.73.

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

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Hamm

Nays: None

Absent: Webb

Agenda Item Number 24 being:

CONSIDER, AND IF DEEMED APPROPRIATE, ACCEPT NOMINATIONS AND ELECT A VICE-CHAIR OF THE MOORE RISK MANAGEMENT BOARD.

Trustee Hunt moved to appoint Danielle McKenzie as Vice-Chair of the Moore Risk Management Board, second by Trustee Blair. Motion carried by majority vote.

Ayes: Blair, Hunt, Lewis, Williams, Hamm

Nays: None

Abstentions: McKenzie

Absent: Webb

Agenda Item Number 25 being:

CONSIDER, AND IF DEEMED APPROPRIATE, ACCEPT NOMINATIONS AND ELECT A SECRETARY OF THE MOORE RISK MANAGEMENT BOARD.

Trustee McKenzie moved to appoint Jason Blair as Secretary of the Moore Risk Management Board, second by Trustee Hunt. Motion carried by majority vote.

Ayes: McKenzie, Hunt, Lewis, Williams, Hamm

Nays: None

Abstentions: Blair

Absent: Webb

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED AT 7:39 P.M. WITH COUNCILMAN LOUIE WILLIAMS PRESIDING.

Agenda Item Number 26 being:

ROLL CALL

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

Agenda Item Number 27 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD MAY 17, 2021.
- B) RATIFY ACTION OF THE CITY COUNCIL MADE ON JUNE 7, 2021 REGARDING APPROVAL OF FY 20-21 BUDGET SUPPLEMENT TO BUDGET FUNDS AND RELATED EXPENSES FOR THE 2021B AND 2021C SALES TAX NOTES.

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

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

Agenda Item Number 28 being:

CONSIDER, AND IF DEEMED APPROPRIATE, ACCEPT NOMINATIONS AND ELECT A CHAIR OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY.

Trustee Hunt moved to appoint Mark Hamm as Chair of the Moore Economic Development Authority, second by Trustee Blair. Motion carried unanimously.

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

Agenda Item Number 29 being:

CONSIDER, AND IF DEEMED APPROPRIATE, ACCEPT NOMINATIONS AND ELECT A VICE-CHAIR OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY.

Trustee Blair moved to appoint Adam Webb as Vice-Chair of the Moore Economic Development Authority, second by Trustee McKenzie. Motion carried unanimously.

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

Agenda Item Number 30 being:

CONSIDER AND IF DEEMED APPROPRIATE ACCEPT NOMINATIONS AND ELECT A SECRETARY OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY.

Trustee McKenzie moved to appoint Melissa Hunt as Secretary of the Moore Economic Development Authority, second by Trustee Blair. Motion carried unanimously.

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:42 P.M. WITH VICE-MAYOR MARK HAMM PRESIDING.

Agenda Item Number 31 being:

NEW BUSINESS:

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

Vickie Heflin, 2629 SE 7th Street, appeared before the City Council to request that floodlights be prohibited in residential areas. Ms. Heflin stated that she has a neighbor with floodlights that shine in her bathroom window approximately 15 feet away.

Michelle Wiggs, 527 Woodhall Lane, reported serious issues with fighting and inappropriate behavior in the restrooms by teenagers at The Station. Ms. Wiggs indicated that she and her family had been members since it opened approximately five years ago but was unable to go now due to safety concerns. She felt the issues were escalating with problems also occurring at the Dive-in Movies. Councilwoman McKenzie asked for an update on the things being discussed to address the issue. Brooks Mitchell, City Manager, advised that he met with Parks and Recreation Director Sue Wood and the Police Department to implement changes for future Dive-In Movies. They were also addressing the loitering outside of the buildings where a lot of the activities were occurring. Mr. Mitchell expressed appreciation to Ms. Wiggs for mentioning the situations occurring in the restrooms. He indicated he was unaware of those situations but would be addressing them. Vice-Mayor Hamm asked if the City was utilizing the services of off-duty police officers and deputies for security. Mr. Mitchell related that during the summer an officer would be posted inside The Station and another officer posted in the Aquatics Center. The City was in the process of constructing an area for security that gave them a better view of the crowds. Mr. Mitchell explained that the Dive-In Movie event sold out with a walk up crowd. Those that were unable to gain entry loitered outside the facility where the problem started. He stated that additional security would be utilized during special events. Councilwoman McKenzie advised that they were also discussing implementing a zero tolerance policy. Ms. Wiggs felt that the atmosphere was much better when police officers were present.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Vice-Mayor Hamm asked for an update on the 4th Street Underpass Project and a timeline for construction. Mr. Mitchell advised that three properties were in condemnation. Commissioner's Reports were received and the money deposited with the Court. BNSF made comments on the 60% plans and were reviewing the 90% plans. Mr. Mitchell indicated that if things proceed as expected construction should begin this time next year.

Vice-Mayor Hamm asked for an update on mowing. He stated that there were 3' weeds in the right-of-way on Eastern between 12th and 27th Streets. Mr. Mitchell stated that City staff was working to get caught up on the mowing due that was delayed due to the amount of rainfall received. He noted that a mowing contractor the City utilized was having difficulty getting workers. As a result staff was working overtime to get caught up.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City Manager.

Agenda Item Number 32 being:

EXECUTIVE SESSION:

SECTION 307, TITLE 25, OKLAHOMA STATUTES PERMITS THE PUBLIC BODY TO MEET IN EXECUTIVE SESSION FOR CERTAIN SPECIFIED REASONS UNDER CERTAIN SPECIFIED CONDITIONS. IT IS THE OPINION OF THE CITY ATTORNEY THAT THE CITY COUNCIL MAY CONSIDER AND ADOPT A MOTION TO MEET IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING ITEM(S):

- A) CONSIDER APPROVAL OF THE FISCAL YEAR 2021-2022 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) CONSIDER APPROVAL OF THE FISCAL YEAR 2021-2022 CONTRACT BETWEEN THE CITY OF MOORE AND THE I.A.F.F. LOCAL 2047 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).
- C) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 8:00 p.m.

D) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 8:27 p.m.

E) ACTION.

- A) CONSIDER APPROVAL OF THE FISCAL YEAR 2021-2022 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 2021-2022 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: McKenzie, Blair, Hunt, Lewis, Williams, Hamm
Nays: None
Absent: Webb

B) CONSIDER APPROVAL OF THE FISCAL YEAR 2021-2022 CONTRACT BETWEEN THE CITY OF MOORE AND THE I.A.F.F. LOCAL 2047 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

No action was taken on the item.

Agenda Item Number 33 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 8:29 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