

**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
SEPTEMBER 20, 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 September 20, 2021 at 6:30 p.m. with Mayor Glenn Lewis presiding.

Adam Webb
Councilman, Ward I

Danielle McKenzie
Councilwoman, Ward I

Melissa Hunt
Councilwoman, Ward II

Mark Hamm
Councilman, Ward II

Jason Blair
Councilman, Ward III

Louie Williams
Councilman, Ward III

PRESENT: Hunt, Webb, Williams, Lewis

ABSENT: McKenzie, Blair, Hamm

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Randy Brink; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief, Greg Herbster; Manager of Information Technology, David Thompson; Police Chief Todd Gibson; Sergeant David Dickinson; Public Affairs Director, 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 SEPTEMBER 7, 2021.
- B) APPROVE A CONTRACT WITH AGING SERVICES TO PROVIDE HOME DELIVERED MEALS TO HOMEBOUND SENIORS USING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS.
- C) APPROVE A CONTRACT WITH MOORE YOUTH AND FAMILY SERVICES TO PROVIDE A YOUTH FIRST TIME OFFENDER PROGRAM USING CDBG FUNDS.
- D) APPROVE A CONTRACT WITH MOORE YOUTH AND FAMILY SERVICES TO PROVIDE AN EARLY INTERVENTION PROGRAM IN MOORE'S SECONDARY SCHOOLS USING CDBG FUNDS.
- E) APPROVE A CONTRACT WITH METROPOLITAN FAIR HOUSING COUNCIL TO PROVIDE FAIR HOUSING SERVICES TO MOORE RESIDENTS USING CDBG FUNDS.
- F) APPROVE A CONTRACT WITH BETHESDA TO PROVIDE COUNSELING FOR ABUSED CHILDREN IN MOORE USING CDBG FUNDS.
- G) APPROVE A CONTRACT WITH MARY ABBOTT CHILDREN'S HOUSE TO PROVIDE A FORENSIC INTERVIEW PROGRAM FOR ABUSED CHILDREN USING CDBG FUNDS.

- H) APPROVE A CONTRACT WITH SALVATION ARMY TO PROVIDE A UTILITY AND RENTAL/MORTGAGE ASSISTANCE PROGRAM FOR MOORE RESIDENTS USING CDBG FUNDS.
- I) APPROVE A CONTRACT WITH THE SHARING TREE TO PROVIDE COMMUNITY BASKETBALL GOALS AND PET WASTE STATIONS USING CDBG FUNDS.
- J) APPROVE A CONTRACT WITH THE VIRTUE CENTER TO PROVIDE DRUG/ALCOHOL COUNSELING FOR LOW INCOME MOORE RESIDENTS USING CDBG-COVID 19 FUNDS.
- K) APPROVE AN AMENDMENT TO THE CONTRACT WITH SALVATION ARMY APPROVED IN SEPTEMBER 2020 TO PROVIDED UTILITY AND RENTAL/MORTGAGE ASSISTANCE FUNDING WITH CDBG-COVID 19 FUNDS.
- L) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$3,667.90 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2021-2022 IN THE AMOUNT OF \$2,952,606.85.

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

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

Agenda Item Number 3 being:

DISCUSS AND CONSIDER APPROVAL OF ORDINANCE NO. 987(21) AMENDING PART 12, CHAPTER 3, ARTICLE B, SECTION 14-403 THROUGH 14-404 OF THE MOORE CITY CODE TO ALLOW SMALL CELL NODE SUPPORT POLES WITHIN IN THE PUBLIC RIGHTS-OF-WAY, INCREASE THE ALLOWABLE PROTRUSION OF SMALL CELL NODES FROM A NODE SUPPORT POLE, AND ESTABLISH A 5' SETBACK FROM CITY UTILITIES FOR SMALL CELL INFRASTRUCTURE.

Elizabeth Weitman, Community Development Director, stated that it had been several years since Council adopted the City Code regulating the small cell industry. Ms. Weitman indicated that AT&T and Verizon were the only companies currently utilizing this technology. Since the ordinance was passed there had been a lot of technological changes necessitating different equipment due a change in dimensions. She stated that currently there was a protrusion limit of 2½ feet; however, AT&T submitted plans with a protrusion of 5 feet. Staff was requesting an update to the City Code to allow for the change in protrusion limits. Ms. Weitman also advised that when reviewing the Code staff noted some inconsistencies with current City policies that would be included in the proposed amendment. She indicated that the amendment would establish a 5 foot separation from poles in the rights-of-way to City utilities in an effort to prevent damage. The amendment also removed the prohibition of poles in the rights-of-way. A state law was passed after adoption of the original ordinance that prevented cities from establishing prohibitions on poles in the rights-of-way.

Councilman Williams moved to approve Ordinance No. 987(21) amending Part 12, Chapter 3, Article B, Section 14-403 through 14-404 of the Moore City Code to allow small cell node support poles within in the public rights-of-way, increase the allowable protrusion of small cell nodes from a node support pole, and establish a 5' setback from city utilities for small cell infrastructure, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 4 being:

DISCUSS POTENTIAL UPDATES TO CITY CODE AND POLICY REGARDING WRECKER SERVICE AND IMPOUND YARDS.

Elizabeth Weitman, Community Development Director, advised that a conversation occurred at a recent Planning Commission meeting regarding the current state of the wrecker services' site conditions and appearance. Ms. Weitman met with other departments that dealt with wrecker services and identified issues with the appearance and upkeep of the facilities, inconsistent customer charges for vehicle impoundment, and expired licenses through the City Clerk's Office. Some wrecker services charge \$150 from the time a car is taken into possession for a Title 42. She stated this was preemptive paperwork to allow the wrecker service to take possession of the car in the event it was not claimed. However, the majority of the vehicles are claimed by the owner. Ms. Weitman stated that the site conditions include vehicles stored outside of a fenced yard and poor parking lot conditions that lead to the tracking of mud on City streets.

Ms. Weitman advised that there are eight wrecker services in the City. Because there is a limit of seven wrecker service companies on rotation for vehicle impoundments there is a waiting list. Ms. Weitman indicated that staff would like Council input on the following suggested changes.

1. Change the due date for licenses from April 30th to January 30th allowing a better time of year for site inspections.
2. Establish mandatory joint inspections by Code Enforcement and the Police Department.
3. Allow for a license revocation if the wrecker service is found habitually non-compliant with City Code.
4. Compare the fee list with other municipalities and make any necessary changes.
5. Police Department request that the Title 42 charge occur on day 15 of impound, when State law allows wrecker services to begin the process of taking possession of an unclaimed vehicle.
6. Police Department request to utilize an application and written agreement for the rotation list. Included in the agreement would be actions that could lead to removal from rotation.
7. Simplify procedure for citizens claiming their vehicles.

Ms. Weitman requested the following site changes:

1. All vehicles and equipment stored behind a sight-proof fence.
2. Utilize an all-weather paving and driving surface for the approach and parking lot to eliminate tracking mud onto City streets.
3. Investigate a time limit for keeping unclaimed vehicles on the lot.
4. Establish a time line for compliance.

Council Members Webb, Hunt and Williams expressed appreciation to Ms. Weitman for her work on the subject and supported the proposed changes. Brooks Mitchell, City Manager, advised that staff would present a proposed ordinance that incorporated the suggested changes.

No action was taken on the item.

Agenda Item Number 5 being:

CONSIDER ORDINANCE NO. 986(21) AMENDING PART 7, CHAPTER 2, SECTION 7-205 OF THE MOORE MUNICIPAL CODE BY ADDING NEW LETTER "K", PROVIDING AN EXCEPTION TO COMPETITIVE BIDDING AND AUTHORIZING PURCHASE OF SUPPLIES, MATERIALS, AND EQUIPMENT FROM BIDDING COOPERATIVES; PROVIDING FOR A REPEALER; AND PROVIDING FOR SEVERABILITY.

Randy Brink, City Attorney, advised that Ordinance No. 986(21) would add an exception to the City's competitive bidding requirements to allow the purchase of supplies, materials, and equipment from bidding cooperatives. Mr. Brink advised that the cooperative entities complete the bidding process for certain items to determine the best price similar to a private state contract. He indicated that Council can waive competitive bidding if the purchase comes from the Oklahoma State Contract. Passage of the ordinance would allow the City to waive competitive bidding and purchase from cooperative entities.

Councilman Williams asked if the City pays a fee to utilize the cooperative. Mr. Brink stated that the co-ops that he had seen lately did not require a membership fee but was uncertain if that was the case for all of them. Brooks Mitchell, City Manager, indicated that the City of Lawton had utilized a co-op for purchase of fire engine resulting in a significant savings over the state contract.

Councilman Webb moved to approve Ordinance No. 986(21) amending Part 7, Chapter 2, Section 7-205 of the Moore Municipal Code by adding new letter "K", providing an exception to competitive bidding and authorizing purchase of supplies, materials, and equipment from bidding cooperatives; providing for a repealer; and providing for severability, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

APPROVE A JAIL SERVICES AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS ON BEHALF OF THE CLEVELAND COUNTY SHERIFF'S DEPARTMENT TO PROVIDE FOR THE INCARCERATION OF CITY PRISONERS AND DETAINEES WITHIN THE CLEVELAND COUNTY DETENTION CENTER AT A COST OF \$71.86 PER DAY FOR EACH PERSON INCARCERATED.

Chief Todd Gibson advised that the item was for renewal of an annual Jail Services Agreement with the Cleveland County Sheriff's office to house the City's prisoners. Chief Gibson noted that there was a 33% increase in the contract from last year. He advised that staff was unable to negotiate on the cost increase.

Randy Brink, City Attorney, noted that the jail fees are assessed to the defendants as part of their court costs.

Councilman Webb moved to approve a Jail Services Agreement with the Board of County Commissioners on behalf of the Cleveland County Sheriff's Department to provide for the incarceration of City prisoners and detainees within the Cleveland County Detention Center at a cost of \$71.86 per day for each person incarcerated, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AUTHORIZING THE PURCHASE OF A 9-1-1 EMERGENCY DISPATCH QUALITY CONTROL SERVICES UPGRADE WITH PRIORITY DISPATCH IN THE AMOUNT OF \$17,784.00 USING 9-1-1 FUNDS.

Chief Todd Gibson stated that the item was a request for Quality Control Services as part of a contract with Priority Dispatch. Chief Gibson advised that the Communications Center was undergoing an accreditation process for Emergency Medical Dispatch ("EMD"). Part of the process involved the audit of 20 calls a week. Under the services upgrade Priority Dispatch would conduct the audit to ensure compliance with the accreditation standards.

Councilman Webb moved to authorize the purchase of a 9-1-1 emergency dispatch quality control services upgrade with Priority Dispatch in the amount of \$17,784.00 using 9-1-1 funds, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF A REPLACEMENT SERVER AND ADDITIONAL HARD DRIVE ENCLOSURES FROM DAVENPORT GROUP USING NASPO OKLAHOMA STATE CONTRACT CODE C00000005398 IN THE AMOUNT OF \$36,695.00 FOR BODY CAMERA VIDEO STORAGE.

David Thompson, Manager of Information Technology, stated that the item was for additional server storage for body camera videos since the server was currently at 85% capacity. Mr. Thompson stated that most videos are deleted after 90 days; however, videos that are needed at trial are tagged and stored until released by the District Attorney's office. He indicated that approval of the item would add an additional 40 TB.

Councilman Williams asked about utilizing cloud technology. Mr. Thompson indicated that he had looked into storing the videos to the cloud but found it to be cost prohibitive at this time.

Councilwoman Hunt moved to authorize the budgeted purchase of a replacement server and additional hard drive enclosures from Davenport Group using NASPO Oklahoma State Contract Code C00000005398 in the amount of \$36,695.00 for body camera video storage, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF AN ANIMAL TRANSPORT BODY FROM SWAB WAGON COMPANY WHO SUBMITTED THE LOWEST AND MOST RESPONSIBLE QUOTE IN THE AMOUNT OF \$21,695.00 PLUS SHIPPING.

Tony Mensah, Public Works Director, advised that the City Council approved purchase of a cab and chassis for an Animal Control vehicle at the September 7, 2021 meeting. The proposed item was for purchase of the body for the vehicle. Mr. Mensah stated that staff obtained three quotes and Swab Wagon Company submitted the lowest quote in the amount of \$21,695.

Councilman Williams moved to approve the budgeted purchase of an Animal Transport Body from Swab Wagon Company who submitted the lowest and most responsible quote in the amount of \$21,695.00 plus shipping, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER ADOPTING RESOLUTION NO. 998(21) RATIFYING NEW SCHEDULE OF FEES AND CHARGES PREVIOUSLY APPROVED BY THE MOORE PUBLIC WORKS AUTHORITY ON SEPTEMBER 7, 2021.

Brian Miller, Assistant City Attorney, stated that adoption of Resolution No. 998(21) would ratify the action of the Moore Public Works Authority on September 7, 2021 approving the amended Schedule of Fees and Charges.

Councilman Williams moved to adopt Resolution No. 998(21) ratifying new Schedule of Fees and Charges previously approved by the Moore Public Works Authority on September 7, 2021, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER APPROVING CHANGE ORDER NO. 1 FOR ADDITIONAL VALUE ENGINEERING SAVINGS ON HVAC AND PLUMBING WITH CROSSLAND CONSTRUCTION COMPANY FOR A DECREASE IN THE CONTRACT AMOUNT OF \$38,933.40 FOR THE PUBLIC WORKS MAINTENANCE FACILITY PROJECT.

Jerry Ihler, Assistant City Manager, advised that on July 6, 2021 the City Council awarded a contract to Crossland Construction in the amount of \$3,231,931 for construction of Phase I of a new Public Works facility. The proposed Change Order No. 1 addressed value engineering savings in the HVAC and plumbing areas in the amount of \$38,933.40.

Councilman Williams moved to approve Change Order No. 1 for additional Value Engineering savings on HVAC and Plumbing with Crossland Construction Company for a decrease in the contract amount of \$38,933.40 for the Public Works Maintenance Facility Project, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER APPROVING CHANGE ORDER NO. 2 FOR AN UPCHARGE TO REDUCE BY 8 MONTHS THE DELIVERY TIME OF THE BUILDING MATERIALS WITH CROSSLAND CONSTRUCTION COMPANY FOR AN INCREASE IN THE AMOUNT OF \$153,525.76 FOR THE PUBLIC WORKS MAINTENANCE FACILITY PROJECT

Jerry Ihler, Assistant City Manager, advised that Change Order No. 2 was for an upcharge in the amount of \$153,525.76 to Crossland Construction Company to decrease delivery time for building materials necessary for construction of Phase I of the new Public Works facility. Mr. Ihler stated that the earliest delivery of the materials could be made utilizing the subcontractor was 12 months. Alliance Steel estimated delivery of the materials within 4 months.

Councilman Williams moved to approve Change Order No. 2 for an upcharge to reduce by 8 months the delivery time of the building materials with Crossland Construction Company for an increase in the amount of \$153,525.76 for the Public Works Maintenance Facility Project, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER APPROVAL OF A TRANSFER INTO THE GENERAL FUND RESERVE FUND.

Betty Koehn, Finance Director, stated Ordinance 923(19) established a General Fund reserve fund. The ordinance stated that at close of the fiscal year staff would recommend an amount to transfer to the General Fund reserve fund based on excess revenues over expenditures. Ms. Koehn stated that for FY 2021 staff would recommend transferring \$1,000,000 into the reserve fund resulting in a fund total of \$1,600,000. Ms. Koehn advised that because the City was fortunate to see an increase in sales and use tax over projections, and the departments did such a great job watching their expenditures, it allowed a larger transfer when compared to the \$400,000 transfer from last year.

Councilman Williams commended the department heads on doing such a good job monitoring their expenditures.

Councilwoman Hunt moved to approve a transfer of \$1,000,000 into the General Fund reserve fund, second by Councilman Webb. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:02 P.M.

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD SEPTEMBER 7, 2021.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2021-2022 IN THE AMOUNT OF \$1,538,032.99.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:03 P.M.

Agenda Item Number 15 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD SEPTEMBER 7, 2021.
- B) APPROVE PAYMENT OF A WORKER'S COMPENSATION SETTLEMENT IN THE AMOUNT OF \$16,000 FOR CBR NO. 2050000886 TO JASON SMITH AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2021-2022 IN THE AMOUNT OF \$44,028.42.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED AT 7:04 P.M. WITH VICE-CHAIRMAN ADAM WEBB PRESIDING:

Agenda Item Number 16 being:

ROLL CALL

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

Agenda Item Number 17 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD AUGUST 16, 2021.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:05 P.M. WITH MAYOR GLENN LEWIS PRESIDING:

Agenda Item Number 17 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.

Councilwoman Hunt commented that appreciated the double sided printing on this month's newsletter as a cost savings.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, announced that this year Halloween Trick or Treat night would be observed in the City of Moore on Sunday, October 31, 2021.

Agenda Item Number 18 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:06 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