

**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
APRIL 19, 2021 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma, and by videoconference, on April 19, 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*

APPEARED IN PERSON: McKenzie, Blair, Hunt, Williams, Hamm
APPEARED BY VIDEOCONFERENCE: Lewis
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; Communications Supervisor, Tammy Koehn; Community Development Director, Elizabeth Weitman; Deputy City Clerk, Katie Berhalter; Deputy City Clerk, Jamie Weaver; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief, Greg Herbster; Human Resources Director, Christine Jolly; Manager of Information Technology, David Thompson; Marketing/Communications Manager, Jason Graham; Parks and Recreation Director, Sue Wood; Police Chief Todd Gibson; Sergeant Rebecca Miller; Public Affairs Director, Deidre Ebrey; and Public Works Director, Tony Mensah; Veolia Water Project Manager, Robert Pistole.

Judge Blake Virgin administered the Oath of Office to re-elected City Council Members Danielle McKenzie, Melissa Hunt and Jason Blair.

Vice-Mayor Hamm presented Communications Supervisor, Tammy Koehn with a proclamation declaring April 11-17, 2021 as National Telecommunicator Week in the City of Moore. A second proclamation was presented to Citizen Amy Turner proclaiming the month of April as Apraxia month in the City of Moore.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 5, 2021.
- B) RECEIVE THE MINUTES OF THE PARKS BOARD MEETING HELD MARCH 2, 2021.

- C) ACCEPT PUBLIC WATER, SEWER, PAVING AND DRAINAGE IMPROVEMENTS TO SERVE THE WATERS ADDITION, SECTION 3, BEING NORTH NE 27TH STREET AND EAST OF EASTERN AVE. APPLICATION BY PREMIUM LAND, LLC/TABER LABLANC.
- D) ACCEPT PUBLIC WATER, SEWER, PAVING AND DRAINAGE IMPROVEMENTS TO SERVE SENDERA LAKES ADDITION, SECTION 3, BEING SOUTH SW 34TH STREET AND EAST OF SANTA FE AVE. APPLICATION BY DAVID ODOM.
- E) ACCEPT PUBLIC WATER AND SEWER IMPROVEMENTS TO SERVE THE NE 27TH ST DUPLEXES ADDITION, BEING SOUTH NE 27TH STREET AND WEST OF EASTERN AVE. APPLICATION BY JUSTIN RHODES.
- F) APPROVE A TENANT RELOCATION IN THE AMOUNT OF \$96,482.76 FOR THE RELOCATION OF J.R.'S BBQ SUPPLY COMPANY, LLC, A DISPLACED BUSINESS CURRENTLY LOCATED IN THE STRIP CENTER ON PARCEL 2, FOR CONSTRUCTION AND MAINTENANCE OF THE SE 4TH STREET RAILROAD UNDERPASS PROJECT. (FEDERAL LAW REQUIRES PAYMENT FOR RELOCATION UNDER THE "UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970 (UNIFORM ACT), AS AMENDED.")
- G) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$2,239,957.24.

Councilwoman Hunt moved to approve the consent docket in its entirety, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF A LOT SPLIT LOCATED IN THE SW/4 OF SECTION 25, T10N, R3W, BEING SOUTH OF SE 19TH STREET AND WEST OF BROADWAY AVENUE. APPLICATION BY DAVID YOUNG.

Elizabeth Weitman, Community Development Director, stated that the subject site was zoned R-3 General Residential District. Tract 1, located adjacent to Eastern Avenue, was platted for patio homes in the mid-2000s but was never developed. Tract 2, located adjacent to Broadway, did not have a proposed use. Ms. Weitman advised that the applicant, David Young, was requesting the lot split in order to sell Tract 2. Mr. Young planned to develop Tract 1 but for far had not submitted any plans for the property. Ms. Weitman indicated that water and sewer were available to serve both tracts. Staff recommended approval of the item.

Councilwoman McKenzie moved to approve a lot split located in the SW/4 of Section 25, T10N, R3W, being south of SE 19th Street and west of Broadway Avenue, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF NINE 800 MHZ PORTABLE RADIOS FROM MOTOROLA, INC. IN THE AMOUNT OF \$37,538.37 USING STATE BID, NASPO CONTRACT NO. SW1053M.

Fire Chief Greg Herbster stated that staff was requesting authorization to purchase nine 800 MHz portable radios to replace radios purchased in 2005.

Councilwoman Hunt moved to authorize the budgeted purchase of nine 800 MHz Portable Radios from Motorola, Inc. in the amount of \$37,538.37 using State Bid, NASPO Contract No. SW1053M, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AWARDING BID NO. 2021-010 FOR CONSTRUCTION OF THE KELLY CREEK DRAINAGE REPLACEMENT PROJECT EAST OF JANEWAY AVENUE FROM NW 12TH STREET TO SW 4TH STREET TO SAC SERVICES, AS THE LOWEST AND MOST RESPONSIBLE BIDDER, IN THE AMOUNT OF \$2,615,980.85, AND APPROVE CONTRACT FOR SAME.

Jerry Ihler, Assistant City Manager, stated that the Kelley Creek drainage replacement project was approved by the voters as part of the 2018 General Obligation Bond. The project consisted of a base bid to replace a concrete channel constructed in the 1960s from NW 12th to NW 5th Street. The project would also include replacement of the reinforced concrete box under 8th Street. Mr. Ihler stated that the add alternate bid included erosion control for the earthen drainage channel located from NW 5th to SW 4th Street. He advised that six bids were received on April 6, 2021 ranging in price from \$2.62 million to \$3.82 million. Staff recommended awarding the bid to SAC Services, Inc. as the low bidder in the amount of \$2,615,980.85 for the base bid plus the add alternate bid. Mr. Ihler anticipated the project would take approximately one year to complete.

Councilman Williams moved to award Bid No. 2021-010 for construction of the Kelly Creek Drainage Replacement Project east of Janeway Avenue from NW 12th Street to SW 4th Street to SAC Services, as the lowest and most responsible bidder, in the amount of \$2,615,980.85, and approve contract for same, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF A FY 21 BUDGET SUPPLEMENT TO BUDGET ADDITIONAL FUNDS AND RELATED EXPENSES ASSOCIATED WITH THE 2021 SALES TAX NOTE, 2021 GO BOND, CARES ACT AND SALES TAX.

Betty Koehn, Finance Director, stated that the proposed budget supplement would include the following items:

- The 2021 MEDA Sales Tax Note issued to address the cost of the October 2020 ice storm. The budget amendment would budget the proceeds from the note and the associated costs. Council also approved use of CARES Act funds to cover 25% of the ice storm expense. These funds are presently in Fund 8, Special Revenue Fund, and the proposed amendment would move the funds to MEDA to fund the FY 21 principal payments that started in February, while a transfer from the General Fund to MEDA would cover the interest payments.

- In March 2021 the City issued the 2021 GO Bond Issue for continued work on the projects passed by the voters in 2018. The budget amendment budgets the proceeds from the bond issue and related expenses associated with the issuance of the bonds and work on the approved projects.
- Budgets and transfers funds reimbursed under the CARES Act to the Moore Urban Renewal Authority to cover anticipated expenses associated with the Cleveland Heights Project.
- Utilize excess Sales Tax Revenue for FY 21 to fund the following street improvements:

\$410,480	Eastern (SW 34 th to Indian Hills)
\$140,920	Eastern (SE 19 th to Broadway)
\$153,930	Bryant (SE 16 th to SE 19 th)
\$410,480	Bryant (SE 34 th to SE 19 th)

Ms. Koehn advised that the City would be partnering with Cleveland County on the projects, several of which were anticipated to start this month. Vice-Mayor Hamm expressed appreciation to the Cleveland County Commissioner's Office for their willingness to work with the City.

Councilman Blair moved to approve a FY 21 budget supplement to budget additional funds and related expenses associated with the 2021 Sales Tax Note, 2021 GO Bond, CARES Act and Sales Tax, second by Councilman Williams. Motion carried unanimously.

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

Councilwoman McKenzie asked for more specific start dates for the previously mentioned street projects. Jerry Ihler, Assistant City Manager, stated that construction on Eastern Avenue from SW 34th to Indian Hills Road had already started. He estimated the Eastern Avenue project from SE 19th to Broadway would begin in early May with the two remaining projects on Bryant beginning after school is over for the year.

Agenda Item Number 7 being:

CONSIDER APPROVAL OF A THREE-MONTH SPORTS ASSOCIATION AGREEMENT FOR THE 2021 SPRING/SUMMER FOOTBALL PROGRAM HELD AT BUCK THOMAS PARK.

Sue Wood, Parks and Recreation Director, advised that the Moore Football League created a new Board which would be working to further define their by-laws and rules and regulations over the next three months. In the meantime the proposed Sports Association Agreement, approved unanimously by the Parks Board, would become effective upon approval and end July 31, 2021.

Councilman Williams confirmed that a new agreement would be presented to Council upon expiration of the proposed agreement in July.

Councilwoman Hunt moved to approve a three-month sports Association Agreement for the 2021 Spring/Summer Football Program held at Buck Thomas Park, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AWARDING BID NO. 2021-011 "CARDIO EXERCISE EQUIPMENT FOR THE STATION" TO THE LOWEST RESPONSIBLE BIDDER.

Vice-Mayor Hamm asked for a tabling motion at the request of staff.

Councilman Blair moved to table Agenda Item No. 8, second by Councilman Williams. 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 6:49 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD APRIL 5, 2021.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$1,278,200.23.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:50 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD APRIL 5, 2021.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$189,352.93.

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED AT 6:50 P.M. WITH COUNCILMAN LOUIE WILLIAMS PRESIDING.

Agenda Item Number 11 being:

ROLL CALL

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

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD MARCH 15, 2021.
- B) RATIFY ACTION OF THE CITY COUNCIL REGARDING APPROVAL OF THE FY 21 BUDGET SUPPLEMENT TO BUDGET ADDITIONAL FUNDS AND RELATED EXPENSES ASSOCIATED WITH THE 2021 SALES TAX NOTE.

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

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

Agenda Item Number 13 being:

CONSIDER ADOPTING RESOLUTION NO. 20(21) AUTHORIZING EMPLOYMENT OF FINANCIAL ADVISOR, AUTHORITY COUNSEL AND BOND COUNSEL, TO ASSIST IN PREPARATION OF FINANCING DOCUMENTS PERTAINING TO THE AUTHORITY'S \$5,200,000 SALES TAX REVENUE NOTE, TAXABLE SERIES 2021B (MUNICIPAL CAPITAL IMPROVEMENTS PROJECT); AUTHORIZING FINANCIAL ADVISOR TO OBTAIN BIDS FROM INTERESTED FINANCIAL INSTITUTIONS FOR SAID FINANCING; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Brooks Mitchell, City Manager, advised that Resolution No. 20(21) was for preparation of financing documents and acceptance of bids pertaining to a \$5.2 million Sales Tax Revenue Note, Series 2021B for the Costco incentive approved by the City Council on June 15, 2020.

Trustee Blair moved to adopt Resolution No. 20(21) authorizing employment of Financial Advisor, Authority Counsel and Bond Counsel, to assist in preparation of financing documents pertaining to the Authority's \$5,200,000 Sales Tax Revenue Note, Taxable Series 2021B (Municipal Capital Improvements Project); authorizing Financial Advisor to obtain bids from interested financial institutions for said financing; and containing other provisions related thereto, second by Trustee McKenzie. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER ADOPTING RESOLUTION NO. 21(21) AUTHORIZING EMPLOYMENT OF FINANCIAL ADVISOR, AUTHORITY COUNSEL AND BOND COUNSEL, TO ASSIST IN PREPARATION OF FINANCING DOCUMENTS PERTAINING TO THE AUTHORITY'S \$4,100,000 SALES TAX REVENUE NOTE, SERIES 2021C (MUNICIPAL CAPITAL IMPROVEMENTS PROJECT); AUTHORIZING FINANCIAL ADVISOR TO OBTAIN BIDS FROM INTERESTED FINANCIAL INSTITUTIONS FOR SAID FINANCING; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Brooks Mitchell, City Manager, advised that Resolution No. 21(21) was for preparation of financing documents and acceptance of bids pertaining to a \$4.1 million Sales Tax Revenue Note, Series 2021C for the Public Works facility improvements. Mr. Mitchell indicated that repayment of the note would come from the ¼ cent sales tax approved by the voters on November 3, 2020.

Trustee Hunt moved to adopt Resolution No. 21(21) authorizing employment of Financial Advisor, Authority Counsel and Bond Counsel, to assist in preparation of financing documents pertaining to the Authority's \$4,100,000 Sales Tax Revenue Note, Series 2021C (Municipal Capital Improvements Project); authorizing Financial Advisor to obtain bids from interested financial institutions for said financing; and containing other provisions related thereto, second by Trustee McKenzie. 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 6:53 P.M. WITH VICE-MAYOR MARK HAMM PRESIDING.

Agenda Item Number 15 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.

Mayor Lewis thanked Vice-Mayor Hamm for chairing the meeting on his behalf.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, advised Council of the following items:

- Budget meetings scheduled this week with each of the City Council Members.
- Dual authentication would be added to all computers. The process was anticipated to be complete by June 2021.

- Introduced the new Public Works Director, Tony Mensah. Mr. Mensah stated that he was honored to join such a group of talented individuals and hoped to help the City grow and develop. He advised that he lived in Moore for 14 years and previously worked for the City of Norman.

Agenda Item Number 16 being:

EXECUTIVE SESSION:

- A) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED ON BEHALF OF ALLIED WASTE SYSTEMS, INC, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 6:55 p.m.

Vice-Mayor Hamm stated that, because the meeting included videoconferencing, the Chambers would be cleared and the Executive Session held there.

- C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:04 p.m.

- D) ACTION.
- A) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED ON BEHALF OF ALLIED WASTE SYSTEMS, INC, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman McKenzie moved to authorize staff to proceed as directed in executive session regarding pending tort claim filed on behalf of Allied Waste Systems, Inc., second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 17 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 7:05 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:

JAMIE WEAVER, Deputy City Clerk