

**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  
AND A PUBLIC HEARING OF THE MOORE CITY COUNCIL  
AUGUST 17, 2020 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on August 17, 2020 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: Blair, Hunt, Williams, Webb, Hamm, Lewis  
ABSENT: McKenzie

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; Economic Development Director, 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; Parks and Recreation Director, Sue Wood; Police Chief Todd Gibson; Police Sergeant David Dickinson; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; Public Works Director, Richard Sandefur; and Veolia Water Project Manager, Robert Pistole.

The City Council received comments from Lieutenant Kyle Hill with the Moore Police Department as spokesperson for the Fraternal Order of Police, Lodge No. 131. Lt. Hill advised that he was asked to publicly express the Union's profound gratitude to the City Council for their support of the Moore Police Department and for their support of public safety. Lt. Hill stated that it had been a difficult year to be a police officer and they wanted to say thank you for Mayor Lewis' bold and decisive leadership in what had been a very trying year. On a personal note Lt. Hill added that as a resident of Moore, a father, and someone who worked and shopped in Moore he wished to personally thank Mayor Lewis for the way he had stewarded all of the resources in the City and put the tax money on a positive trajectory for economic success. Mayor Lewis thanked Lt. Hill for his comments and thanked the Police Department for the work that they do for the community. The City Council also expressed their appreciation to Lt. Hill and to the Moore Police Department.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 3, 2020.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD JUNE 2, 2020.
- C) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD JULY 7, 2020.
- D) ACCEPT A 5' TEMPORARY CONSTRUCTION EASEMENT FROM KENNETH PATTON LOCATED AT 740 N. JANEWAY AVENUE.
- E) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT FROM MICHAEL AND MARCHELLE SHELTON LOCATED AT 737 N. GALE.
- F) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT AND A 15' PERMANENT UTILITY EASEMENT FROM JOSE FERNANDEZ LOCATED AT 1001 N. GALE.
- G) ACCEPT A VARIABLE-WIDTH TEMPORARY CONSTRUCTION EASEMENT AND A 44' PERMANENT UTILITY EASEMENT FROM SHARON A. WALKER LOCATED AT 1205 N. GALE.
- H) APPROVE THE REAL ESTATE PURCHASE AGREEMENT BETWEEN W.S.T. PROPERTIES, L.L.C. AND THE CITY OF MOORE FOR CONSTRUCTION AND MAINTENANCE OF THE SE 4<sup>TH</sup> STREET RAILROAD UNDERPASS PROJECT.
- I) ADOPT RESOLUTION NO. 964(20) ESTABLISHING THE 9-1-1 EMERGENCY TELEPHONE FEE RATE FOR FISCAL YEAR 2021.
- J) APPROVE REVISION OF THE JOB DESCRIPTION FOR PUBLIC WORKS DIRECTOR TO UPDATE EDUCATION AND EXPERIENCE GUIDELINES, INCLUDE A PROFESSIONAL ENGINEER REGISTRATION REQUIREMENT, AND APPROVE PLACEMENT IN PAY GRADE 123 OF THE CITY'S SALARY TABLE.
- K) APPROVE REVISION OF THE JOB DESCRIPTION FOR MARKETING SPECIALIST TO CHANGE TO REPORTING RELATIONSHIP FROM THE PARKS AND RECREATION DIRECTOR TO THE PUBLIC AFFAIRS DIRECTOR, UPDATE TERMINOLOGY REFERRING TO SOCIAL MEDIA PLATFORMS, AND ENSURE THE EXPERIENCE REQUIREMENTS ARE ACCURATE AND RELEVANT.
- L) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$279,071.94 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$1,698,631.79.

**Councilman Hamm moved to approve the consent docket with the exception of Agenda Item No. 21, second by Councilman Blair. Motion carried unanimously.**

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

Brooks Mitchell, City Manager, advised that ACOG requested that the language included in Resolution No. 964(20), under Agenda Item No. 21, setting the 9-1-1 Emergency Telephone Fee Rate for the fiscal year be amended to read "for the calendar year."

**Councilwoman Hunt moved to amend the language for Agenda Item No. 21 from fiscal year to calendar year and approve the item, second by Councilman Blair. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND A PUBLIC HEARING CONVENED AT 6:37 P.M.**

**Agenda Item Number 3 being:**

HOLD A PUBLIC HEARING REGARDING THE PROPOSED CLEVELAND HEIGHTS URBAN RENEWAL PLAN FOR THE PURPOSE OF PROVIDING ANY INTERESTED PERSONS THE OPPORTUNITY TO EXPRESS THEIR VIEWS ON SAID PLAN PRIOR TO ANY VOTE THEREON.

Emily Pomeroy, attorney with the Center for Economic Development Law, stated that a public hearing was held on August 3, 2020 to discuss the proposed Cleveland Heights Urban Renewal Plan. Ms. Pomeroy advised that a community meeting was held on August 6, 2020 at The Station to give interested parties another opportunity to ask questions. Ms. Pomeroy indicated that the community meeting was well attended and that Councilman Williams, several Planning Commissioners, and the Moore Urban Renewal Authority Commissioners were also in attendance. She stated that the majority of the questions were regarding the type of development that was expected to occur on the site, with no direct opposition to the Plan expressed. Ms. Pomeroy indicated that at this point in the process the answer to what type of development might occur was unknown; however, she did note that any development would be required to go through the normal process required by the City. She advised that the Planning Commission recommended approval of the Plan at their meeting on August 11, 2020.

Ms. Pomeroy ended her presentation by stating she would be happy to address any questions or concerns. Councilwoman Hunt asked what the next step would be if the Plan was approved by the City Council. Ms. Pomeroy stated that adoption of Resolution No. 965(20) would approve the Urban Renewal Plan and authorize its implementation by the Urban Renewal Authority. She advised that a fair market appraisal must be obtained before acquisition of any property, and any offers made to purchase property must be based on the appraisal and be consistent with relocation benefits provided under the Plan.

Brooks Mitchell, City Manager, noted that once the appraisal was completed a funding source must be identified before properties could be acquired. Mayor Lewis asked how many appraisals would be obtained. Ms. Pomeroy stated that the law required a good faith offer be based on one appraisal; however, if a need for condemnation occurred due to failed negotiation efforts the court would appoint three commissioners who would obtain appraisals on the property.

**Comments:**

Mike Galier, 609 NE 23<sup>rd</sup>, advised that he owned improved property in Cleveland Heights and was also part owner in a water distribution system there. He indicated his hope that the appraiser would take that into consideration when a value was placed on his property.

After finding there were no other comments or questions Mayor Lewis declared the public hearing closed.

**THE PUBLIC HEARING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:42 P.M.**

**Agenda Item Number 4 being:**

CONSIDER ADOPTING RESOLUTION NO. 965(20) APPROVING THE CLEVELAND HEIGHTS URBAN RENEWAL PLAN.

**Councilwoman Hunt moved to adopt Resolution No. 965(20) approving the Cleveland Heights Urban Renewal Plan, second by Councilman Hamm. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER AUTHORIZING STAFF TO SOLICIT REQUEST FOR PROPOSALS FOR SECURITY SERVICES FOR THE STATION.

Brooks Mitchell, City Manager, stated that staff was requesting authorization to solicit Request for Proposals for security services at The Station. Mr. Mitchell advised that interest was expressed by Moore police officers along with security companies in providing this service. Since there was not a signed contract in place he felt the best solution was to go through the proposal process.

Councilman Hamm asked if the City's police officers could work security at The Station. Mr. Mitchell stated that in order to work security during their off-duty hours they must be employed by another entity.

**Councilman Williams moved to authorize staff to solicit Request for Proposals for security services at The Station, second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH BURCH, GEORGE & GERMANY LAW FIRM FOR REPRESENTATION OF THE CITY OF MOORE IN FEDERAL COURT ACTIONS.

Brooks Mitchell, City Manager, advised that the law firm of Burch, George & Germany was being utilized by attorney Jeff Cloud who was retained in 2019 to represent the City in a Corporation Commission action involving the Burlington Northern Santa Fe Railroad ("BNSF"). Mr. Mitchell stated that BNSF filed an injunction in federal court that required a response by the City. He recommended retaining Burch, George & Germany to handle the litigation in federal court.

**Councilman Hamm moved to approve a professional services contract with Burch, George & Germany law firm for representation of the City of Moore in federal court actions, second by Councilman Williams. Motion carried unanimously.**

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

**Agenda Item Number 7 being:**

CONSIDER APPROVAL OF AN AGREEMENT WITH METROPOLITAN FAIR HOUSING COUNCIL TO PROVIDE HOUSING SERVICES TO MOORE RESIDENTS USING COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19 FUNDS.

Kahley Gilbert, Project-Grants Manager for Capital Planning & Resiliency, advised that the City received an allocation in the amount of \$200,472 in CDBG funds to go toward the prevention, preparedness, and response to COVID-19. Ms. Gilbert indicated that \$23,753 of the total allocation had not been allocated toward any programs. Ms. Gilbert stated that since the federal eviction restrictions had been lifted it was felt that the best use of the funds would be for fair housing services. She advised that The Metropolitan Fair Housing Council (aka "Metro Fair Housing") was already providing Moore residents with education and mediation services. She explained that it was anticipated that the need for their services would increase as the pandemic continues. With the allocation of funds Metro Fair Housing would provide free mediation and legal services to Moore residents who face eviction due to COVID-19. They would also distribute information by mail to multi-family properties and would conduct a media campaign in an effort to reach other residents who are in need of their services. Ms. Gilbert advised that staff recommended allocating \$22,020 to Metro Fair Housing to help mediate and prevent evictions due to the coronavirus.

Mayor Lewis asked if there was a contact number for Metropolitan Fair Housing for citizens who needed their services. Ms. Gilbert stated that she would ensure that contact information was available on Facebook and the City's webpage.

**Councilman Williams moved to approve an agreement with Metropolitan Fair Housing Council to provide housing services to Moore residents using Community Development Block Grant COVID-19 funds, second by Councilwoman Hunt. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT APPROXIMATELY 6:48 P.M.**

**Agenda Item Number 8 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 3, 2020.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$584,197.90 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$428,844.03.

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

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

**THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT 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 RISK MANAGEMENT MEETING HELD AUGUST 3, 2020.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$111,953.02.

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

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

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

**Agenda Item Number 10 being:**

ROLL CALL

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

**Agenda Item Number 11 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JULY 20, 2020.

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

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

**THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:50 WITH MAYOR GLENN LEWIS PRESIDING.**

**Agenda Item Number 12 being:**

NEW BUSINESS:

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

Lisa Gomez, 2109 NE 15<sup>th</sup>, asked at the end of the meeting if she could address the City Council regarding her neighbor, Robert Pearson, who had been operating an automotive repair business out of his home in the Lost Creek Addition. The issue was previously discussed at the July 20, 2020 City Council Meeting. She felt the situation had not improved and wanted to know why nothing was being done. Brooks Mitchell, City Manager, stated his understanding that Mr. Pearson would be served a complaint which would begin the court process. He asked Randy Brink, City Attorney, if he had additional information he could convey regarding the situation. Mr. Brink stated that after receiving the necessary documentation charges were filed earlier in the day against Mr. Pearson for operating a business in a residentially zoned area and painting a vehicle in a residentially zoned area. He advised that Mr. Pearson had been served notice of the charges and had five days to post bond and obtain an arraignment date to enter a plea regarding the criminal violations. Mr. Brink explained that if Mr. Pearson entered a plea of guilty or no-contest the City Code would allow for a maximum fine of \$500 to be assessed plus court costs. If Mr. Pearson entered a plea of not guilty then the matter would be set for trial and witnesses subpoenaed to testify. Mr. Brink stated that although there was sufficient prosecutorial merit in filing the charges there was no guarantee of a conviction. He stated it was even possible that the charges may not be sufficient incentive for Mr. Pearson to stop operating his business out of his home. Councilwoman Hunt what would happen if Mr. Pearson was found guilty and fined only for him to return to operating his business out of his home. Mr. Brink indicated that once he obtained the proper evidence additional charges could be filed against Mr. Pearson. Councilman Williams asked if there was some form of cease and desist authority available to the City within the ordinances. Mr. Brink indicated that an injunction process was possible; however, in order to have the injunction he must have proof that there had been a violation of the law and there was a process that must be carried out before reaching that point. Mr. Brink stated his belief that the City was doing all that could be done at this time.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Hamm requested input from the City Council regarding their participation in a library awareness event scheduled for September that would encourage people to visit their local library. He suggested that the City Council could participate by recommending a favorite book to encourage reading. Councilman Hamm stated that due to COVID-19 concerns and the upcoming presidential election there appeared to be a lot of stress and tension within the community and hoped to alleviate some of the stress by encouraging people to visit their local library and take advantage of the resources available there. He suggested the Mayor could do a proclamation or a council member might record their reading of a story which could be played by the Library on-line in some capacity. Mayor Lewis felt it was a great idea stating that, "the City had a fantastic library and people should take advantage of it."

Councilwoman Hunt expressed her appreciation to City crews for their efforts in repairing a water main break that affected a large number of people and getting their water turned back on as quickly as possible. Mayor Lewis agreed with Councilwoman Hunt and also expressed his appreciation to Lt. Hill for his comments earlier in the meeting.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, advised that Norman Regional Health System presented the City with an MVP football for the assistance provided them during the COVID-19 crisis. Mr. Mitchell stated that he appreciated the City's relationship with Norman Regional and felt the information they provided to the City helped lessen the impact to the citizens.

Mr. Mitchell announced that the BNSF Railroad made some repairs to the 34<sup>th</sup> Street railroad crossing which resulted in the crossing feeling rougher. He indicated that the City planned to work on the area on August 31, 2020 in an attempt to make the crossing a little smoother.

**Agenda Item Number 13 being:**

ADJOURNMENT

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

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

**The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:01 p.m.**

TRANSCRIBED BY:

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RHONDA BAXTER, Executive Assistant

FOR:

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MELISSA HUNT, MPWA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

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VANESSA KEMP, City Clerk