

**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
JULY 15, 2019 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on July 15, 2019 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: McKenzie, Blair, Hunt, Williams, Webb, Hamm, Lewis
ABSENT: None

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; Fire Chief, Greg Herbster; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Human Resources Director, Christine Jolly; Manager of Information Technology, David Thompson; Assistant Parks and Recreation Director, Chris Villani; Assistant Police Chief, Todd Strickland; Police Sergeant Jeremy Lewis; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; Public Works Director, Richard Sandefur; 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 JULY 1, 2019.
- B) APPROVE A MEMORANDUM AGREEMENT FOR FY 2020 WITH THE OKLAHOMA WATER RESOURCES BOARD AND THE U.S. GEOLOGICAL SURVEY FOR STREAM GAUGING.
- C) APPROVE REVISIONS TO THE CITY OF MOORE EMPLOYMENT APPLICATION TO MAINTAIN COMPLIANCE WITH STATE AND FEDERAL EMPLOYMENT LAW AND STREAMLINE THE APPLICATION PROCESS.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$2,142,804.84 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$20,079.96.

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

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

Agenda Item Number 3 being:

CONSIDER REZONING APPLICATION NO. RZ-980, LOCATED IN THE NE/4 OF SECTION 23, T10N, R3W, BEING SOUTH OF SE 4TH STREET AND EAST OF TOWER DRIVE; FROM C-4 PLANNED SHOPPING DEVELOPMENT TO C-3/PU GENERAL COMMERCIAL DISTRICT WITH A PERMISSIVE USE; AND APPROVE ORDINANCE NO. 909(19). APPLICATION BY DEVIN TAPSCOTT. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-1). WARD 1.

Elizabeth Weitman, Community Development Director, advised that Rezoning Application No. 980 was tabled from the July 1, 2019 City Council Meeting. Ms. Weitman stated that the applicant operated a dog grooming and boarding business at 306 SE 4th Street. The application was for the installation of a fenced-in outdoor dog run to be used as a supervised play area in the rear of the building. She advised that in order to accommodate this change the property must be rezoned to C-3 with permissive use for a pet care facility with outdoor dog runs. She noted that if the item were approved the permissive use would attach to the property. Ms. Weitman indicated that a permissive use may not be appropriate in all areas within the underlying zoning. She stated that although an outdoor dog run was generally considered appropriate in a commercial setting, the City Council must ultimately determine if the proposed setbacks from the adjacent businesses were adequate. Ms. Weitman advised that the Planning Commission recommended approval of the item 7 to 1. She stated that the applicant was in attendance at the meeting to answer questions from the City Council.

Devin Tapscott, the applicant and owner of ScallyWags, apologized for her absence at the July 1, 2019 meeting. She stated that she was aware there were some wastewater drainage and barking concerns expressed by the surrounding business owners. Ms. Tapscott indicated that she had been working with a plumber to address the drainage issues and her brother, who was an architect, had been assisting her with some of the other concerns. Ms. Tapscott advised that they changed their fencing to a sight proof steel fence to assist with the barking concerns. She stated if this measure did not stop the barking she could bring the dogs indoors. She also mentioned that they changed their plans so that they would not be blocking the driveway with the dog run.

Councilwoman McKenzie advised that the manager of Diamond Dee Lite complained about dogs being washed in the parking lot where their customers parked and that purple shampoo was running across the parking lot and into the street. Ms. Tapscott explained the situation, apologized, and stated that she would not do that again. She advised that they have a plan to address the issues but needed to make sure it met City Code requirements. Ms. Tapscott stated that to continue operating her business she must have the outdoor dog run in order to let the dogs outside safely to use the restroom and to play without being on a leash.

Connor Tapscott, 2617 NW 46th, Oklahoma City, Oklahoma appeared on behalf of the applicant. Mr. Tapscott distributed a preliminary site plan to the City Council. Mr. Tapscott indicated that the parking lot sloped south and drained to the east. He felt they could use the natural slope of the lot and tie into where they believe the sanitary sewer line was located. Mr. Tapscott also stated that a curb would need to be constructed to prevent the excess water from running out into the street. Alternatively, if the natural slope of the lot did not work, he felt one of the panels in a parking space could be removed and repoured with the appropriate slope. Mr. Tapscott stated that they recognized the concerns of the business owners were valid and were working on a solution.

Mayor Lewis asked Ms. Weitman for her opinion regarding the application. Ms. Weitman felt outdoor dog runs could be compatible in a commercial setting; however, sight proof fencing and sanitary sewer hookups for waste disposal were very important. She felt Ms. Tapscott did a good job making compromises in order to make the application more palatable to her neighbors.

Mayor Lewis asked if the owner of the property was in agreement with the proposed changes. Ms. Tapscott stated that the owner was aware of everything being proposed and was agreeable to the changes. It was noted that Diamond Dee Lite was under different ownership.

Councilmembers Williams and Webb commented that they did not feel that a dog run was an appropriate use based on the location of the business. Councilman Williams stated that he would be willing to reconsider his stance if the applicant would like an opportunity to finalize the proposed solutions to the neighbor's concerns. Councilwoman McKenzie expressed her concerns with the application and felt the application should be denied. However, she stated that if the item was to be reconsidered she felt it should go back to the Planning Commission and the neighbors given the opportunity to attend and voice any concerns they may have. Councilwoman Hunt asked Ms. Weitman what would happen if the City Council denied the application. She stated that the applicant could amend the application which would be reheard by the Planning Commission.

Councilwoman McKenzie moved to deny Rezoning Application No. RZ-980, located in the NE/4 of Section 23, T10N, R3W, being south of SE 4th Street and east of Tower Drive; from C-4 Planned Shopping Development to C-3/PU General Commercial District with a Permissive Use; and approve Ordinance No. 909(19), second by Councilman Hamm. Motion carried by a majority vote.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A LIBRARY SERVICES, FACILITIES AND MAINTENANCE AGREEMENT WITH THE PIONEER LIBRARY SYSTEM FOR FISCAL YEAR 2019-2020.

Brooks Mitchell, City Manager, advised that the City has entered into an annual agreement with the Pioneer Library System for the past several years. Mr. Mitchell noted that there were no changes to the agreement. Mayor Lewis asked for an approximate cost of the agreement. Mr. Mitchell stated that there was around \$20,000 for capital improvements included in the new budget.

Councilman Blair moved to approve a Library Services, Facilities and Maintenance Agreement with the Pioneer Library System for Fiscal Year 2019-2020, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A BUDGET SUPPLEMENT FOR FY 19-20 IN THE AMOUNT OF \$175,000 FOR TRANSPORTATION IMPACT FEES FOR THE RESURFACING OF S. SUNNYLANE ROAD.

Betty Koehn, Finance Director, stated that the resurfacing of S. Sunnyslane Road was anticipated to be done over a two-year period; however, Cleveland County advised that they expect the work to be completed in FY 20. Ms. Koehn indicated that the funding was available; however a budget supplement was necessary to budget the additional costs for FY 20 in the amount of \$175,000. Mayor Lewis expressed his appreciation to the Cleveland County Commissioners for their assistance on the project.

Councilwoman Hunt moved to approve a budget supplement for FY 19-20 in the amount of \$175,000 for Transportation Impact Fees for the resurfacing of S. Sunnyslane Road, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF A BUDGET SUPPLEMENT FOR FY 18-19 TO BUDGET RECEIPT OF ADDITIONAL REVENUE AND RELATED EXPENSES.

Betty Koehn, Finance Director, requested a budget supplement to budget revenue received from fire donations, funds set aside for design of the new animal shelter, 911 revenue, and Neighborhood Park Development fees. The requested supplement would also budget increased revenue in the park department to cover increased park expenses related to The Station and to budget increased use tax to be used primarily for overtime and sick leave buy-back.

Councilwoman McKenzie moved to approve a budget supplement for FY 18-19 to budget receipt of additional revenue and related expenses, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AUTHORIZING THE PURCHASE OF TWO (2) 2020 FORD F-150 TRUCKS OFF THE STATE CONTRACT IN THE AMOUNT OF \$65,800 USING PUBLIC SAFETY SALES TAX FUNDS.

Fire Chief Greg Herbster requested authorization to purchase two 2020 Ford F-150 trucks off the state contract in the amount of \$65,800 using Public Safety Sales Tax funds. Chief Herbster indicated that this was 2019 pricing. He added that one truck would be utilized by a new employee in the Fire Marshall division and another outfitted for the On-Call Investigator.

Councilman Webb moved to approve the purchase of two (2) 2020 Ford F-150 trucks off the state contract in the amount of \$65,800 using Public Safety Sales Tax funds, second by Councilman Blair. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND A PUBLIC HEARING WAS CONVENED AT APPROXIMATELY 6:56 P.M.

Agenda Item Number 8 being:

DISCUSS AND CONSIDER RESOLUTION NO. 929(19) ADOPTING THE 2019-2020 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND BUDGET FOR THE OCTOBER 2019 THROUGH SEPTEMBER 2020 PROGRAM YEAR; AND AUTHORIZE THE MAYOR TO SUBMIT THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Kahley Gilbert, Project-Grants Manager (Capital Planning & Resiliency), advised that the City was awarded \$321,959 in CDBG grant funds. Ms. Gilbert advised that the plan included the following allocations:

- Administration in the amount of \$64,391
- Metropolitan Fair Housing in the amount of \$5,500 for management of fair housing complaints and education for the 2019 Program Year.

Public Services in the total amount of \$48,293 broken down as follows:

- Aging Services in the amount of \$20,000 for a Meals on Wheels Program.
- Bethesda in the amount of \$9,793 for counseling for sexually abused children.
- Moore Youth and Family in the amount of \$16,000 for youth and family counseling services.
- Central Oklahoma Community Action Agency in the amount of \$2,500 for rent and utility assistance.

Ms. Gilbert advised that the recommended infrastructure project included the replacement of 1,280 linear feet of 15" sewer line with 16" sewer line along Janeway from NW 12th to NW 8th Street. It would also include the installation of 1,100 linear feet of 8" sewer line on Gale Avenue from NW 12th to NW 8th Street. Ms. Gilbert stated that the project was estimated to cost \$425,000. It was recommended that the sewer line replacements occur over two program years. She stated that \$209,275 would be funded in the 2019 CDBG program year and the remaining \$215,725 would be funded in the 2020 CDBG program year.

Councilman Hamm moved to adopt Resolution No. 929(19) adopting the 2019-2020 annual action plan for the Community Development Block Grant program and budget for the October 2019 through September 2020 program year; and authorize the Mayor to submit the plan to the U.S. Department of Housing and Urban Development, second by Councilman Williams. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT APPROXIMATELY 6:59 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JULY 1, 2019.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$884,041.09 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$93,605.29.

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

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

Agenda Item Number 10 being:

CONSIDER APPROVAL OF A BUDGET SUPPLEMENT FOR FY 18-19 TO BUDGET RECEIPT OF ADDITIONAL REVENUE AND RELATED EXPENSES.

Betty Koehn, Finance Director, requested approval of a budget supplement to budget additional revenues received from the sewer surcharge fee to cover the related debt service payments on the Oklahoma Water Resources Board loan for construction of a new lift station. Ms. Koehn also requested a budget supplement to budget revenues received from effluent water for increased MPWA expenses.

Trustee Williams moved to approve a budget supplement for FY 18-19 to budget receipt of additional revenue and related expenses, second by Trustee Hunt. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT APPROXIMATELY 7:01 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JULY 1, 2019.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$183,835.26.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH COUNCILMAN LOUIE WILLIAMS PRESIDING AT 7:02 P.M.

Agenda Item Number 12 being:

ROLL CALL

PRESENT: McKenzie, Blair, Hunt, Lewis, Webb, Hamm, Williams
ABSENT: None

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JUNE 17, 2019.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:03 P.M.

Agenda Item Number 14 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 McKenzie advised that a public meeting would be held on July 18, 2019 at 6:30 p.m. at City Hall with the developer of the Broadmoore golf course property. She felt it was a good opportunity for adjacent property owners in the area to hear what was being proposed. Councilwoman McKenzie also announced that she would be involved in training for her job and would be absent from both council meetings in August.

Councilman Hamm asked that staff check into a stop light on Eastern by Moore High School. The light is holding on red to allow traffic to exit the High School; however, with school out for the summer it is causing traffic on Eastern to stack up needlessly.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Mr. Mitchell congratulated the Parks, and the Police and Fire departments, for the successful July 4th celebration and fireworks display.

Agenda Item Number 15 being:

ADJOURNMENT

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

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

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:

ADAM WEBB, MPWA/MEDA Secretary

These minutes passed and approved as noted this ____ day of _____, 2019.

ATTEST:

VANESSA KEMP, City Clerk