

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

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; 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; Acting Parks and Recreation Director, Chris Villani; PC/IT Technician, Zane Gruver; Police Major, Chris Yandell; Police Sergeant David Dickinson; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; Public Works Director, Richard Sandefur; Risk Manager, Brian Miller; and Veolia Water Project Manager, Robert Pistole.

Mayor Lewis read a proclamation declaring October 25-31, 2019 as Red Ribbon Week in the City of Moore. The proclamation was presented to Councilman Hamm who served on the Red Ribbon Committee and accepted the proclamation on their behalf.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 7, 2019.
- B) APPROVE CORRECTION OF TYPOGRAPHICAL ERROR IN THE HEADING OF ORDINANCE NO. 277(00) FROM C-4 PLANNED SHOPPING CENTER DISTRICT TO C-2 NEIGHBORHOOD COMMERCIAL DISTRICT TO ACCURATELY REFLECT ORDINANCE REZONING APPLICATION AND COUNCIL APPROVAL.

- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$3,337,090.45.

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

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

Agenda Item Number 3 being:

RECEIVE A PRESENTATION FROM EMILY POMEROY WITH THE CENTER FOR ECONOMIC DEVELOPMENT LAW REGARDING THE POSSIBLE CREATION OF AN URBAN RENEWAL AUTHORITY FOR THE REDEVELOPMENT OF THE CLEVELAND HEIGHTS ADDITION.

Emily Pomeroy, attorney with the Center for Economic Development Law, appeared before Council to discuss the possibility of creating an Urban Renewal Authority allowed under the Oklahoma Urban Renewal Law located in Title 11 of the Oklahoma Statutes. Ms. Pomeroy stated that the purpose of the law was to help cities redevelop or promote private investment in challenged or distressed areas.

She advised that an Urban Renewal Authority was a separately created entity that could not exist or operate unless specifically directed by the City through an approved Urban Renewal Plan. She stated that it was not a public trust with the City as public beneficiary. The Authority could only act on behalf of the City and pursuant to the City's direction. The Urban Renewal Authority would provide annual reports and regular communication with the City Council to keep them informed on what the Board was doing.

She advised that an Urban Renewal Authority would be comprised of a five member Board of Commissioners appointed by the Mayor and approved by the City Council. A Chairperson and Vice-Chairperson would be designated from the board membership. Ms. Pomeroy advised that specific requirements were set out in the statutes regarding who may serve as a commissioner and the filing of a personal interest disclosure statement. The statute provides that the Urban Renewal Authority may employ an Executive Director. Ms. Pomeroy noted that some of the communities utilize the City Manager in that position. She indicated that the Authority may determine if they have legal counsel and if the City Attorney or their firm serves in that capacity.

An Authority cannot operate under the tools of the Act unless the City finds that a blighted area exists within its municipal boundaries and activates the Urban Renewal Authority. Ms. Pomeroy suggested that in order to create an Urban Renewal Plan it would be wise to undertake a planning analysis with the Community Development Department, the City Manager, and City Council to determine what areas might be considered as blighted. She advised that a very detailed factual blight analysis of the area should be undertaken to determine if it meets the legal definition. If it does then a resolution would be considered by the City Council declaring the area to be blighted. The Urban Renewal Plan would be created for the specific area included in the resolution. An Urban Renewal Plan would be adopted pursuant to specific notice requirements provided under state statute to include publication and the posting of very large signs in the area being declared blighted to ensure the public is fully aware of what the City was considering. The Planning Commission must consider the Urban Renewal Plan and the City Council must hold two public hearings to allow comments from the community.

Ms. Pomeroy stated that an Urban Renewal Plan can specifically authorize acquisition and disposition of properties in order to remedy blight. If property is acquired through condemnation or eminent domain the property owner has the right to challenge the ability of the Urban Renewal Authority to take the property. She noted that the Oklahoma Supreme Court authorized and confirmed condemnation for the purpose of blight removal. However, she felt it was important to document for the Court that the area was properly determined to be blighted in the event the “right to take” was challenged. The Urban Renewal Authority can acquire property for the purpose of blight remediation and can provide assistance to people that may be displaced by the acquisition of property through a Relocation Assistance Program. She advised that the Urban Renewal Plan must, by state statute, include a Relocation Assistance Program to ensure that just compensation is provided for the property and displaced individuals can be assisted in their relocation to a suitable home.

She stated that the Urban Renewal Authority cannot declare an area blighted, adopt an Urban Renewal Plan, make zoning changes, or appropriate funds. If the City decides to move forward with an Urban Renewal Plan the Center for Economic Development Law would consider it part of their job to explore funding sources. The Urban Renewal Plan sometimes authorizes property for acquisition with the goal of consolidating a redevelopment site for private enterprise to develop so that it is on the tax rolls and making sales tax on an otherwise stagnant property. Ms. Pomeroy stated that consolidating land can be difficult; however, the Urban Renewal Law can provide tools to allow that to happen. Request for Proposals can be issued to determine development interest in the site. The statute requires the Urban Renewal Authority dispose of property for no less than fair value. She noted this can often be depressed from fair market value depending upon the obligations for redevelopment that the Authority might place on a redeveloper. One funding source to help repay front end costs would be the disposition of property.

Mayor Lewis asked how much it would cost to start the process. Ms. Pomeroy stated that front end estimates were prepared. The cost of acquiring property was unknown at this time; however, it would involve negotiating with property owners and potentially going to condemnation. She stated that Community Development already performed a significant amount of work on an area of the City that might be considered blighted. Legal services were estimated to be \$45,000 to activate an Urban Renewal Authority, make the blight declaration, and adopt an Urban Renewal Plan. It would include the planning analysis with Community Development, preparation of documents, coordinating with the City Attorney, proper notices, agendas, and public hearings.

Councilman Hamm expressed concern about what situations Urban Renewal Law could be used. Ms. Pomeroy stated that there might be a need to consider declaring an area as blighted but all of the properties in the area do not have to be acquired. There could be targeted acquisitions. All properties authorized for acquisition may not be acquired since a lot would depend on funding and site consolidation. She noted that some communities decide not to acquire an existing business or occupied home.

Mayor Lewis asked about a particular piece of property that had been discussed in the past. The City now owned about 30% to 40% of the properties and a developer owned around half of the remaining properties. There are only a few remaining homes and no businesses located in the area. Ms. Pomeroy indicated that the property being referenced contained around five structures and she felt the City might want to have relocation policies in place if the properties were acquired so the displaced individuals were placed in better situations than they are in now. Brooks Mitchell, City Manager, indicated that if Council wished to move forward there were funds included in the budget for this purpose.

The City Council expressed their appreciation to Ms. Pomeroy for her presentation.

No action was taken on this item.

Agenda Item Number 4 being:

CONSIDER ADOPTING RESOLUTION NO. 934(19) AMENDING THE ACCOUNTING MANUAL IN REGARDS TO PLACING CERTAIN UTILITY ACCOUNTS IN A NON-COLLECTION STATUS, EFFECTIVE UPON APPROVAL, AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED.

Betty Koehn, Finance Director, stated that staff was working on an upgrade to the utility billing software which would require importing all utility customer information into the new version. Ms. Koehn advised that in reviewing the customer accounts they found 838 final utility accounts going back to 2001 that have a balance due to the City of \$10 or less totaling approximately \$3,000. Many of the accounts have a past due balance as a result of their deposit being applied to their account and the deposit not completely covering their final bill. Ms. Koehn advised that the collection company the City uses will not collect on anything less than \$5. The cost for staff to recover these small amounts would exceed the revenue collected. Ms. Koehn indicated that staff would propose implementing a policy under proposed Resolution No. 934(19) to allow these accounts to be placed in a non-collection status on an annual basis.

Councilman Williams asked for the definition of a final account. Ms. Koehn advised that water service for an account had been cancelled. The customer may have moved and is no longer the account holder on the account. Councilman Hamm asked if the customer moved back to the City could the money be recovered. Mr. Koehn advised that if the customer returned to the City the balance from the previous account could be applied to the new account.

Councilman Williams moved to adopt Resolution No. 934(19) amending the Accounting Manual in regards to placing certain utility accounts in a non-collection status, effective upon approval, and remaining in effect until modified, amended or repealed, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF 18 HARD DRIVES FOR POLICE DEPARTMENT BODY CAMERA EVIDENCE STORAGE FROM DAVENPORT GROUP IN THE AMOUNT OF \$18,000 OFF STATE CONTRACT NO. SW1020D.

David Thompson, Manager of Information Technology, stated that the proposed purchase was for 18 hard drives and storage cabinets for police body camera data. Mr. Thompson advised that currently 120 Terabytes of body camera video was stored and replicated totaling 240 Terabytes of information. Mr. Thompson advised that the City was nearing storage capacity. The requested hard drives would add approximately 35 Terabytes of data storage.

Councilman Hamm asked how long the data was stored. Mr. Thompson advised that there was a 90-day retention policy for body cameras. However, depending on the type of evidence the video contained, the information could be stored for a much longer period of time.

Councilman Blair moved to authorize the budgeted purchase of 18 hard drives for Police Department body camera evidence storage from Davenport Group in the amount of \$18,000 off State Contract No. SW1020D, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF PLANS AND SPECIFICATIONS FOR THE NEW AQUATIC SLIDE FEATURE FOR THE STATION AQUATIC CENTER FROM WATERS EDGE AQUATIC DESIGN AND AUTHORIZE STAFF TO SOLICIT BIDS FOR CONSTRUCTION OF SAID SLIDE.

Chris Villani, Acting Parks and Recreation Director, stated that the item was for approval of the plans prepared by Waters Edge Aquatic Design for the new aquatic slide feature at The Station, and authorization to solicit bids for said construction. Mr. Villani advised that this was a unique speed slide for the metro area measuring 32' in height and approximately 260' in length.

Councilman Hamm asked when the slide would be open to the public. Mr. Villani stated that it would take approximately seven months to construct. Staff hoped to open the slide by the start of the season or shortly thereafter.

Councilman Williams asked for the funding source for the project. Mr. Villani advised that it would be funded using the ¼ cent sales tax monies.

Councilman Williams moved to approve plans and specifications for the new aquatic slide feature for The Station Aquatic Center from Waters Edge Aquatic Design and authorize staff to solicit bids for construction of said slide, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER ACCEPTANCE OF A QUOTE FROM SWAB WAGON COMPANY IN THE AMOUNT OF \$22,120 FOR PURCHASE AND INSTALLATION OF AN ANIMAL TRANSPORT BODY AND EQUIPMENT FOR ANIMAL CONTROL VEHICLE.

Richard Sandefur, Public Works Director, stated that staff recommended approval of a quote from Swab Wagon Company in the amount of \$22,120 for purchase and installation of an animal transport body for an Animal Control Vehicle. Mr. Sandefur advised that the body would be installed on the truck chassis approved at the September 16, 2019 City Council Meeting.

Councilman Hamm asked when the vehicle would be put into service. Mr. Sandefur estimated it would be ready for service in approximately two months.

Councilwoman Hunt moved to accept a quote from SWAB Wagon Company in the amount of \$22,120 for purchase and installation of an animal transport body and equipment for Animal Control vehicle, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVING THE ADDITION OF FIVE (5) STEPS TO THE TOP OF EACH PAY GRADE OF THE SALARY TABLE APPROVED BY COUNCIL IN 2016 AND AUTHORIZING ITS FULL IMPLEMENTATION IN ORDER TO PROVIDE A MAJORITY OF THE NON-UNION EMPLOYEES WITH AN APPROPRIATE AND TIMELY MERIT INCREASE FOR FY 20 AS PROVIDED FOR IN CITY POLICY.

Brooks Mitchell, City Manager, advised that with the pay scale approved in 2016 and the prior pay scale there was a point during employment with the City where employees topped out on the pay scale and were no longer eligible for a pay raise. The proposal would add five additional steps to each pay grade of the salary table. Mr. Mitchell stated that this would affect 15 employees in the current fiscal year with a budget impact of \$10,000. He felt it would be a useful tool for employee retention and recommended approval of the item.

Councilman Hamm moved to approve the addition of five (5) steps to the top of each pay grade of the salary table approved by Council in 2016 and authorizing its full implementation in order to provide a majority of the non-union employees with an appropriate and timely merit increase for FY 20 as provided for in City policy, second by Councilman Williams. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT APPROXIMATELY 7:05 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD OCTOBER 7, 2019.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$591,900.40.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT APPROXIMATELY 7:06 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD OCTOBER 7, 2019.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$115,425.27.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH COUNCILMAN LOUIE WILLIAMS PRESIDING AT 7:07 P.M.

Agenda Item Number 11 being:

ROLL CALL

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

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD SEPTEMBER 16, 2019.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:08 P.M.

Agenda Item Number 13 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 advised that both she and Councilman Hamm had received numerous calls regarding the Oxford House expected to open in the East Hills Addition. She felt that additional information should be available for citizens that had concerns. Councilwoman Hunt felt that the callers did not have a problem with the residents living there but wondered if having the treatment facility in a residential setting would be an issue.

Brooks Mitchell, City Manager, stated that representatives from Oxford House stated that staff would manage the home and live at the house to mentor and instruct the other residents in their treatment and assigned daily tasks. All of the residents receive additional treatment once a week at a different location. A third-party contractor would maintain the landscaping and home. The residents are supervised by someone living in the house that is not a medical professional but is someone who has been through the program. Councilwoman Hunt felt that the neighbors understood that the residents of the facility were going through struggles and needed a place to live. They were concerned with how many cars would be parked there and the type of disruption that would occur to the neighborhood. Mr. Mitchell stated that once a week additional cars may be at the residence when people from other facilities attend a meeting there. He added that it was an open meeting and residents from the neighborhood can attend if they would like to see how the meetings work.

Councilman Hamm stated that a house manager is paid to live there and a counselor comes to attend the meetings. He asked that since it sounded like a business would the City monitor the situation and confirm it was being done in a safe manner. Mr. Mitchell indicated that an interview process is done before an individual is placed in the house. Of course the City would enforce City Codes where applicable. The Oxford House representatives state that the houses are safe and have had very little problem where law enforcement was called. Mr. Mitchell stated that there are other Oxford Houses that have been in Moore for some time. He asked the police department if there had been any problems at the residences and was told no. He confirmed that the residents at this location would be women who have alcohol and drug addictions.

Mayor Lewis stated that he attended a ribbon cutting at Parmele Park with Councilwoman Hunt and City Manager Brooks Mitchell. The Nancy Lieberman Foundation constructed a Dream Basketball Court at Parmele Park. Toby Keith was in attendance to cut the ribbon and children from Kelley Elementary School attended the event. Mayor Lewis expressed his appreciation to the Nancy Lieberman Foundation and Toby Keith for their support of the City.

Councilman Hamm requested that an update be given to the City Council regarding the Regional Transit Authority before the end of the year. Brooks Mitchell, City Manager, advised that an update would be presented to Council shortly.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, stated that the Trail of Horror was held on October 19, 2019 and was very successful with all 500 tickets sold. Mr. Mitchell thanked the Parks Department staff for their work on the event. He advised that Coffee with a Cop was held on October 18, 2019 from 9 am to 11 am at the McDonald's at 4th and Eastern. Mr. Mitchell indicated that it was also a success. He noted that McDonald's recently obtained the licensing for the event. He felt this would allow for additional promotion and increase community participation and interaction with law enforcement. He expressed his appreciation for

the Police Department and their work on the event. The last Town Hall meeting on the 1/8 cent sales tax proposition would be held October 24, 2019 at Oakridge Elementary. He encouraged citizens to attend the meeting. He stated that several informational videos would be available on You Tube and the City's webpage regarding the proposition. Mr. Mitchell expressed his appreciation for Council's attendance at the Town Hall Meetings.

Agenda Item Number 14 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:21 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