

**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 17, 2017 – 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 17, 2017 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*

*Terry Cavnar  
Councilman, Ward III*

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

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; City Attorney, Randy Brink; Associate Planner/Grants Manager, Jared Jakubowski; Community Development Director, Elizabeth Weitman; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Deputy Fire Chief, Greg Herbster; Human Resources/Risk Management Director, Gary Benefield; Manager of Information Technology, David Thompson; Assistant Parks and Recreation Director, Chris Villani; Police Chief, Jerry Stillings; Sgt. David Dickinson; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and City Clerk, Linda Stewart.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 3, 2017.
- B) ACCEPT RECEIPT OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY PERMIT NO. SL000014170386 FOR CONSTRUCTION OF ONE VAPEX NANO ODOR CONTROL UNIT AT SW 34TH AND BROADWAY.
- C) APPROVE RESOLUTION NO. 882(17) ADOPTING THE OCTOBER 2016 COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (“CDBG-DR”) INTERNAL AUDIT REPORT.
- D) APPROVE RESOLUTION NO. 883(17) ADOPTING THE APRIL 2017 COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (“CDBG-DR”) INTERNAL AUDIT REPORT.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$4,613,235.98.

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

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

**Agenda Item Number 3 being:**

RECEIVE A PRESENTATION BY STEVE CONKIN WITH CONKIN FINANCIAL GROUP REGARDING PROPOSED CHANGES TO THE MASS MUTUAL DEFERRED COMPENSATION PROGRAM AND APPROVE PROPOSED CHANGES.

**Councilman Blair moved to table Agenda Item No. 3, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER APPROVAL OF A ONE-YEAR CONTRACT EXTENSION WITH POE & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES. CAPITAL PLANNING & RESILIENCY ("HUD")

Jared Jakubowski, Associate Planner/Grants Manager, advised that Agenda Items No. 4 through 7 were proposed extensions to contracts previously approved with various engineering firms. Staff recommended a one year renewal of the contracts with an expiration date of September 8, 2018. Mr. Jakubowski indicated that the firms would provide engineering services and assistance with infrastructure issues throughout the disaster recovery process.

**Councilman Blair moved to approve a one-year contract extension with Poe & Associates, Inc. for Professional Engineering Services, second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER APPROVAL OF A ONE-YEAR CONTRACT EXTENSION WITH CEC CORPORATION FOR PROFESSIONAL ENGINEERING SERVICES.

**Councilman Hunt moved to approve a one-year contract extension with CEC Corporation for Professional Engineering Services, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER APPROVAL OF A ONE-YEAR CONTRACT EXTENSION WITH MESHEK & ASSOCIATES, PLC FOR PROFESSIONAL ENGINEERING SERVICES.

**Councilman Blair moved to approve a one-year contract extension with Meshek & Associates, PLC for Professional Engineering Services, second by Councilwoman Hunt. Motion carried unanimously.**

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

**Agenda Item Number 7 being:**

CONSIDER APPROVAL OF A ONE-YEAR CONTRACT EXTENSION WITH CABBINESS ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES.

**Councilman Blair moved to approve a one-year contract extension with Cabbiness Engineering for Professional Engineering Services the consent docket in its entirety, second by Councilwoman McKenzie. Motion carried unanimously.**

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

**Agenda Item Number 8 being:**

CONSIDER AN AMENDMENT TO SECTION 74 OF THE DOWN PAYMENT AND CLOSING COST ASSISTANCE PROGRAM WITHIN THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") POLICIES AND PROCEDURES MANUAL.

Jared Jakubowski, Associate Planner/Grants Manager, referred the City Council to a Housing Market Analysis, which reflected changes to the housing market since the disaster. Mr. Jakubowski stated that the analysis revealed that the median list price for housing increased 25.4% over the past four years; however, the target income bracket for the program increased only 4.4% for the same time period. He stated that this would indicate that qualifying buyers under the program might require additional subsidies. Mr. Jakubowski advised that staff would recommend the following amendments to Section 74 of the Down Payment and Closing Cost Assistance Program within the Community Development Block Grant Policies and Procedures Manual to address recent market changes:

1. Incorporate the 2017 eligibility income limits as determined by The Department of Housing and Urban Development ("HUD").
2. Amend Section 8.4.3 changing the maximum housing price for an existing home from \$133,000 to \$138,000.
3. Amend Section 8.4.4 changing the maximum housing price for new construction from \$155,000 to \$180,000.
4. Define as ineligible any household or member of a household with a felony conviction of a violent crime or a drug manufacturing offense within the past 15 years.

Mr. Jakubowski referenced an opinion from the Department of Housing and Urban Development's General Counsel on interpretation of the Fair Housing Act regarding the use of criminal records to determine eligibility for participation in the program. It stated that convicted felons were not a protected class under the Fair Housing Act; however, the City must define a policy in order to make the exclusion.

Mr. Jakubowski noted that the City Attorney Randy Brink had reviewed the proposed amendments and the Community Development Block Grant Advisory Committee recommended approval of the items.

**Councilman Webb moved to approve an amendment to Section 74 of the Down Payment and Closing Cost Assistance Program within the Community Development Block Grant (“CDBG”) Policies and Procedures Manual, second by Councilman Cavnar. Motion carried unanimously.**

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

**Agenda Item Number 9 being:**

CONSIDER APPROVAL OF A CONTRACT WITH ONSOLVE, LLC FOR THE CODERED EMERGENCY NOTIFICATION SYSTEM IN THE AMOUNT OF \$5,000 FOR A ONE-YEAR CONTRACT EXTENSION.

Gayland Kitch, Emergency Management Director, advised that the City contracted with the Emergency Communications Network for the CodeRed emergency notification system for the past several years. Mr. Kitch stated that the notification system provided residents with telephone messaging and email notifications regarding emergency situations and general notifications. Mr. Kitch stated that Emergency Communications Network changed the name of their company to Onsolve during acquisition of other companies. The proposed contract included some minor reformatting and a minor change in the billing of rollover minutes. Mr. Kitch noted that the billing change would actually benefit the City. Mr. Kitch asked for renewal of the contract for one year.

**Councilwoman McKenzie moved to approve the contract with OnSolve, LLC for the CodeRED Emergency Notification System in the amount of \$5,000 for a one-year contract extension, second by Councilman Cavnar. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND A PUBLIC HEARING CONVENED AT 6:41 P.M.**

**Agenda Item Number 10 being:**

DISCUSS AND CONSIDER RESOLUTION NO. 880(17) ADOPTING THE 2017-2018 ONE-YEAR ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND BUDGET FOR THE OCTOBER 2017 - SEPTEMBER 2018 PROGRAM YEAR; AND AUTHORIZE THE MAYOR TO SUBMIT THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Jared Jakubowski, Associate Planner/Grants Manager, advised that the City was awarded \$312,426 in Community Development Block Grant Entitlement Program funds. Mr. Jakubowski indicated that public participation was solicited during several public meetings held by the CDBG Advisory Committee. He indicated that the 2017-2018 Annual Action Plan and Budget included the following proposed allocations.

**2017-2018 CDBG ALLOCATIONS**

Administration	Costs for Administration of the Program	\$62,485
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Public Services	Aging Services Moore Youth and Family (Community and School Based Programs) and Bethesda	46,863
Infrastructure	1200 to 1900 Block of Regency Water Line Replacement	133,000
	Crestmoor Water Line	69,000

Mr. Jakubowski noted that the CDBG Advisory Committee recommended excluding the Central Oklahoma Community Action Agency from receiving funding. He indicated that the agency had experienced several changes in the Executive Directors position recently. A risk analysis was conducted which resulted in a high risk assessment; therefore, a recommendation to the CDBG Advisory Committee was made to provide technical assistance over the next year and then issue an invitation for the agency to reapply for a grant award for the following program year.

There were no citizens to speak on the item.

**Councilman Blair moved to approve Resolution No. 880(17) adopting the 2017-2018 one-year annual action plan for the Community Development Block Grant program and budget for the October 2017 - September 2018 program year; and authorize the Mayor to submit the plan to the U.S. Department of Housing and Urban Development, second by Councilwoman McKenzie. Motion carried unanimously.**

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

**Agenda Item Number 11 being:**

DISCUSS AND CONSIDER RESOLUTION NO. 881(17) ADOPTING THE SUBSTANTIAL AMENDMENT OF THE 2013 COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY ACTION PLAN AND BUDGET; AND AUTHORIZE THE MAYOR TO SUBMIT THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Jared Jakubowski, Associate Planner/Grants Manager, stated that approval of Resolution No. 881(17) would adopt the substantial amendment to the 2013 Community Development Block Grant - Disaster Recovery Action Plan and budget. Mr. Jakubowski indicated that a substantial amendment was necessary when there was a change in the program benefit or eligibility criteria, when there was an addition or deletion of an activity, or when an allocation or reallocation of more than \$1 million occurred between activities. He indicated that in this case the City required the substantial amendment due to each of the conditions mentioned.

Mr. Jakubowski summarized the proposed changes to the plan:

1. A revision to the Down Payment Assistance Program previously approved by the City Council under Agenda Item No. 8.
2. Revisions occurred to the housing program descriptions better defining program eligibility, objectives, and priorities.
3. The bid solicitation for a multi-family residential redevelopment required clarification of federal regulation notices. The developer must include broadband infrastructure, the City will broaden the green standard definition, ICC 500-2014 for Standards for Design and Construction of Storm

- Shelters must provide community or residential shelters as defined in the Code, a Crime Prevention Through Environmental Design as a requirement for submittal.
4. The budget for infrastructure was increased.
  5. The resiliency budget would be reduced and the funds moved to infrastructure. Mr. Jakubowski advised that \$83,351.57 was budgeted for feasibility of the resiliency hazard mitigation wall. This activity was ultimately determined to be ineligible and the funds would be moved to planning.
  6. The planning budget would be reduced and moved to infrastructure.

**Summary of Proposed Changes for Substantial Amendment**

Activity	Current Allocation	Proposed Allocation
Housing	\$16,000,000.00	\$16,000,000.00
Infrastructure	\$18,000,000.00	\$26,941,317.74
Public Facilities	\$2,000,000.00	\$2,000,000.00
Economic Revitalization	\$0.00	\$0.00
Resiliency	\$5,760,000.00	\$0.00
Administration	\$2,610,000.00	\$2,610,000.00
Planning	\$7,830,000.00	\$4,648,682.26
<b>Total</b>	<b>\$52,200,000.00</b>	<b>\$52,200,000.00</b>

Mr. Jakubowski indicated that if approved, the City must submit a Grant Agreement for \$27,174,000 to the Department of Housing and Urban Development by October 2017.

There were no citizens to speak on the item.

**Councilwoman McKenzie moved to approve Resolution No. 881(17) adopting the Substantial Amendment of the 2013 Community Development Block Grant - Disaster Recovery Action Plan and budget; and authorize the Mayor to submit the plan to the U.S. Department of Housing and Urban Development, second by Councilman Cavnar. Motion carried unanimously.**

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

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

**Agenda Item Number 12 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JULY 3, 2017.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$1,129,658.09.

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

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

**MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:49 P.M.**

**Agenda Item Number 13 being:**

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JULY 3, 2017.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2016-2017 IN THE AMOUNT OF \$101,489.28.

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

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

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN TERRY CAVNAR PRESIDING AT 6:50 P.M.**

**Agenda Item Number 14 being:**

ROLL CALL

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

**Agenda Item Number 15 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JUNE 19, 2017.

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

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

**THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:51 P.M.**

**Agenda Item Number 16 being:**

NEW BUSINESS:

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

John Hanes, 301 S. Silver Leaf Drive, stated that he previously appeared before the City Council on July 3, 2017 regarding his concern with on-street parking and speeding in his neighborhood. Since that time he utilized Nextdoor, a social network for his community, requesting that residents of the neighborhood appear at the next City Council Meeting to voice their concerns. Mr. Hanes also printed comments posted on Nextdoor to present to the Council. Mayor Lewis asked Mr. Hanes what he proposed the City should do about the situation. Mr. Hanes suggested erecting signs prohibiting parking on the street for anyone other than a resident of the neighborhood. Councilwoman Hunt asked how non-residents could be identified. Mr. Hanes felt that police officers who patrolled the area would become familiar with cars that the residents drive and could therefore identify non-residents. He commented that he understood there would be times when a homeowner would have company who must park in the street. However, there are individuals who routinely park in the street when they have open space in their driveway. He felt he should not be inconvenienced when backing out of his driveway by a car parked on the street directly behind him because the property owner did not want to move a car in the driveway to allow a relative to back out of their garage unimpeded. Mayor Lewis did not feel that the City could enforce an ordinance prohibiting parking on the street due to the difficulty in enforcing it. Councilwoman McKenzie agreed stating that the police department could not be expected to identify nonresidents for each subdivision within a city containing approximately 60,000 people. Mr. Hanes commented that the City of Norman did it. Councilman Hamm stated that Norman likely had a Code Enforcement division that handled those types of situations. He suggested that Mr. Hanes contact the City's Code Enforcement division to report a problem. Brooks Mitchell, City Manager, advised that he and the Assistant City Manager Stan Drake drove the area following the complaint issued by Mr. Hanes at the July 3, 2017 City Council Meeting. He indicated that he would meet with Police Chief Stillings regarding the problem and staff would continue to monitor the situation. Mr. Mitchell also stated that he had a fire truck drive down the street to determine if access would be a problem. In that instance, the fire truck was able to travel the street unimpeded. Mr. Mitchell noted that Councilman Webb had noted that there was a differing opinion among the residents on how the situation should be handled. He stated that staff would try to find a workable solution and report back to the City Council with their findings. Mr. Hanes added that some individuals park on a curve in the street making it dangerous for the drivers who must navigate around the parked car. He also stated that there were times when cars parked in front of fire hydrants. Mr. Hanes indicated that a speed trailer was brought out following concerns with speeders. He did feel it was helping although he anticipated the problem becoming worse after the start of school. Mr. Mitchell stated that he would contact Mr. Hanes when they visited the area next so he could join them and point out all of his concerns.

Ariel Byfield, 102 Thompson Drive, appeared in reference to street parking. Ms. Byfield indicated that she did not feel the City should prohibit parking on the street. Many residents have two vehicles and only a one car driveway necessitating the need for on-street parking. She indicated that if parking on the street were prohibited it would create a problem during family get-togethers, birthday parties, prayer meetings, and garage sales. She also stated that it was difficult to believe that emergency services would be unable to gain access to a residence in the event of an emergency. Ms. Byfield advised that she had worked in emergency services and felt that ambulance drivers were accustomed to maneuvering around obstacles. She mentioned that she called for an ambulance for her husband recently and the ambulance and fire engine that responded did not have any issues getting to her home.

Glenn Haring, 2808 Elizabeth Anne Terrace, indicated that he was not a proponent of prohibiting parking on the street. He felt that it would negatively impact many families who have new drivers in their homes increasing the number of vehicles per household. He felt approving an ordinance that prohibited on-street parking would also be overwhelming to the police and code enforcement departments. He stated that he would prefer the police department handle emergency calls rather than issue parking tickets. He felt parking problems exist primarily in older neighborhoods, particularly those in close proximity to schools. He commented that he lived in the City of Norman for several years and they controlled parking situations based on the neighborhoods that were affected. For instance, Norman prohibits parking on the narrower streets around downtown and O.U. but allow on-street parking in other areas of the city. He expressed

his opinion that it was reasonable to be concerned about emergency vehicles not being able to access their neighborhood. Mr. Haring suggested that the City restrict on-street parking to one side of the street in those areas of town with narrower streets.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Cavnar stated that the City would work on solutions to the issues expressed with on street parking, but did not feel that the City Council could consider an ordinance prohibiting on-street parking. Councilman Cavnar advised that he recently attended a Planning Commission meeting and wanted to publicly express his appreciation to the Community Development Director Elizabeth Jones, her staff, and the Planning Commission for the difficult job that they do.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, congratulated the Parks Department for their work on the July 4<sup>th</sup> celebration at Buck Thomas Park. He felt it was a successful and well-attended event.

**Agenda Item Number 17 being:**

ADJOURNMENT

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

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

**The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:08 p.m.**

TRANSCRIBED BY:

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RHONDA BAXTER, Executive Assistant

FOR:

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ADAM WEBB, MPWA Secretary

FOR:

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MARK HAMM, MEDA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

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LINDA STEWART, City Clerk