

**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 15, 2018 – 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 15, 2018 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, Williams, Webb, Hamm, Lewis  
ABSENT: Hunt

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Stan Drake; Assistant City Manager, Todd Jenson; City Attorney, Randy Brink; Animal Control Supervisor, John Fryrear; Assistant City Attorney, Brian Miller; Community Development Director, Elizabeth Weitman; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief, Gary Bird; Human Resources Director, Christine Jolly; Assistant Police Chief, Todd Strickland; Police Sergeant, Troy Fullbright; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; Veolia Water Project Manager, Robert Pistole; and City Clerk, Linda Stewart.

Mayor Lewis presented Councilman Hamm, as a member of the Red Ribbon Committee, with a proclamation proclaiming October 22-27, 2018 as "Red Ribbon Week" 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 OCTOBER 1, 2018.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD AUGUST 7, 2018.
- C) APPROVE A CONTRACT EXTENSION WITH SILVER STAR CONSTRUCTION FOR ON-DEMAND CONSTRUCTION SERVICES.
- D) APPROVE A CONTRACT EXTENSION WITH RUDY CONSTRUCTION FOR ON-DEMAND CONSTRUCTION SERVICES.
- E) APPROVE A CONTRACT EXTENSION WITH CIMARRON CONSTRUCTION FOR ON-DEMAND CONSTRUCTION SERVICES.

- F) APPROVE A CONTRACT EXTENSION WITH COMMUNITY DEVELOPMENT SERVICES FOR TECHNICAL ASSISTANCE WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY PROGRAM.
- G) ACCEPT A 15' PUBLIC UTILITY EASEMENT LOCATED IN THE SW/4 OF SECTION 36, T10N, R3W, BEING NORTH OF INDIAN HILLS ROAD AND EAST OF S. EASTERN AVENUE. ANNETTE GUNTER.
- H) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$2,915,890.99.

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

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

**Agenda Item Number 3 being:**

CONSIDER ADOPTION OF RESOLUTION NO. 911(18) PERTAINING TO THE GENERAL OBLIGATION BONDS OF 2019, APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS AT AN ELECTION HELD ON JUNE 26, 2018, FIXING THE AMOUNT OF BONDS TO MATURE EACH YEAR, FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD, AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW.

Brooks Mitchell, City Manager, indicated that this was the first issuance from the June 26, 2018 G.O. Bond Election which would be used to fund the SE 4<sup>th</sup> Street railroad underpass, the SW 34<sup>th</sup> Street widening project, and the drainage channel improvement project from NW 5<sup>th</sup> to NW 12<sup>th</sup> Street. Zach Robinson with BOSC Financial, and Terry Hawkins with the law firm of Phillips Murrah, were in attendance to answer any questions as the City's financial advisor and bond counsel.

**Councilman Blair moved to adopt Resolution No. 911(18), second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER ORDINANCE NO. 893(18) AMENDING SECTION 701 AND 702 OF PART 8, CHAPTER 7, OF THE HEALTH AND NUISANCES CODE OF THE CITY OF MOORE, TO ESTABLISH REGULATIONS PROHIBITING SMOKING IN CITY OWNED PUBLIC PARKS; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Randy Brink, City Attorney, advised that Ordinance No. 721(12), which was passed by the City Council on July 2, 2012, prohibited smoking in City owned public parks. Mr. Brink stated that the ordinance remained in effect until it was inadvertently omitted from the recent recodification of the Municipal Code. Mr. Brink indicated that passage of Ordinance No. 893(18) would amend the Code to include the regulations. He stated that passage of the emergency clause, to be considered under Agenda Item No. 5, would allow the ordinance to become effective upon approval.

Councilwoman McKenzie asked why the ordinance should be declared an emergency and what would happen if the emergency was not approved. Mr. Brink felt that this was a health and welfare issue that affected nonsmokers who did not wish to be exposed to second hand smoke while using the park. He stated that if the emergency clause was not approved it would take 30 days after approval to become effective.

**Councilman Webb moved to approve Ordinance No. 893(18), second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER APPROVAL OF EMERGENCY PROVISION FOR ORDINANCE NO. 893(18), IT BEING IMMEDIATELY NECESSARY FOR THE PRESERVATION OF THE PEACE, HEALTH, SAFETY AND PUBLIC GOOD OF THE CITY OF MOORE AND THE INHABITANTS THEREOF THAT THE PROVISIONS OF THIS ORDINANCE BE PUT INTO FULL FORCE AND EFFECT, AN EMERGENCY IS HEREBY DECLARED TO EXIST BY REASON WHEREOF THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE AND EFFECT FROM AND AFTER THE DATE PROVIDED HEREIN AS PROVIDED BY LAW.

**Councilman Blair moved to approve an Emergency provision for Ordinance No. 893(18), it being immediately necessary for the preservation of the peace, health, safety and public good of the City of Moore and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force and effect from and after the date provided herein as provided by law, second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER A LOT SPLIT LOCATED IN THE NE/4 OF SECTION 27, T10N, R3W, BEING LOCATED WEST OF FRITTS BLVD. AND SOUTH OF SW 19<sup>TH</sup> STREET. APPLICATION BY ALRIG USA/JON GRYZWA.

Elizabeth Weitman, Community Development Director, advised that the subject property, located at 720 SW 19th, was zoned C-3 and had been developed as a Target. The applicant was requesting to split off 1.5 acres at the northwest corner of the lot for development of an in-line shopping center with a proposed restaurant site. If approved, the lot split would reduce the amount of parking spaces available to Target from the required 463 to 337. Ms. Weitman noted that the Board of Adjustment approved the reduction in parking spaces at their August 14, 2018 meeting.

Ms. Weitman stated that City sewer was available to serve the site; however, City water must be extended through the property. She advised that the new lot would utilize an existing shared access drive to the west of the proposed lot, with no additional curb cuts to SW 19<sup>th</sup> Street allowed from this location. She noted that staff recommended approval of the item since the two resulting lots were in conformance with the surrounding development.

Councilman Williams asked how staff calculated the number of spaces required for a commercial development. Ms. Weitman indicated that calculations for retail development were based on the square footage of the building. Councilman Williams asked if Ms. Weitman anticipated any problems with the reduced number of parking spaces. Ms. Weitman felt it would not be an issue since the area of the parking lot to be developed was never used. She also pointed out that it was customary for the 19<sup>th</sup> Street developments to reserve the frontage for restaurants and shopping opportunities while the big box retailers were set back from the street.

**Councilman Williams moved to approve a lot split located in the NE/4 of Section 27, T10N, R3W, being located west of Fritts Blvd. and south of SW 19<sup>th</sup> Street, second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 7 being:**

CONSIDER THE PURCHASE OF A 2019 FORD ESCAPE FROM BILL KNIGHT FORD FROM OKLAHOMA STATE CONTRACT NO. SW035 IN THE AMOUNT OF \$22,127.

Elizabeth Weitman, Community Development Director, advised that the purchase of a 2019 Ford Escape was a budgeted item in the amount of \$29,000 to replace a 2003 Ford F-150 in the Code Enforcement Division. She indicated that it was later determined that the vehicle could be purchased off the State contract in the amount of \$22,127.

**Councilman Williams moved to authorize the purchase of a 2019 Ford Escape from Bill Knight Ford from Oklahoma State Contract No. SW035 in the amount of \$22,127, second by Councilwoman McKenzie. Motion carried unanimously.**

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

**Agenda Item Number 8 being:**

CONSIDER AUTHORIZING THE PURCHASE OF A 2019 FORD F-250 FROM BILL KNIGHT FORD OFF STATE CONTRACT NO. SW035 IN THE AMOUNT OF \$33,602 USING BUDGETED FUNDS.

Gayland Kitch, Emergency Management Director, advised that the proposed purchase of a 2019 Ford F-250 was a budgeted item to replace an existing truck in Emergency Management.

**Councilwoman McKenzie moved to authorize the purchase of a 2019 Ford F-250 from Bill Knight Ford off State Contract No. SW035 in the amount of \$33,602 using budgeted funds, second by Councilman Williams. Motion carried unanimously.**

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

**Agenda Item Number 9 being:**

CONSIDER AUTHORIZING THE PURCHASE OF TEN MOBILE RADIOS FOR THE MOBILE COMMAND VEHICLE FROM MOTOROLA SOLUTIONS, INC. (VIA TOTAL RADIO, INC.) OFF STATE CONTRACT NASPO NO. SW1053M IN THE AMOUNT OF \$50,700.23, USING BUDGETED FUNDS TO BE REIMBURSED WITH GRANT MONIES FROM THE OKLAHOMA OFFICE OF HOMELAND SECURITY.

Gayland Kitch, Emergency Management Director, advised that the proposed mobile radios would be placed in the new Mobile Command Vehicle currently under construction. Mr. Kitch advised that the radios were a budgeted item; however, a grant was secured from the Oklahoma Office of Homeland Security which would reimburse the cost of the equipment.

**Councilman Hamm moved to authorize the purchase of ten mobile radios for the Mobile Command Vehicle from Motorola Solutions, Inc. (via Total Radio, Inc.) off State Contract NASPO No. SW1053M in the amount of \$50,700.23, using budgeted funds to be reimbursed with grant monies from the Oklahoma Office of Homeland Security, second by Councilman Williams. Motion carried unanimously.**

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

Councilman Hamm asked for an update on the Mobile Command Post. Mr. Kitch advised that he spoke with the manufacturer out of Montana and was told they were on schedule with an anticipated completion date around the end of November or the first of December 2018.

**Agenda Item Number 10 being:**

CONSIDER AUTHORIZING THE PURCHASE OF TWELVE VIDEO CAMERAS FOR INSTALLATION ON NEW POLICE VEHICLES FROM WATCHGUARD VIDEO OFF STATE CONTRACT NASPO NO. OK-MA-145-010 IN THE AMOUNT OF \$64,440, USING BUDGETED PUBLIC SAFETY SALES TAX FUNDS.

Todd Strickland, Assistant Police Chief, advised that staff was requesting authorization to purchase twelve video cameras off the State contract using budgeted Public Safety Sales Tax funds. Chief Strickland stated that six cameras would be installed on new police vehicles to be delivered sometime in December 2018, and six would be used to replace older cameras.

**Councilman Webb moved to authorize the purchase of twelve video cameras for installation on new police vehicles from WatchGuard Video off State Contract NASPO No. OK-MA-145-010 in the amount of \$64,440, using budgeted Public Safety Sales Tax funds, second by Councilman Williams. Motion carried unanimously.**

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

**Agenda Item Number 11 being:**

CONSIDER AUTHORIZING THE PURCHASE OF A 2019 FORD F-350 FOR ANIMAL CONTROL FROM UNITED FORD SOUTH D/B/A BILL KNIGHT FORD OFF STATE CONTRACT NO. SW035 IN THE AMOUNT OF \$32,790.

John Fryrear, Animal Control Supervisor, stated that staff was requesting authorization to purchase a 2019 Ford F-350 from the State Contract to replace a 2004 F-250.

**Councilman Blair moved to authorize the purchase of a 2019 Ford F-350 for Animal Control from United Ford South d/b/a Bill Knight Ford off State Contract No. SW035 in the amount of \$32,790, second by Councilwoman McKenzie. Motion carried unanimously.**

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

**Agenda Item Number 12 being:**

CONSIDER ACCEPTANCE OF A QUOTE FROM SWAB WAGON COMPANY IN THE AMOUNT OF \$23,970 FOR PURCHASE AND INSTALLATION OF AN ANIMAL TRANSPORT BODY AND EQUIPMENT.

Brooks Mitchell, City Manager, stated that staff was requesting authorization to purchase an animal transportation body and equipment using a quote from Swab Wagon Company in the amount of \$23,970. Mr. Mitchell indicated that this was a budgeted item.

**Councilwoman McKenzie Blair moved to accept a quote from SWAB Wagon Company in the amount of \$23,970 for purchase and installation of an animal transport body and equipment, second by Councilman Hamm. Motion carried unanimously.**

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

**Agenda Item Number 13 being:**

CONSIDER APPROVAL OF A CONTRACT WITH FELLERS SNIDER, ATTORNEYS AT LAW, FOR REPRESENTATION OF THE CITY IN PENDING LITIGATION AGAINST OPIOID MANUFACTURERS, DISTRIBUTORS, AND OTHER POTENTIAL DEFENDANTS THAT ARE RESPONSIBLE FOR THE OPIOID EPIDEMIC.

Mayor Lewis asked for a tabling motion at the request of staff.

**Councilman Blair moved to table Agenda Item No. 13, second by Councilwoman McKenzie. Motion carried unanimously.**

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

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:52 P.M.**

**Agenda Item Number 14 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD OCTOBER 1, 2018.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$421,483.22.

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

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

**THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:53 P.M.**

**Agenda Item Number 15 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD OCTOBER 1, 2018.
- B) APPROVE PAYMENT OF A WORKERS' COMPENSATION SETTLEMENT IN THE AMOUNT OF \$27,132 FOR CBR CLAIM NO. 2050000589 AS A RESULT OF MEDIATION, TO JOSE GARCIA; AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$169,770.89.

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

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

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH CHAIRMAN ADAM WEBB PRESIDING AT 6:54 P.M.**

**Agenda Item Number 16 being:**

ROLL CALL

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

**Agenda Item Number 17 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD SEPTEMBER 17, 2018.

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

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

**THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:55 P.M.**

**Agenda Item Number 18 being:**

NEW BUSINESS:

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

Bryan Kerr, 914 SW 4<sup>th</sup> Street, advised that he was the owner of Moore Liquor and was appearing on behalf of his mother who owned Oklahoma Spirits and Wines. Mr. Kerr felt that the current fee structure for liquor wholesaler licenses was a bit onerous for individuals starting a new business. He stated that the ABLE Commission and State legislature allows cities to charge up to \$2,500 for a wine and spirit wholesaler license. He stated that his mother was representing local products at her business including whiskey manufactured at their distillery, Scissortail Distillery. Mr. Kerr was requesting a delay of the City fees or a permanent reduction of the fees to give small business owners an opportunity to stay open. Councilwoman McKenzie asked if other cities in the metro area made exceptions to their licensing fees. Mr. Kerr did not anticipate addressing the City Council and had not researched the issue, although he did not believe any exceptions had been made. Councilman Webb asked City Manager Brooks Mitchell if surrounding cities could be surveyed to determine how our fees compared to theirs. Mr. Mitchell indicated that he would obtain the information and report his findings back to Council. Councilwoman McKenzie suggested setting a fee for those individuals based on sales. Mayor Lewis stated that he was not opposed to reducing fees for businesses just getting started and that could generate jobs for the community. Councilman Williams indicated that if Council opted to make changes there would need to be some discussion on setting the parameters.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Hamm announced that the Brand Senior Center would hold a bean dinner on October 20, 2018 from 11 am to 2 pm to raise funds benefitting the Moore Council on Aging. Councilman Hamm asked that Assistant City Manager Todd Jenson announce the various events taking place this month. Mr. Jenson advised of the following special events:

- Arts and Crafts Marketplace held on October 13, 2018 had a good turnout.
- Mummy and Son Dance would be held on October 19, 2018 from 7:00 p.m. to 9:00 p.m. at The Station.
- Haunted Trail of Fear at Little River Park set for October 26, 2018 from 8:00 p.m. to 11:00 p.m.
- Haunt Old Town scheduled for October 27, 2018 would be held from 4:00 p.m. to 7:00 p.m. in Old Town

Councilwoman McKenzie stated that she attended the craft fair on October 13<sup>th</sup> and she felt it very well organized and well attended. She announced that the Moore Fire Department was accepting applications for firefighter until November 2, 2018.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, stated that Howard Avenue was reopened from SW 4<sup>th</sup> to NW 2<sup>nd</sup>. He noted that one lane was still closed due to the construction of the school gymnasium.

Mr. Mitchell announced that the City Clerk, Linda Stewart, would retire on November 9, 2018 after 34 years with the City. He stated that he enjoyed working with Ms. Stewart over the past three years, appreciated her service to the City, and wished her well in her retirement. Ms. Stewart commented that it was difficult to leave because she loved her job and enjoyed working with the City Council, her City of Moore family, and serving the community.

**Agenda Item Number 19 being:**

ADJOURNMENT

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

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

**The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:04 p.m.**

TRANSCRIBED BY:

\_\_\_\_\_  
RHONDA BAXTER, Executive Assistant

FOR:

\_\_\_\_\_  
ADAM WEBB, MPWA Secretary

FOR:

\_\_\_\_\_  
MARK HAMM, MEDA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
LINDA STEWART, City Clerk