

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
NOVEMBER 4, 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 November 4, 2019 at 6:30 p.m. with Vice-Mayor Danielle McKenzie 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; Assistant Community Development Director, Chad Denson; Economic Development Director, Deidre Ebrey; Finance Director, Betty Koehn; Deputy Fire Chief Ryan Marljar; Manager of Information Technology, David Thompson; Acting Parks and Recreation Director, Chris Villani; Police Chief, Todd Strickland; Sergeant Rebecca Miller; 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 OCTOBER 21, 2019.
- B) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION OF A SANITARY SEWER FORCE MAIN FROM JACK BRADLEY MILLER LOCATED IN THE SW/4 OF SECTION 36, T10N, R3W, BEING NORTH OF INDIAN HILLS ROAD AND EAST OF EASTERN AVENUE.
- C) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT AND A 17' PERMANENT ROADWAY AND UTILITY EASEMENT FOR THE CONSTRUCTION OF A SANITARY SEWER FORCE MAIN FROM JOSHUA TUCKER AND CARLY SCHATZBURG LOCATED IN THE SW/4 OF SECTION 36, T10N, R3W, BEING NORTH OF INDIAN HILLS ROAD AND EAST OF EASTERN AVENUE.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$3,709,055.72.

Councilman Blair moved to approve the Consent Docket in its entirety, second by Councilman Williams. Motion carried unanimously.

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

Mayor Lewis asked that Vice-Mayor McKenzie preside over the remainder of the meeting.

Agenda Item Number 3 being:

CONSIDER APPROVAL OF AN AGREEMENT IN THE AMOUNT OF \$324,420 WITH GUERNSEY ENGINEERS, ARCHITECTS AND CONSULTANTS, FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE SW 34TH STREET WIDENING AND RECONSTRUCTION PROJECT FROM I-35 TO BROADWAY AVENUE (RFP NO. 1900-14); AUTHORIZE THEM TO PROCEED WITH THE STUDY AND REPORT PHASE; AND AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT.

Jerry Ihler, Assistant City Manager, advised that the City Council authorized staff to negotiate an agreement with Guernsey Engineering and Consulting for design of the SW 34th Street widening and reconstruction project at the August 19, 2019 City Council Meeting. Mr. Ihler stated that funding was budgeted in this fiscal year for the study and report phase, with the remainder of the project to be funded next fiscal year. Mr. Ihler advised that the \$324,420 was the negotiated fee for the entire project. He indicated that staff was requesting approval of the contract with authorization to proceed with the study and report phase. The estimated completion date of the study and report phase would be 150 days with an estimated completion date for the entire contract of 360 days. He noted that estimate did not include City review time or Burlington Northern Santa Fe Railroad coordination and review time.

Mr. Ihler noted that the intersections of Eastern Avenue and 34th Street, and Broadway and 34th Street would have a transition of 300' to 500'; however the north leg of Broadway would go ¼ of a mile (1,350 feet) north of the intersection because of Broadmoore Elementary and a new addition located nearby.

Councilman Williams asked if this would include the intersection where there have been drainage issues. Mr. Ihler indicated that it would include the area north of Willow Pines.

Councilwoman Hunt moved to approve an agreement in the amount of \$324,420 with Guernsey Engineers, Architects and Consultants, for professional engineering services for the design of the SW 34th Street Widening and Reconstruction Project from I-35 to Broadway Avenue (RFP No. 1900-14); authorize them to proceed with the Study and Report Phase; and authorize the Mayor and City Clerk to execute the agreement, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER AUTHORIZING STAFF TO SOLICIT BIDS FOR THE RESURFACING OF THE LOBBY FLOORS AT THE STATION RECREATION FACILITY.

Chris Villani, Acting Parks and Recreation Director, requested authorization to solicit bids for the budgeted resurfacing of the lobby and the east and west corridors of The Station recreation facility. Mr. Villani stated that the current lobby floor was concrete and developed stains, cracks, and chips since construction. He stated that staff would propose installing ceramic tile that would match the existing floor color.

Councilman Webb moved to authorize staff to solicit bids for the resurfacing of the lobby floors at The Station Recreation Facility, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF A 2020 FORD F-250 ¾ TON CREW CAB TRUCK (MODEL W2A) FOR THE STREET DEPARTMENT FROM BILL KNIGHT FORD OFF STATE CONTRACT NO. SW035 IN THE AMOUNT OF \$31,596.

Richard Sandefur, Public Works Director, stated that the proposed 2020 Ford F-250 truck would replace a 2002 truck with 110,000 miles on it. Mr. Sandefur indicated vehicles being replaced is taken to Fleet Maintenance for repair and placement in the motor pool or held for public action.

Councilman Blair moved to authorize the budgeted purchase of a 2020 Ford F-250 ¾ ton Crew Cab truck (Model W2A) for the Street Department from Bill Knight Ford off State Contract No. SW035 in the amount of \$31,596, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF A 2020 FORD F-250 ¾ TON EXTRA CAB TRUCK (MODEL X2A) FOR THE STREET DEPARTMENT FROM BILL KNIGHT FORD OFF STATE CONTRACT NO. SW035 IN THE AMOUNT OF \$31,344.

Richard Sandefur, Public Works Director, indicated that the item was for purchase of a 2020 Ford F-250 to replace a 2002 truck. Mr. Sandefur stated that this vehicle was a different model than the one previously approved under Agenda Item No. 6.

Councilman Blair moved to authorize the budgeted purchase of a 2020 Ford F-250 ¾ ton Extra Cab truck (Model X2A) for the Street Department from Bill Knight Ford off State Contract No. SW035 in the amount of \$ 31,344, 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 FIVE (5) IN-CAR VIDEO SYSTEMS IN THE AMOUNT OF \$29,520 FROM COMPUTECH INTERNATIONAL D/B/A WATCHGUARD FOR NEW FORD EXPLORER SUV POLICE INTERCEPTORS FROM THE UNITED STATES GENERAL SERVICES ADMINISTRATION ("GSA") CONTRACT PURSUANT TO PART 7, SECTION 7-205(6).

Todd Strickland, Police Chief, indicated that Agenda Items No. 7-9 were companion items regarding the purchase of budgeted equipment for five new SUV police interceptors.

Councilman Williams moved to authorize the purchase of five (5) in-car video systems in the amount of \$29,520 from Computech International d/b/a Watchguard for new Ford Explorer SUV police interceptors from the United States General Services Administration ("GSA") contract pursuant to Part 7, Section 7-205(6), second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AUTHORIZING THE PURCHASE OF FIVE (5) MOBILE PATROL RADIOS IN THE AMOUNT OF \$17,341.25 FROM MOTOROLA SOLUTIONS, INC. FOR NEW FORD EXPLORER SUV POLICE INTERCEPTORS FROM THE UNITED STATES GENERAL SERVICES ADMINISTRATION ("GSA") CONTRACT PURSUANT TO PART 7, SECTION 7-205(6).

Councilman Williams moved to authorize the purchase of five (5) mobile patrol radios in the amount of \$17,341.25 from Motorola Solutions, Inc. for new Ford Explorer SUV police interceptors from the United States General Services Administration ("GSA") contract pursuant to Part 7, Section 7-205(6), second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER THE PURCHASE OF INTERIOR AND EXTERIOR PARTS FOR NEW FORD EXPLORER SUV POLICE INTERCEPTORS IN THE AMOUNT OF \$15,135 FROM FLEET SAFETY EQUIPMENT, INC. D/B/A DANA SAFETY SUPPLY AS THE LOWEST OF THREE WRITTEN QUOTES.

Todd Strickland, Police Chief, advised that this purchase was for light bars to equip five new SUV police interceptors.

Councilman Webb moved to approve the purchase of interior and exterior parts for new Ford Explorer SUV police interceptors in the amount of \$15,135 from Fleet Safety Equipment, Inc. d/b/a Dana Safety Supply as the lowest of three written quotes, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER AUTHORIZING A CONTRACT EXTENSION WITH MESHEK & ASSOCIATES FOR ENGINEERING SERVICES ON THE LITTLE RIVER PARK DRAINAGE IMPROVEMENTS PROJECT IN THE ESTIMATED AMOUNT OF \$15,546.20 USING CDBG-DR FUNDS.

Kahley Gilbert, Project-Grants Manager (Capital Planning & Resiliency), advised that in September 2015 a three-year contract was approved with Meshek & Associates for the engineering of various CDBG-DR projects. The contract expired in September 2019. Meshek engineered the Little River Park Drainage Improvements originally estimated to be completed by summer 2019. However, due to weather delays

the completion date was now estimated to be December 2019. Staff was requesting approval of a new contract with Meshek for completion of the project.

Councilman Williams asked if the money was carried over from last fiscal year. Ms. Gilbert indicated that this was remaining CDBG-DR funds for the project from last fiscal year.

Councilman Williams moved to authorize a contract extension with Meshek & Associates for engineering services on the Little River Park Drainage Improvements project in the estimated amount of \$15,546.20 using CDBG-DR funds, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER ADOPTING RESOLUTION NO. 935(19) CALLING FOR AND SETTING THE DATES FOR THE MUNICIPAL ELECTIONS FOR THE YEAR 2020, AS PROVIDED IN THE CITY CHARTER; SPECIFYING THE OFFICERS TO BE ELECTED; PROVIDING FOR QUALIFICATIONS OF CANDIDATES; DESIGNATING WHICH OFFICES SHALL BE FILLED BY WARD; PROVIDING FOR NON-PARTISAN ELECTION; PROVIDING FOR RESIDENCY REQUIREMENTS; DIRECTING THAT A COPY OF SAID RESOLUTION BE FORWARDED TO THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD AS REQUIRED BY STATE LAW; AND PROVIDING THAT A COPY OF THE RESOLUTION BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY.

Brooks Mitchell, City Manager, stated that Resolution No. 935(19) sets the election dates for the 2020 municipal elections for the office of mayor and one council member from each of the three wards. The resolution sets the election date for February 11, 2020 with a filing period of December 2-4, 2019.

Councilman Williams moved to adopt Resolution No. 935(19) calling for and setting the dates for the municipal elections for the year 2020, as provided in the City Charter; specifying the officers to be elected; providing for qualifications of candidates; designating which offices shall be filled by ward; providing for non-partisan election; providing for residency requirements; directing that a copy of said resolution be forwarded to the Secretary of the Cleveland County Election Board as required by state law; and providing that a copy of the resolution be published in a newspaper of general circulation in the City, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER ADOPTING RESOLUTION NO. 936(19) FINDING THAT ONE OR MORE BLIGHTED AREAS EXIST WITHIN THE CORPORATE BOUNDARIES; FINDING THE REHABILITATION, CONSERVATION, REDEVELOPMENT OR A COMBINATION THEREOF IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE RESIDENTS; AND DETERMINING THAT THE EXERCISE OF THE POWERS GRANTED BY THE OKLAHOMA URBAN RENEWAL LAW, 11 O.S. §38-101, ET SEQ., IS IN THE PUBLIC INTEREST; ELECTING THAT THOSE POWERS BE EXERCISED BY THE MOORE URBAN RENEWAL AUTHORITY; AND AUTHORIZING THE MAYOR TO APPOINT A BOARD OF COMMISSIONERS FOR THE MOORE URBAN RENEWAL AUTHORITY.

Brooks Mitchell, City Manager, stated that approval of Resolution No. 936(19) would create the Urban Renewal Authority as described by Emily Pomeroy with the Center for Economic Development Law at the October 21, 2019 City Council Meeting. Mr. Mitchell indicated that he would submit a list of names to be considered by the City Council as members on the Board of Commissioners. Mr. Mitchell added that appointments could be made at a future meeting. He advised that Ms. Pomeroy was in attendance and available to answer any questions.

Councilman Hamm indicated that he some names he would like to add to the list for consideration. Vice-Mayor McKenzie asked how many members would be on the Board of Commissioners. Mr. Mitchell indicated that the Board would be comprised of five members.

Councilman Hamm moved to adopt Resolution No. 936(19) finding that one or more blighted areas exist within the corporate boundaries; finding the rehabilitation, conservation, redevelopment or a combination thereof is necessary in the interest of the public health, safety and welfare of the residents; and determining that the exercise of the powers granted by the Oklahoma Urban Renewal Law, 11 O.S. §38-101, et seq., is in the public interest; electing that those powers be exercised by the Moore Urban Renewal Authority; and authorizing the Mayor to appoint a Board of Commissioners for the Moore Urban Renewal Authority, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER APPROVAL OF A CONTRACT WITH OPENEDGE TO PROVIDE CREDIT CARD PROCESSING SERVICES.

Brooks Mitchell, City Manager, asked that the item be tabled at the request of staff. The contract with OpenEdge was just received and must be reviewed prior to consideration by the City Council.

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

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

Agenda Item Number 14 being:

CONSIDER APPROVAL OF A REVISED JOB DESCRIPTION FOR THE POSITION OF UTILITY BILLING CLERK TO UTILITY BILLING SPECIALIST, AND APPROVE PLACEMENT IN PAY GRADE 107 OF THE CITY'S SALARY TABLE APPROVED BY CITY COUNCIL ON JUNE 20, 2016 (EFFECTIVE JULY 1, 2016).

Christine Jolly, Human Resources Director, stated that the Finance Department was requesting approval of revisions to the Utility Billing Clerk job description. Ms. Jolly advised that when Denise Simpson retired from that position in May 2019 the department outsourced some of the job duties and assigned others to staff. After further review during the past six months the job description was amended and the job title changed to Utility Billing Specialist. Ms. Jolly advised that staff recommended placement of the budgeted position in pay grade 107 of the City's Salary Table.

Councilman Williams asked if this was the same pay grade as the previous position. Ms. Jolly confirmed that it was.

Councilman Williams moved to approve a revised job description for the position of Utility Billing Clerk to Utility Billing Specialist, and approve placement in Pay Grade 107 of the City's salary table approved by City Council on June 20, 2016 (effective July 1, 2016), second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 15 being:

CONSIDER ADOPTING RESOLUTION NO. 933(19) A RESOLUTION OF THE COUNCIL OF THE CITY OF MOORE, OKLAHOMA GIVING NOTICE OF THE PROPOSED ANNEXATION BY THE CITY OF MOORE OF THE PROPERTY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR THE DATE, TIME AND PLACE FOR THE PUBLIC HEARING ON THE QUESTION OF ANNEXING THE TERRITORY; PROVIDING THAT NOTICE BE PUBLISHED AND MAILED AS PROVIDED BY LAW; PROVIDING FOR THE COMPLETION OF A PLAN TO EXTEND MUNICIPAL SERVICES INTO THE ANNEXED TERRITORY; PROVIDING THAT SAID PLAN SHALL BE AVAILABLE FOR INSPECTION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Randy Brink, City Attorney, stated that approval of Resolution No. 933(19) would begin the annexation process for three properties located at Indian Hills and Sunnyslane. Mr. Brink indicated that the City recently installed a water line in the area making it feasible for the property owners currently on well water to tie into City water and obtain other City services. He advised that the property owners expressed an interest in being annexed into the City. If adopted, Resolution No. 933(19) would be published and a public hearing held before an Ordinance is considered annexing the territory. Mr. Brink stated that in order to have a boundary line all three property owners must agree to the annexation.

Councilman Webb moved to adopt Resolution No. 933(19) a resolution of the Council of the City of Moore, Oklahoma giving notice of the proposed annexation by the City of Moore of the property described in Exhibit "A"; providing for the date, time and place for the public hearing on the question of annexing the territory; providing that notice be published and mailed as provided by law; providing for the completion of a plan to extend municipal services into the annexed territory; providing that said plan shall be available for inspection; and providing for the severability thereof, second by Councilwoman Hunt. 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 6:57 P.M.

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD OCTOBER 21, 2019.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$783,808.39.

Trustee Williams 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 17 being:

CONSIDER RENEWAL OF AN ACTUARIAL SERVICES AGREEMENT WITH SELECT ACTUARIAL SERVICES FOR A PERIOD OF THREE YEARS IN THE AMOUNT OF \$9,000 PER YEAR.

Brian Miller, Risk Manager, advised that the City had contracted with Select Actuarial Services since 2001. The actuarial report was used for budgeting purposes and for preparation of financial statement notes that go into the annual audit. Mr. Miller recommended renewal of the contract with Select Actuarial with the same terms as the last contract.

Trustee Williams to approve the renewal of an Actuarial Services Agreement with Select Actuarial Services for a period of three years in the amount of \$9,000 per year, second by Trustee Blair. 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 6:59 P.M.

Agenda Item Number 18 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD OCTOBER 21, 2019.
- B) APPROVE PAYMENT OF A WORKERS' COMPENSATION SETTLEMENT AGREEMENT IN THE TOTAL AMOUNT OF \$30,000 AND REINSTATEMENT OF 559 HOURS OF SICK LEAVE WITH A GENERAL RELEASE TO ROBERT CRAIN IN EXCHANGE FOR DISMISSAL WITH PREJUDICE IN CASE NO. CM-2018-01670Q FOR CLAIM NO. 2050000657; AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$420,113.78.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:00 P.M.

Agenda Item Number 19 being:

NEW BUSINESS:

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

Jess Lair, 800 NW 34th Street, stated that he had been growing medical marijuana at his current location since obtaining an occupancy permit around July 10, 2019. He indicated that he was now wanting to expand his business into another suite in the building he was occupying and was advised by staff that any expansions or renewals would be denied based on the new laws under the Unity Bill. Mr. Lair would request an item be placed on the next agenda to discuss how the Unity Bill applied to businesses currently operating within the City. He advised that he had invested a significant amount of money in his business only to find that his next application would be denied by the State when he was found not to be in compliance with zoning requirements within the City. Vice-Mayor McKenzie asked for an explanation from staff regarding the situation. Brian Miller, Assistant City Attorney, indicated that he has a grow operation that would be grandfathered in because now he was not zoned correctly under the Unity Bill. The City would note in the Certificate of Compliance that he was in operation prior to the new law taking effect. Mr. Miller indicated his understanding that Mr. Lair could continue with his business as it currently was, but would not be able to expand his operation due to zoning regulations. Mr. Lair stated that he did not receive notice that he would be provided with a grandfather clause. Councilman Blair asked Mr. Lair if he would give staff an opportunity to research the situation further. Councilwoman Hunt asked what the appropriate zoning would be for this type of business. Mr. Lair stated that he was currently in a C-5 zoning district. The current zoning requirement was now Industrial or Agricultural.

Darrell Carnes, 2990 SE 19th, advised that he had the first cannabis license in the City. Mr. Carnes stated that he was also appearing before the City with a zoning issue. Mr. Carnes he would like to expand his dispensary business into the suite next door. He stated that they are not trying to expand the business but would have a clone nursery or a wholesale clone production and educational facility. Mr. Carnes advised that his business was in a C-5 zoning district. He said dispensaries in Oklahoma were allowed under law to sale cloned plants. Cloned plants are an immature plan that does not grow beyond a certain height and does not show signs of preflowering. He felt that small business owners need to be protected. According to City ordinances a grower must be zoned Industrial or Agricultural; however, the zoning would not allow a facility like his to operate within a retail space. He did not feel the process should require him to be in an Industrial zoning district. Mr. Carnes asked Council to review zoning as it relates to the different types of growers. He suggested a classification for growers by definition under the legislature. Cloning should be able to operate in the same zoning classification as dispensaries. Brian Miller, Assistant City Manager, asked what type of state license was required for cloning. Mr. Carnes advised that he had to have a grower's license. From that Mr. Miller determined that in order to clone he would have to be zoned as a grower. He felt that what Mr. Carnes was requesting was a subcategory under a grower who only sold clones. Councilman Williams stated that the City was simply following State law. Vice-Mayor McKenzie stated that she would be very interested in knowing what other cities were doing different from State law. She suggested that Mr. Carnes meet with City staff and provide them with this information so that everyone was more educated before having a conversation about it. Councilwoman Hunt also felt that additional information would be beneficial. Mr. Carnes stated that the City implemented a \$1,200 fee. He felt that the fee was one of the highest in the State and should be reduced. The City of Norman recently reduced their fee from \$1,250 to \$900. However, he felt that Moore had done an extraordinary job considering the lack of education that should have been provided by the Oklahoma Medical Marijuana Authority. He felt there should be a cap on fees of \$500 or \$750 to be fair to

small businesses. Vice-Mayor McKenzie indicated her recollection of the occupancy permit fee being similar to that of an occupancy permit for a liquor store.

Lyn Medford stated that he owned the shopping center where Mr. Carnes business was located. The five-acres was zoned Agricultural and was rezoned to C-5. He advised that all properties located to the north, east and west of the site were still zoned Agricultural. He would not allow a grower in his development because of the possibility of humidity creating a mold problem. However, he stated that he did not have a problem with cloning on the site.

Chance Wooldridge, 1086 Hilltop Mansion, Yukon, Oklahoma stated that he was a commercial grower in Luther, Oklahoma. Mr. Wooldridge indicated that in Luther they use a Special Use Permit for growers.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Mayor Lewis thanked Vice-Mayor McKenzie for conducting the meeting on his behalf.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, advised that another Town Hall Meeting would be held November 7, 2019 at The Station regarding the 1/8 cent sales tax. A piece was ran in the Moore American and videos are available on the City's website and Facebook page. Mr. Mitchell indicated that last week he attended a table top exercise on Civil Unrest along with Councilman Hamm, Chief Strickland, and other police and fire personnel in Norman, Oklahoma. He felt it was a good exercise.

The drainage project in the Moore Cemetery should be completed within the next two weeks weather permitting.

Mr. Mitchell advised that he attended an Interim Study at the State Capitol regarding House Bill 1032 with Elizabeth Weitman, Community Development Director, regarding the building code. He expected it to be a part of the next legislative session.

Mr. Mitchell advised that staff anticipated opening two lanes on the new 34th Street Bridge on November 15 or 16, 2019 with a grand opening a week later. He would notify Council of a more definitive date as he obtains additional information.

Vice-Mayor McKenzie expressed her appreciation to Councilman Hamm for his participation on the Red Ribbon Committee. Councilman Hamm invited some of the City Council to judge submissions. She stated that there was a huge turnout and commented that a lot of time and effort was put into the floats. Vice-Mayor McKenzie also announced that a Veterans Day ceremony would be held at Veterans Park on November 11, 2019 at 10:00 a.m.

Agenda Item Number 20 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:26 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

ADAM WEBB, MPWA Secretary

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

ATTEST:

VANESSA KEMP, City Clerk