

**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
JUNE 17, 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 June 17, 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, Hunt, Williams, Webb, Hamm
ABSENT: Blair, Lewis

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Randy Brink; Assistant City Attorney, Brian Miller; Economic Development Director, Deidre Ebrey; Community Development Director, Elizabeth Weitman; Fire Chief, Greg Herbster; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Human Resources Director, Christine Jolly; Police Chief, Jerry Stillings; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; Administrative Assistant, Katlin Wallace; 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 JUNE 3, 2019.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL BUDGET STUDY SESSION HELD MAY 28, 2019.
- C) RECEIVE THE MINUTES OF THE PARKS BOARD MEETING HELD MAY 7, 2019.
- D) APPROVE AN INTERLOCAL AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS FOR CLEVELAND COUNTY FOR GRADING, DRAINAGE, AND HARD SURFACING OF CERTAIN STREETS WITHIN THE CITY.
- E) APPROVE THE REAPPOINTMENT OF EDDIE VICKERS AND SID PORTER TO THE PARKS BOARD FOR THREE-YEAR TERMS.
- F) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$2,882,838.65.

Councilman Hamm asked if the Parks Board openings were advertised to the public. Councilman Williams indicated that it was normal procedure for individuals serving on the Parks Board to be considered for reappointment when their terms were over if they wished to continue in that capacity.

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

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

Agenda Item Number 3 being:

CONSIDER RENEWAL OF A CONTRACT WITH THE CENTRAL OKLAHOMA TRANSPORTATION AND PARKING AUTHORITY (“COTPA”) D/B/A EMBARK TO PROVIDE NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES FOR SENIORS FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2020; AND APPROVE MATCHING FUNDS IN THE AMOUNT OF \$15,000.

Brooks Mitchell, City Manager, advised the proposed contract was for renewal of a long-standing agreement with the Central Oklahoma Transportation and Parking Authority (“COTPA”) to provide senior citizens transportation for non-emergency services. Councilman Williams asked if this was a budgeted item. Mr. Mitchell indicated that it was.

Councilman Hamm moved to renew a contract with the Central Oklahoma Transportation and Parking Authority (“COTPA”) d/b/a EMBARK to provide non-emergency medical transportation services for seniors for the period of July 1, 2019 to June 30, 2020; and approve matching funds in the amount of \$15,000, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF A REVISED SALES TAX REBATE AGREEMENT WITH BLEUCIEL OF OKLAHOMA, LLC.

Brooks Mitchell, City Manager, advised that a Sales Tax Rebate Agreement with BleuCiel was first approved by the City Council in December 2018. Since that time the Ulta lessee requested wording changes to the agreement to assist them with the reporting of sales tax to the Oklahoma Tax Commission. Attorney John Weidman was asked to review the contract on our behalf and determined that the changes would not affect the terms of the agreement with the City. Mr. Mitchell recommended approval of the item.

Councilwoman Hunt moved to approve a revised Sales Tax Rebate Agreement with BleuCiel of Oklahoma, LLC, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER RENEWAL OF A CONTRACT WITH APOLLO BUILDING SYSTEMS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020.

Jerry Ihler, Assistant City Manager, advised that the item was for renewal of a contract with Apollo Building Systems, Inc. for construction management services. Mr. Ihler indicated that the contract included a flat fee of 10% of the overall total contract costs. Staff recommended approval of the item.

Councilman Williams asked what types of projects Apollo worked on with the City. Mr. Ihler indicated that they have historically handled vertical projects such as construction of the new Fire Stations and Emergency Operations Center.

Councilman Williams moved to renew a contract with Apollo Building Systems, Inc. for construction management services beginning July 1, 2019 and ending June 30, 2020, second by Councilman Hamm. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AUTHORIZING STAFF TO NEGOTIATE AN AGREEMENT WITH GARVER FOR ENGINEERING DESIGN FEES AND SCOPE OF SERVICE ON THE EASTERN AVENUE RECONSTRUCTION PROJECT FROM NE 12TH STREET TO SE 19TH STREET (RFP NO. 1900-15).

Jerry Ihler, Assistant City Manager, stated that the funding source for the Eastern Avenue Reconstruction Project from NE 12th to SE 19th was the 2018 General Obligation bonds. Mr. Ihler advised that in April 2019 the City submitted RFPs to approximately 45 engineering firms and received 19 responses. He stated that a committee comprised of himself, Elizabeth Weitman, Community Development Director and Richard Sandefur, Public Works Director reviewed the responses. Mr. Ihler stated that each proposal was reviewed by the committee members individually and scored based on the firms' response to the RFP. It was determined that Garver was the firm that received the highest score. Mr. Ihler stated that staff was requesting authorizing to negotiate an agreement for engineering design fees and scope of service with Garver on the proposed project.

Councilman Williams asked if the City had used Garver before. Mr. Ihler advised that the City was using Garver for bridge inspections through ODOT. Councilwoman Hunt commented that Garver was a good firm.

Councilman Webb moved to authorize staff to negotiate an agreement with Garver for engineering design fees and scope of service on the Eastern Avenue Reconstruction Project from NE 12th Street to SE 19th Street (RFP No. 1900-15), second by Councilman Williams. Motion carried unanimously.

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

Councilman Hamm asked when construction would begin on the project. Mr. Ihler stated that a proposed contract would be presented to the City Council within a month. Once the contract was approved Garver could begin work immediately. He noted that the two-mile project was not a typical street widening project since some areas needed only rehab while others required total reconstruction. Councilwoman Hunt stated that Council would like to be a part of the design process or receive status reports as the project progresses. Mr. Ihler indicated a report could be given to the City Council following the study and report phase which would provide very preliminary cost estimates, the different types of construction, and how traffic efficiency could be improved with turn lanes.

Agenda Item Number 7 being:

CONSIDER APPROVAL OF AN AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF CLEVELAND COUNTY, THE CITY OF MOORE, AND THE CITY OF OKLAHOMA CITY FOR PROJECT NO. PJ-CL-0058 REGARDING THE RESURFACING OF S. SUNNYLANE ROAD FROM NE 12TH STREET TO ½ MILE SOUTH OF SE 19TH STREET; AND AUTHORIZE PAYMENT OF THE CITY'S SHARE IN THE AMOUNT OF \$250,000.

Jerry Ihler, Assistant City Manager, advised that the proposed agreement was between the City of Moore, Cleveland County, and the City of Oklahoma City. Mr. Ihler stated that Cleveland County would be providing the labor and improvements on the S. Sunnyslane project from NE 12th to approximately one-half mile south of SE 19th Street. The County would mill one to two inches of the roadway, repair any base failures, and provide an oil chip seal over the existing subbase with a two inch overlay. Oklahoma City estimated the total cost of the project to be around \$500,000. He advised that the City of Moore's share of that would be \$250,000.

Mr. Ihler noted that another item would be presented at the July 1, 2019 City Council Meeting that would address the ½ mile section of roadway from where this project would leave off to SE 34th Street. Mr. Ihler advised that it would be under a separate agreement since Oklahoma City was not part of the second project. He stated that Cleveland County would do the entire project at one time beginning August 1, 2019. Weather permitting it should take around one month to complete construction.

Councilman Williams asked if this was a budgeted item. Mr. Ihler advised that the project would be funded using Transportation Impact Fees.

Councilman Hamm inquired about the possibility of including traffic lights at SE 12th and Sunnyslane. Mr. Ihler stated that it was not a part of this project. Councilman Hamm suggested that the intersection be submitted to ACOG for consideration as a federally funded project.

Councilman Hamm asked Brooks Mitchell, City Manager, if he had checked into the possibility of acquiring right-of-way along NE 12th from Bryant to Sunnyslane. He felt that the two-lane roadway would eventually need to become a four-lane roadway. He expressed concern that residential homes constructed along NE 12th Street might make a street widening project more difficult. Mr. Mitchell stated that this particular street project was planned for the future to allow time to identify a funding source. However, he stated that the issue would be addressed as soon as possible.

Vice-Mayor McKenzie asked if there was any flexibility in scheduling the street project so that the construction in front of Timber Creek Elementary School was completed prior to the start of school to prevent additional traffic problems. Mr. Ihler stated that he would discuss the issue with Cleveland County.

Councilman Webb moved to approve an agreement with the Board of County Commissioners of Cleveland County, the City of Moore, and the City of Oklahoma City for Project No. PJ-CL-0058 regarding the resurfacing of S. Sunnyside Road from NE 12th Street to ½ mile south of SE 19th Street; and authorize payment of the City's share in the amount of \$250,000, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AWARDED BID NO. 1900-13 "LITTLE RIVER PARK DRAINAGE IMPROVEMENTS FENCING" TO COOKS FENCE AND IRON COMPANY, INC. IN THE AMOUNT OF \$205,805.00 AS THE LOWEST AND MOST RESPONSIBLE BIDDER; AND APPROVE CONTRACT FOR SAME.

Kahley Gilbert, Project-Grants Manager - Capital Planning and Resiliency, advised that the City received five responses to the Little River Park Drainage Improvements Fencing. Ms. Gilbert indicated that upon closer review staff identified problems with the warranties and was requesting Council to reject all bids and authorize the item to be rebid.

Councilman Williams moved to reject bids received on Bid No. 1900-13 "Little River Park Drainage Improvements Fencing", second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER AWARDED RFP NO. 1900-06 "OLD TOWN TRAIN DEPOT - ARTIST IN RESIDENCE" TO MARIA CHAVERRI; AND APPROVE CONTRACT FOR SAME.

Kahley Gilbert, Project-Grants Manager - Capital Planning and Resiliency, advised that a Request for Qualifications was solicited on March 14, 2019 for an Artist in Residence which was included in the Old Town Park plan approved in September 2018. Ms. Gilbert stated that The City received six responses which were reviewed by the Old Town Park Committee. Two semi-finalists were selected and interviews were held on May 30, 2019. The committee scored the finalists and recommended Maria Chaverri as the first Old Town Park Artist in Residence. Ms. Gilbert advised that Ms. Chaverri's primary media was photography and that she had over a decade of experience in fine arts. She stated that while the park was under construction Ms. Chaverri would be teaching classes at The Station and would attend some special events until the Old Town Park opens sometime in the spring.

Ms. Gilbert stated that the residency would begin April 1, 2020 and would end March 31, 2021. During the residency she would attend the Arts and Crafts Market Place event at Central Park and Haunt Old Town. While the park was under construction Ms. Chaverri would be paid using budgeted funds from The Station. Once she takes up residency at the depot she would be paid \$550 a month to be funded using rent collected from the future coffee shop that would be located on the other side of the depot. She added that the City would receive a 10% commission on all art sold on City property and the Artist in

Residence would donate one piece of art to the City. Ms. Gilbert advised that Ms. Chaverri was in attendance at the meeting and brought some of her artwork for Council to view.

Vice-Mayor McKenzie stated that she and Councilman Hamm sat on the Old Town Park Committee. She felt that both of the semi-finalists were amazing and the City would be fortunate to have either artist. Vice-Mayor McKenzie thanked Ms. Chaverri for attending the meeting and for her interest in being the first Artist in Residence.

Councilman Webb moved to approve awarding RFP No. 1900-06 “Old Town Train Depot - Artist in Residence” to Maria Chaverri; and approve contract for same, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER AUTHORIZING PAYMENT OF \$34,900.64 TO THE OKLAHOMA MUNICIPAL LEAGUE FOR FY 2020 MEMBERSHIP FEES WITH \$17,450.32 TO BE PAID JULY 2019 AND \$17,450.32 TO BE PAID JANUARY 2020.

Betty Koehn, Finance Director, stated that the City of Moore had been a member of the Oklahoma Municipal League (“OML”) for twenty years. Ms. Koehn commented that OML represents cities at the State Capitol and provides training and publications that benefit municipalities. Staff requested approval of the item.

Councilman Hamm moved to authorize payment of \$34,900.64 to the Oklahoma Municipal League for FY 2020 membership fees with \$17,450.32 to be paid July 2019 and \$17,450.32 to be paid January 2020, second by Councilman Williams. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT APPROXIMATELY 6:53 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JUNE 3, 2019.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL BUDGET STUDY SESSION HELD MAY 28, 2019.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$807,154.71.

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

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

Agenda Item Number 12 being:

CONSIDER APPROVAL OF A CONTRACT WITH PRESORT FIRST CLASS FOR THE PRINTING, STUFFING, AND MAILING OF CITY UTILITY BILLS IN THE AMOUNT OF \$0.109 PER PIECE.

Betty Koehn, Finance Director, advised that job duties related to generating utility bills and coordinating with Veolia on meter readings were transferred to the Head Cashier in Customer Service upon the recent retirement of the City's part-time Utility Billing Clerk. However, it was staff's opinion that it would be more cost efficient to utilize a third-party for the printing, stuffing, and mailing of the utility bills. Ms. Koehn, indicated that three written quotes were obtained. The lowest quote was from Presort First Class at .109 cents per piece. She advised that utilizing the services of Presort First Class would result in a cost savings to the City of approximately \$19,000 a year.

Trustee Williams moved to approve a contract with Presort First Class for the printing, stuffing, and mailing of City utility bills in the amount of \$0.109 per piece, second by Trustee Hunt. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT APPROXIMATELY 6:56 P.M.

Agenda Item Number 13 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JUNE 3, 2019.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL BUDGET STUDY SESSION HELD MAY 28, 2019.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$169,284.14.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH COUNCILMAN ADAM WEBB PRESIDING AT 6:57 P.M.

Agenda Item Number 14 being:

ROLL CALL

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

Agenda Item Number 15 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE EMERGENCY MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD MAY 21, 2019.
- B) RECEIVE AND APPROVE THE MINUTES OF THE SPECIAL BUDGET STUDY SESSION HELD MAY 28, 2019.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:59 P.M.

Agenda Item Number 16 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.

There were no items from the City Council/Trustees.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Mr. Mitchell advised that he had recently met with a private recycling company and obtained some information on curbside recycling costs. Mr. Mitchell indicated that he would also be meeting with Republic to discuss a second recycling location. He stated that he would present his findings in a report to the City Council. Mr. Mitchell advised that there had been several requests for a big trash pickup due to recent storm damage. He announced that employees would be working overtime on Fridays to pick up storm debris that had been scheduled for pick up. He noted that additional overtime might be necessary to make up for the resulting backlog of regularly scheduled pickups. Mr. Mitchell advised that the dispatch software approved by the City Council last fall was scheduled to go live on June 20, 2019.

Agenda Item Number 17 being:

EXECUTIVE SESSION:

- A) CONSIDER APPROVAL OF THE FISCAL YEAR 2018-2019 CONTRACT BETWEEN THE CITY OF MOORE AND THE FRATERNAL ORDER OF POLICE (“FOP”) LODGE 131 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

Randy Brink, City Attorney noted that a typo existed in the executive session language. He asked that a motion be made to amend the item to read approval of the FY “2019-2020” contract instead of the FY 2018-2019 contract.

Councilman Webb moved to amend the language in Agenda Item No. 17A to read approval of the FY 2019-2020 F.O.P. contract, second by Councilman Hamm. Motion carried unanimously.

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

- B) CONVENE INTO EXECUTIVE SESSION

Councilman Webb moved to convene to executive session, second by Councilman Hamm. Motion carried unanimously.

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

The City Council convened into executive session at 7:02 p.m.

- C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:12 p.m.

- D) ACTION.

- A) CONSIDER APPROVAL OF THE FISCAL YEAR 2019-2020 CONTRACT BETWEEN THE CITY OF MOORE AND THE FRATERNAL ORDER OF POLICE (“FOP”) LODGE 131 AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(2).

Councilman Williams moved to approve the Fiscal Year 2019-2020 contract between the City of Moore and the Fraternal Order of Police (“FOP”) Lodge 131 as authorized by 25 Okla. Stat. § 307(B)(2), second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 18 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:15 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