

**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  
AUGUST 19, 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 August 19, 2019 at 6:30 p.m. with Mayor Glenn Lewis presiding.

*Adam Webb*  
*Councilman, Ward I*

*Danielle McKenzie*  
*Councilwoman, Ward I*

*Melissa Hunt*  
*Councilwoman, Ward II*

*Mark Hamm*  
*Councilman, Ward II*

*Jason Blair*  
*Councilman, Ward III*

*Louie Williams*  
*Councilman, Ward III*

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

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Randy Brink; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; Economic Development Director, Deidre Ebrey; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief, Greg Herbster; Manager of Information Technology, David Thompson; Acting Parks and Recreation Director, Chris Villani; Networking Technician, Thomas Farrar; PC/IT Technician, Zane Gruver; Police Chief, Jerry Stillings; Police Sergeant, Becky 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 AUGUST 5, 2019.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD JUNE 4, 2019.
- C) RENEW EXISTING INTERGOVERNMENTAL AGREEMENT FOR REGIONAL HOUSEHOLD HAZARDOUS WASTE COLLECTION AND MANAGEMENT WITH THE CITY OF OKLAHOMA CITY.
- D) ACCEPT PUBLIC WATER AND SEWER IMPROVEMENTS TO SERVE THE RIVERWALK COMMERCIAL PARK ADDITION, SECTION 14, LOCATED IN THE NW/4 OF SECTION 26, T10N, R3W, BEING SOUTH OF SW 25<sup>TH</sup> STREET AND EAST OF TELEPHONE ROAD. APPLICATION BY WESTERN FARMERS ELECTRIC.
- E) APPROVE AN AMENDMENT TO THE ON-DEMAND CONSTRUCTION CONTRACT WITH SILVER STAR CONSTRUCTION.

- F) APPROVE AN AMENDMENT TO THE ON-DEMAND CONSTRUCTION CONTRACT WITH RUDY CONSTRUCTION.
- G) APPROVE AN AMENDMENT TO THE ON-DEMAND CONSTRUCTION CONTRACT WITH CIMARRON CONSTRUCTION.
- H) APPROVE MEMBERSHIP RENEWAL WITH THE OKLAHOMA MUNICIPAL MANAGEMENT SERVICES IN THE AMOUNT OF \$5,000.
- I) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$1,135,721.57 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$3,933,749.30.

**Councilwoman Hunt 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  
Absent: McKenzie

**Agenda Item Number 3 being:**

CONSIDER APPROVAL OF A FY 19-20 BUDGET SUPPLEMENT TO BUDGET ADDITIONAL EXPENSES FROM TECHNOLOGY FEES.

Betty Koehn, Finance Director, stated that the FY 20 general fund budget contained the purchase of tickers writers for the Police, Animal Control and Code Enforcement departments using technology fee revenues. Staff updated the quotes used for budgeting purposes and discovered there had been an increase in costs in the amount of \$7,259. Ms. Koehn indicated that there was adequate funding in the technology fee cash account to cover the increase. She added that the only other budgeted item to be funded from this account was the purchase of 16 computers for Municipal Court in the amount of \$28,800.

**Councilman Williams moved to approve a FY 19-20 budget supplement to budget additional expenses from technology fees; second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER APPROVAL OF ENGINEERING DESIGN FEES IN THE AMOUNT OF \$61,300 WITH WATERS EDGE AQUATIC DESIGN, LLC FOR DESIGN OF THE AQUATIC CENTER EXPANSION.

Chris Villani, Acting Parks and Recreation Director, stated that this item was for approval of engineering design fees for the expansion of the Aquatic Center. Mr. Villani indicated that the total cost of the proposed expansion was discussed and approved during the budget process. He advised that once the plans were complete an item would be placed on the agenda for approval of the remainder of the project.

**Councilman Webb moved to approve engineering design fees in the amount of \$61,300 with Waters Edge Aquatic Design, LLC for design of the Aquatic Center expansion, second by Councilman Williams. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER THE NOMINATION AND APPOINTMENT OF THREE MEMBERS OF THE CITY COUNCIL TO INTERVIEW APPLICANTS FOR THE VACANT PLANNING COMMISSION SEAT.

Councilman Blair nominated Councilmembers Hamm, Williams, and McKenzie to interview applicants for the vacant Planning Commission seat. There were no other nominations.

**Councilman Blair moved to appoint Councilmembers Hamm, Williams, and McKenzie to interview applicants to fill the vacant Planning Commission seat, second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER AN AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) POLICIES AND PROCEDURES MANUAL.

Kahley Gilbert, Project-Grants Manager, stated that on August 5, 2019 the City Council approved Ordinance No. 919(19) adopting the 2015 International Property Maintenance Code with local amendments. The Code established minimum property maintenance requirements for multi-family dwelling structures. Ms. Gilbert stated that the ordinance was added as a policy to the Multi-Family Maintenance and Operations Appendix of the CDBG Policies and Procedures Manual specifically for The Curve. She advised that City staff would be monitoring compliance of the property maintenance requirements on an annual basis. Check list items included sidewalks, parking lots, overhangs, handrails, windows, and defacement of property. They would also check to see if the siding and masonry joints were maintained for weather resistance and see if there was any evidence of structural, roofing, or flooring deterioration. Ms. Gilbert advised that the manual also included HUD's recommendation to have all CDBG-DR policies and procedures in its own appendix instead of incorporated throughout the CDBG policies and procedures manual.

**Councilman Williams moved to approve an amendment to the Community Development Block Grant (“CDBG”) policies and procedures manual, second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 7 being:**

CONSIDER AWARDING BID NO. 1900-20 “LITTLE RIVER PARK DRAINAGE IMPROVEMENTS FENCING” TO MARSHALL FENCE IN THE AMOUNT OF \$205,972.00 AS THE LOWEST AND MOST RESPONSIBLE BIDDER; AND APPROVE CONTRACT FOR SAME.

Kahley Gilbert, Project-Grants Manager, stated that trails would be constructed on the east and west sides of the Little River Park drainage channel. Because the trails run along a new retaining wall that lines the channel it was determined that a 4' fence, running approximately ½ mile on each side of the channel, should be erected as a safety barrier.

Ms. Gilbert advised that bids were solicited on June 26, 2019 for the Little River Park Drainage Improvements Fencing. Eight bids were received on July 29, 2019 with the lowest and most responsible bid submitted by Marshall Fence in the amount of \$205,972. Ms. Gilbert advised that the fencing would be funded using CDBG-DR funds.

**Councilman Blair moved to award Bid No. 1900-20 "Little River Park Drainage Improvements Fencing" to Marshall Fence in the amount of \$205,972.00 as the lowest and most responsible bidder; and approve contract for same, second by Councilman Williams. Motion carried unanimously.**

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

**Agenda Item Number 8 being:**

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF TEN REPLACEMENT HANDHELD ELECTRONIC TICKET WRITERS FOR THE POLICE DEPARTMENT AND NEW ELECTRONIC TICKET WRITERS FOR ANIMAL CONTROL AND CODE ENFORCEMENT FROM TYLER TECHNOLOGIES AS A SOLE SOURCE PROVIDER IN THE AMOUNT OF \$40,859.

David Thompson, Manager of Information Technology, stated that staff was requesting replacement of electronic ticket writers for the Police Department that were approximately nine years old. Mr. Thompson indicated that staff would also request authorization to purchase new software for Animal Control and Code Enforcement that would allow citations to be downloaded directly into Courts instead of handwriting the citations.

**Councilwoman Hunt moved to authorize the budgeted purchase of ten replacement handheld electronic ticket writers for the Police Department and new electronic ticket writers for Animal Control and Code Enforcement from Tyler Technologies as a sole source provider in the amount of \$40,859, second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 9 being:**

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF A BACKUP APPLIANCE FROM PRESIDIO NETWORKED SOLUTIONS IN THE AMOUNT OF \$24,110.07.

David Thompson, Manager of Information Technology, stated that the proposed item was for the upgrade of the current backup appliance in order to double the amount of storage space. Councilman Williams

asked if the unit was housed on the premises. Mr. Thompson indicated that it was located on-site and replicated off-site.

**Councilman Williams moved to authorize the budgeted purchase of a backup appliance from Presidio Networked Solutions in the amount of \$24,110.07, second by Councilwoman Hunt. Motion carried unanimously.**

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

**Agenda Item Number 10 being:**

CONSIDER AUTHORIZING STAFF TO NEGOTIATE AN AGREEMENT WITH GUERNSEY ENGINEERS, ARCHITECTS AND CONSULTANTS, FOR ENGINEERING DESIGN FEES AND SCOPE OF SERVICE ON THE SW 34TH STREET WIDENING AND RECONSTRUCTION PROJECT FROM I-35 TO BROADWAY AVENUE (RFP NO. 1900-14).

Jerry Ihler, Assistant City Manager, stated that the street widening project for SW 34<sup>th</sup> Street from I-35 to Broadway was to help alleviate traffic congestion anticipated to occur following the opening of the SW 34<sup>th</sup> Street Bridge in early to mid-October 2019. Mr. Ihler estimated that the bridge would increase traffic in the area from approximately 900 cars per day to around 9,000 to 10,000 cars per day. He advised that staff submitted a solicitation for proposals for design of the street widening project and received 19 responses from consulting engineers on May 17, 2019. The responses were reviewed individually and scored by him, Public Works Director Richard Sandefur, and Community Development Director Elizabeth Weitman. The final ranking of the firms was submitted to the City Council for their information. Mr. Ihler stated that staff was requesting authorization to negotiate an agreement with Guernsey who received the highest score for their proposal. Mr. Ihler advised that around \$300,000 was available in the FY 19-20 contingency fund. Although he did not feel this amount would fund the entire project he felt it would be enough to gather the necessary engineering to submit the project to ACOG for consideration of funding. He also felt that staff could move forward with the study and report phase, and possibly the surveying portion of the project, which would take around 110 to 120 days. This would allow time to locate another funding source.

Councilman Hamm asked if the project would be four-lane and include turn lanes and traffic signals. Mr. Ihler stated that those issues have not yet been determined. He felt that some areas would need to be five lanes such as the intersections at Broadway and Eastern, and that traffic signals were anticipated at both intersections.

Councilman Williams asked if there was a cost estimate for the design portion of the project. Mr. Ihler projected the total cost to be around \$300,000 to \$350,000. The study and report phase and maybe the surveying phase would be around a third of that amount.

**Councilman Williams moved to authorize staff to negotiate an agreement with Guernsey Engineers, Architects and Consultants, for engineering design fees and scope of service on the SW 34th Street Widening and Reconstruction Project from I-35 to Broadway Avenue (RFP No. 1900-14), second by Councilman Blair. Motion carried unanimously.**

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

**Agenda Item Number 11 being:**

CONSIDER APPROVAL OF AN AGREEMENT IN THE AMOUNT OF \$360,040 WITH FREESE AND NICHOLS, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF NE 12TH STREET FROM I-35 TO EASTERN AVENUE; AND AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT.

Jerry Ihler, Assistant City Manager, advised that the City Council authorized staff at the July 1, 2019 City Council Meeting to negotiate an agreement with Freese and Nichols for design of NE 12<sup>th</sup> Street from I-35 to Eastern Avenue. Mr. Ihler stated that the total budget for the project would be around \$3.93 million. The proposed agreement included engineering fees in the amount of \$360,040 which is around the 8% to 10% figure that is generally expected. He advised that the fixed general service fees would be \$285,120 and special services would be an additional \$75,000. He added that the funding source for the project would be the 2019 G.O. Bonds.

Councilman Williams asked if the project would be a full replacement of the roadway. Mr. Ihler felt it would be similar to Eastern Avenue with a combination of new construction and rehabilitation.

Councilman Hamm asked if the project included sidewalks. Mr. Ihler stated that they would be looking at a 10' wide combination trail/sidewalk along one side of the roadway.

**Councilman Williams moved to approve an agreement in the amount of \$360,040 with Freese and Nichols, Inc. for professional engineering services for the design of NE 12th Street from I-35 to Eastern Avenue; and authorize the Mayor and City Clerk to execute the agreement, second by Councilwoman Hunt. Motion carried unanimously.**

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

**Addendum Item Number 11.1 being:**

CONSIDER APPROVAL OF A UTILITY RELOCATION AGREEMENT WITH OKLAHOMA GAS GATHERING, LLC FOR THE LOWERING OF AN 8" GAS LINE ENCOUNTERED ON THE SW 34<sup>TH</sup> STREET WIDENING PROJECT FROM TELEPHONE ROAD TO SANTA FE AVENUE IN THE ESTIMATED AMOUNT OF \$19,354 AS THE CITY'S 50% SHARE OF THE COST

Jerry Ihler, Assistant City Manager, stated that during the construction of the street widening project on SW 34<sup>th</sup> Street between Telephone Road and Santa Fe Avenue, an 8" gas line owned and operated by Oklahoma Gas Gathering was discovered. The conflict was between their 8" gas line and the City's 24" storm sewer. Staff looked at options to relocate the storm sewer but could not find a workable solution. Therefore, staff was requesting Oklahoma Gas Gathering to lower their line. The cost of the project would be divided between the City and Oklahoma Gas Gathering with the City's share being \$19,354.

**Councilman Blair moved to approve a Utility Relocation Agreement with Oklahoma Gas Gathering, LLC for the lowering of an 8" gas line encountered on the SW 34<sup>th</sup> Street widening project from Telephone Road to Santa Fe Avenue in the estimated amount of \$19,354 as the City's 50% share of the cost, second by Councilman Webb. Motion carried unanimously.**

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

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

**Agenda Item Number 12 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 5, 2019.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$123,009.78 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$455,087.80.

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

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

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

**Agenda Item Number 13 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 5, 2019.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2018-2019 IN THE AMOUNT OF \$282,753.84.

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

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

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH COUNCILMAN LOUIE WILLIAMS PRESIDING AT 6:53 P.M.**

**Agenda Item Number 14 being:**

ROLL CALL

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

**Agenda Item Number 15 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JULY 15, 2019.

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

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

**THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 6:54 P.M.**

**Agenda Item Number 16 being:**

NEW BUSINESS:

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

Rodney Floyd, 2621 Amber, appeared before Council to protest the \$20 fee the Police Department charged him for a background check. Mr. Floyd advised that the Cleveland County Sheriff's office performed background checks for free. Councilman Webb asked what other municipalities charged for this service. Brooks Mitchell, City Manager, advised that Oklahoma City charged \$3 and the City of Norman did not charge a fee. He added that Moore's \$20 fee was implemented by Council in July 2015. Mr. Floyd added that Oklahoma County charged \$3. Councilman Webb asked if Moore's fee could be lowered. Mr. Mitchell indicated that he would meet with staff to determine what costs were involved with providing the service. Councilwoman Hunt stated that there were costs associated with the service, and although it may not be \$20, staff should make certain the fees cover that cost. Mr. Floyd suggested setting the fee at an amount that would cover the salary of the individual while providing the service. Although he felt the City should be able to recoup a portion of the cost involved, he felt that \$20 was exorbitant for the short amount of time it took to complete the task. Councilman Hamm agreed that the fee should be more in-line with the service being provided. Councilman Williams commented at the process may have been more labor intensive at the time the fee was implemented. He felt the fee should be reviewed and adjusted if appropriate.

- B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilman Hamm received a call from a citizen asking when the Baer's Westmoore Splash Pad would be open to the public. Chris Villani, Acting Parks and Recreation Director, stated that staff anticipated opening the splash pad by the end of the week. Councilman Hamm stated that a station that provided plastic bags to clean up after dogs had been removed. He asked Mr. Villani to make certain the station was put back after construction was complete. Councilman Hamm indicated that he had also received a complaint regarding tall grass along the drainage channel located between NW 12th to NW 5th. Brooks Mitchell, City Manager, stated that he would have staff check into the situation.

Councilwoman Hunt issued an invitation to participate in the Moore War Run to be held on Saturday, August 24, 2019 beginning at 7:30 a.m. at Moore High School.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, stated that National Night Out held on August 6, 2019 was well received with approximately 1,200 and 1,500 in attendance. Mr. Mitchell expressed his appreciation to those involved in planning the event.

**Agenda Item Number 17 being:**

EXECUTIVE SESSION:

- A) DISCUSS A PROCEEDING, CLAIM, OR LITIGATION IN THE PUBLIC INTEREST AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) CONVENE INTO EXECUTIVE SESSION

**Councilman Blair moved to convene into executive session, second by Councilman Williams. Motion carried unanimously.**

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

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

C) RECONVENE FROM EXECUTIVE SESSION

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

**The City Council reconvened from executive session at 7:33 p.m.**

D) ACTION.

- A) DISCUSS A PROCEEDING, CLAIM, OR LITIGATION IN THE PUBLIC INTEREST AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

**Councilwoman Hunt moved to authorize staff to proceed as directed in executive session as authorized by 25 Okla. Stat. § 307(B)(4), second by Councilman Williams. Motion carried unanimously.**

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

**Agenda Item Number 18 being:**

ADJOURNMENT

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

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

**The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:34 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