

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
JULY 6, 2020 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on July 6, 2020 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, Hunt, Williams, Hamm, Lewis
ABSENT: Webb

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Randy Brink; Assistant City Attorney, Brian Miller; 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; Human Resources Director, Christine Jolly; Manager of Information Technology, David Thompson; Police Chief, Todd Gibson; Police Sergeant Jeremy Lewis; Public Works Director, Richard Sandefur; and Veolia Water Project Manager, Robert Pistole.

Judge Blake Virgin administered the Oath of Office to Glenn Lewis as newly re-elected Mayor and Mark Hamm and Louie Williams as the newly re-elected City Council Members. Adam Webb was absent from the meeting and will be sworn in at a later date.

ROLL CALL:

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

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 15, 2020.
- B) RENEW EXISTING INTERGOVERNMENTAL AGREEMENT FOR REGIONAL HOUSEHOLD HAZARD WASTE COLLECTION AND MANAGEMENT WITH THE CITY OF OKLAHOMA CITY.

- C) APPROVE CHANGE ORDER NO. 3 WITH T.J. CAMPBELL CONSTRUCTION COMPANY IN THE AMOUNT OF \$5,543.00, FOR THE SW 34TH STREET WIDENING PROJECT FROM SANTA FE AVENUE TO S. TELEPHONE ROAD, REVISING THE ORIGINAL CONTRACT AMOUNT OF \$3,861,510.35 TO \$3,816,495.23, A NET DECREASE OF \$45,015.12 FROM THE ORIGINAL CONTRACT AMOUNT.
- D) RENEW EXISTING INTERLOCAL AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS FOR CLEVELAND COUNTY FOR GRADING, DRAINAGE, AND HARD SURFACING OF CERTAIN STREETS WITHIN THE CITY.
- E) ACCEPT A 5' TEMPORARY CONSTRUCTION EASEMENT FROM JAMES AND SYLVIA BRUCE LIVING TRUST LOCATED ON LOT 3, BLOCK 65 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 609 N. GALE.
- F) ACCEPT A 5' TEMPORARY CONSTRUCTION EASEMENT FROM JIMMY AUGUST SCHROEDER REVOCABLE TRUST LOCATED ON LOT 6, BLOCK 65 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 621 N. GALE.
- G) ACCEPT A 5' TEMPORARY CONSTRUCTION EASEMENT FROM MIKE MALONE PROPERTIES, LLC/MIKE MALONE LOCATED ON LOT 7, BLOCK 65 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 625 N. GALE.
- H) ACCEPT A VARIABLE-WIDTH TEMPORARY CONSTRUCTION EASEMENT AND A 6' PERMANENT DRAINAGE EASEMENT FROM TERRY D. HALL LOCATED ON LOT 29, BLOCK 65 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 845 N. GALE.
- I) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT AND A 15' PERMANENT UTILITY EASEMENT FROM C&J PROPERTIES/ CONNIE DOUGLAS LOCATED ON LOT 14, BLOCK 66 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 909 N. GALE.
- J) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT AND A VARIABLE-WIDTH PERMANENT UTILITY EASEMENT FROM ANTHONY AND MARGERET AGY TRUST LOCATED ON LOT 4, BLOCK 66 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 1109 N. GALE.
- K) ACCEPT A VARIABLE-WIDTH TEMPORARY CONSTRUCTION EASEMENT AND A VARIABLE-WIDTH PERMANENT UTILITY EASEMENT FROM UNITY HOMES, LLC/ JOANNE KIM LOCATED ON LOT 3, BLOCK 66 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 1201 N. GALE.
- L) ACCEPT A VARIABLE-WIDTH TEMPORARY CONSTRUCTION EASEMENT AND A VARIABLE-WIDTH PERMANENT UTILITY EASEMENT FROM KENDRA LANG LOCATED ON LOT 17, BLOCK 66 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 745 NW 8TH ST.
- M) ACCEPT A 45' TEMPORARY CONSTRUCTION EASEMENT AND A 20' PERMANENT UTILITY EASEMENT FOR CONSTRUCTION OF A SANITARY SEWER GRAVITY MAIN FROM SUNNYLANE INVESTOR, LLC/ADAM MINNICK LOCATED IN THE SW/4 OF SECTION 32, T10N, R2W, BEING NORTH OF INDIAN HILLS ROAD AND EAST OF SUNNYLANE.
- N) ADOPT RESOLUTION NO. 959(20) APPROVING THE APRIL 2020 COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY ("CDBG-DR") PROGRAM INTERNAL AUDIT REPORT.
- O) APPROVE REVISION OF A JOB DESCRIPTION FOR ASSISTANT PLANNER – CURRENT PLANNING, TO MORE CLEARLY DEFINE DUTIES, RESPONSIBILITIES, AND ADDITIONAL KNOWLEDGE AND ABILITIES NEEDED TO SUCCESSFULLY PERFORM ASSIGNED ACTIVITIES.
- P) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$4,919,227.53.

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

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

Agenda Item Number 3 being:

RECEIVE A PRESENTATION FROM TAP ARCHITECTURE ON EXPANSION OF THE PUBLIC WORKS BUILDINGS AND THE STATION.

Brooks Mitchell, City Manager, advised that the ¼ cent sales tax, up for renewal in November 2020, was the proposed funding source for an expansion of the Public Works facility and The Station. Mr. Mitchell stated that Anthony McDermid with TAP Architecture, would be presenting preliminary plans for the projects. He advised that no action would be required at this time; however, an item would be placed on the August 3, 2020 agenda to consider calling an election to extend the ¼ sales tax for the purpose of funding the projects.

Anthony McDermid with TAP Architecture, stated his firm was retained to prepare plans for a comprehensive redesign of the public works facility which would be presented in two phases. He indicated that Phase I, estimated to cost around \$5 million, would include construction of a new administration building for Public Works, covered CNG stations for refueling of the sanitation trucks, and a new salt and sand bin. It would also include the construction of a new garage with large bays and a more controlled environment. Mr. McDermid noted that because the bidding environment was unpredictable a large contingency of \$250,000 was built into the \$5 million cost estimate. Mr. McDermid stated that Phase II, estimated to cost approximately \$1 million, included demolition of old and obsolete buildings with a significant amount of paving which must withstand heavy truck traffic and be configured for proper drainage. Councilman Hamm asked if there would be covered parking for vehicles and equipment. Mr. McDermid indicated that the project included gravel parking with coves for the valuable equipment ordinarily stored outdoors. Brooks Mitchell, City Manager, added that the sanitation trucks would also be covered. Councilman Williams inquired if there was a plan in place to continue services while construction was ongoing. Mr. McDermid indicated that there would be phased construction with navigation maintained throughout the site. Mayor Lewis requested an estimate on construction time once funding was in place. Mr. McDermid felt that a nine month construction period was a reasonable expectation. Mr. Mitchell stated that the current ¼ cent sales tax was split between parks and the construction of Fire Station No. 2. The renewal proceeds would be split between parks, The Station expansion and the public works facility. Councilman Hamm asked Mr. Mitchell to check with the county and the schools to see if they were planning to propose a bond or sales tax increase.

Mr. McDermid then discussed the proposed expansion of The Station. He indicated that Phase I, estimated to cost approximately \$4.8 million, included the relocation of two exercise rooms from the second floor to the first floor. This would allow for expansion of an upstairs exercise area to house additional aerobic and fitness machines. Mr. McDermid advised that the biggest part of Phase I was the addition of community spaces and a future gymnasium. Phase II, estimated to cost around \$2.3 million, involved space for summer programs, a new art room to replace an art room that would expand the child care area, gym floors and goals.

Councilwoman Hunt asked if the community or meeting rooms were rented out often. She expressed concern that the screens used to separate the rooms might not be a sufficient sound barrier. Mr. McDermid indicated that the plans could be altered and another construction method used. Councilwoman McKenzie asked what the construction time was for Phase I of the project. Mr. Mitchell advised that Phase I would take over one year. He stated that Phase II would start in approximately four years. Councilwoman Hunt confirmed with Mr. McDermid that at the end of the phased construction there would be moving walls separating the rooms. Councilman Hamm requested that the public works project include some landscaping to enhance the entrance off 27th Street.

Council thanked Mr. McDermid for his presentation. No action was taken on the item.

Agenda Item Number 4 being:

RECEIVE A PRESENTATION REGARDING THE 2020 DRAINAGE CRITERIA UPDATE PROJECT.

Elizabeth Weitman, Community Development Director, stated that funds were budgeted for the update of the drainage regulations for new development within the City. Ms. Weitman indicated that the update was nearing completion; however, she was asked to give an overview of the project since concerns were raised from the development community.

Ms. Weitman stated that the current drainage regulations were adopted by the City Council in 2002. Prior to that time on-site detention was not required. In 2002 there was a large building boom and drainage became an issue. The City adopted new drainage regulations which required detention for all development over one acre in size. In 2015 the City hired Meshek & Associates to develop a Master Drainage Plan in order to have a clear drainage policy in place and to deal with ongoing drainage concerns. Ms. Weitman indicated that in May 2015 the City experienced a 50-year flood which resulted in private property damage across the City. The storm exposed undersized storm sewer capacities which were previously unidentified due to drought conditions. After the event the City approved the Master Drainage Plan. She advised that the plan contained all of the drainage complaints received from the storm so that patterns could be identified. Ms. Weitman advised that in 2019 the City once again retained Meshek & Associates for an update to the City's drainage criteria.

Ms. Weitman advised that there were 67 instances of flooding to structures and 36 reports of flooding on lots. Creek erosions, roadway flooding, and flooded cars were also reported. She presented photographs as examples of the various flooding problems that have occurred with cost estimates to correct the problems. She related that one of the worst problems occurred in the Oak Ridge Addition. Approximately ten homes flooded there due in part to undersized outflow structures for the detention pond causing the stormwater to backup and eventually flow into the backyards and homes of the residents. The estimated cost to correct the problem was around \$700,000. She indicated that the City was investigating the use of grant mitigation monies to fund the project. After showing examples of other flooding events Councilwoman Hunt asked if the events occurred only during heavy rain. Ms. Weitman indicated that they could happen during a normal rain event. She stressed that drainage problems occur all over the City and are not specific to a particular neighborhood or developer.

Ms. Weitman stated that a Drainage Criteria Committee was created and was comprised of council members, planning commissioners, private development engineers, a homebuilder/developer, and the City's consulting engineer with ADG. Ms. Weitman indicated that the goals of the updated drainage criteria was to protect the health, safety, and welfare of residents and their property, and to encourage best practices in storm water management. The update would include low impact development that would help with the Lake Thunderbird Total Maximum Daily Loads ("TMDL") issue and would ensure all development provided proper handling of stormwater runoff. She stated that the City wanted to prevent increases in peak downstream discharges or velocities, or increases in water surface elevations as the water goes downstream. She advised that Meshek modeled all of the creeks and stream in the City to determine how much water was actually running through them. Ms. Weitman stated that staff would like to ask the development and engineering communities to submit their drainage calculations so they may be added to the model to determine possible impacts a development might have on the area. Ms. Weitman stated that the Unit Hydrograph Method versus the Rational Method of calculating stormwater runoff was reviewed. Developers were opposed to the Hydrograph Method because they felt it was too conservative and stated that no other City in the metro area used this method. Councilwoman Hunt asked if any other city in the state used this method. Ms. Weitman indicated her belief that a city around Tulsa used this method. She stated that increased development costs were likely to occur with this method because it would require more inlets and bigger infrastructure in order to account for more water. Ms. Weitman felt the City should increase the review standards by having more inspection points during

residential building review and construction in order to alleviate some of the drainage complaints. She also felt more creek buffering and additional green infrastructure for stormwater quality was necessary.

Ms. Weitman felt the development community was under the impression that the City had completed the plan. She advised that a draft plan was made available for review; however, the City was collecting comments until July 10, 2020. She indicated that at the last committee meeting they determined that a survey of surrounding communities would be useful comparing the City's proposed requirements versus what other communities were doing. She indicated that the committee would be meeting again before an item was submitted to Council for consideration sometime in the fall of 2020.

Councilman Williams stated that during the previous committee meetings a discussion had occurred about the amount of runoff from developed property. However, the notes from the last meeting did not mention it and asked Ms. Weitman for clarification. Ms. Weitman advised that when an engineer performs hydrologic calculations for runoff, they have the option of considering everything upstream and around the area as fully developed or urbanized resulting in their runoff being much higher. The alternative would be to use the current state of the property and use that as the runoff. They had talked about using fully urbanized calculations to account for more water. In reality every development is supposed to have detention and it should not release more water than what was historically released. She felt that if detention was provided for correctly, the fully urbanized calculations may not be necessary. Councilman Williams understood that the developers were concerned about the cost but felt there had to be a compromise since the current requirements were not working.

Ms. Weitman advised that some of the citizens who have had drainage complaints were notified of the agenda item. One of those citizen was present and wished to address the City Council. She stated that the Council was also given an email from a resident of Sonoma Lakes who wanted to share with them her concerns.

Richard Starkey, 2717 Pebble Creek Drive, addressed the City Council regarding drainage issues he was experiencing in the Edgewater Addition. Mr. Starkey passed out photographs of flooding that occurred in his backyard when it rained. He noted that residents along the north side of the street experienced the same problem. He stated that downspouts of homes that sit five or six feet above his property feed into his backyard. Mr. Starkey spoke to the builder R & R Homes who installed a 6" French drain that was inadequate for the amount of water. After another 18 months the builder contacted Sooner Irrigation who installed a larger French drain. Unfortunately, they did not increase the size of the pipe that takes the water off his property and his backyard continues to flood. Mr. Starkey realized the situation was between him and the builder; however, the builder seems to be turning a deaf ear. The estimated the cost for him to have the pipe enlarged would be between \$2,500 and \$3,000. Mr. Starkey stated that the flooding issues being discussed were real.

No action was taken on the item.

Agenda Item Number 5 being:

CONSIDER APPROVAL OF STREET STRIPING SERVICES FOR THE INTERSECTIONS OF TELEPHONE ROAD AND SW 4TH STREET, AND TELEPHONE ROAD AND SW 19TH STREET, WITH ACTION SAFETY SUPPLY IN THE AMOUNT OF \$34,714.55 USING STATE CONTRACT NO. SW 776.

Richard Sandefur, Public Works Director, stated that the City received numerous complaints about the faded street striping in the intersections of SW 4th and Telephone Road and SW 19th and Telephone Road. He noted that the configuration of the intersection appeared confusing to many drivers and was made worse by the faded street striping. Mr. Sandefur felt that the situation was becoming dangerous and the intersections needed to be restriped.

Councilwoman McKenzie moved to approve street striping services for the intersections of Telephone Road and SW 4th Street, and Telephone Road and SW 19th Street, with Action Safety Supply in the amount of \$34,714.55 using State Contract No. SW 776, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER STREET STRIPING SERVICES FOR FY 20-21 WITH ACTION SAFETY SUPPLY IN THE AMOUNT OF \$75,000 USING STATE CONTRACT NO. SW 776.

Richard Sandefur, Public Works Director, requested approval of street striping services for FY 20-21 utilizing state contract pricing in the amount of \$75,000.

Councilwoman Hunt moved to approve street striping services for FY 20-21 with Action Safety Supply in the amount of \$75,000 using State Contract No. SW 776, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER ORDINANCE NO. 947(20) AMENDING PART 8, HEALTH AND NUISANCE; CHAPTER 12, MEDICAL MARIJUANA; SECTION 5-1210 LEGAL NON-CONFORMING CLAUSE; PROVIDING FOR A REPEALER; AND PROVIDING FOR SEVERABILITY.

Brian Miller, Assistant City Attorney, stated that proposed change to the medical marijuana ordinance would grant an extension to businesses issued a remodeling permit between the dates December 2, 2019 and June 1, 2020. The extension would give them until September 15, 2020 to obtain the necessary approvals from the City in order to obtain the State's Certificate of Compliance. This would allow the businesses to retain their Legal Non-Conforming status. Mr. Miller indicated that the proposed ordinance amendment would address the concerns of the business owners of H & C Cultivation who appeared at the June 15, 2020 City Council Meeting.

Councilman Blair moved to approve Ordinance No. 947(20) amending Part 8, Health and Nuisance; Chapter 12, Medical Marijuana; Section 5-1210 Legal Non-Conforming Clause; providing for a repealer; and providing for severability, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF A BUDGET SUPPLEMENT FOR FY 20-21 TO BUDGET FUNDS AND RELATED EXPENSES FOR IPAD REPLACEMENTS AND FIRE DEPARTMENT TRAINING.

Betty Koehn, Finance Director, stated that staff was requesting approval of two budget supplements. The first was for the replacement of 55 iPads at the Police Department at a cost of \$69,500 using Technology Fees. The second item was to budget \$16,722 in remaining Fire Department training funds from FY 20 to FY 21 as required under the union contract. Ms. Koehn advised that the funds were not used since the training was cancelled due to coronavirus concerns.

Mayor Lewis asked what would be done with the iPads being replaced. David Thompson, Manager of Information Technology, stated that in past years the police officers were offered the iPads as part of a buyback program. Mayor Lewis suggested that the Moore Public Library could use them. Councilman Williams suggested that the issue be researched and an item placed on the next agenda for consideration.

Councilman Williams moved to approve a budget supplement for FY 20-21 to budget funds and related expenses for iPad replacements and Fire Department training, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF AN AMENDMENT TO THE SERVICES AGREEMENT WITH TELADOC, THE CITY'S TELE-MEDICINE PROVIDER, EXTENDING THE CURRENT AGREEMENT THROUGH DECEMBER 31, 2020, AND AMENDING THE AGREEMENT'S EFFECTIVE DATE OF RENEWAL TO JANUARY 1, 2021 WITH AN AUTOMATIC RENEWAL DATE OF JANUARY 1ST EACH SUBSEQUENT YEAR.

Christine Jolly, Human Resources Director, stated that staff was requesting a six month extension to the current services agreement with TelaDoc, the City's tele-medicine provider. The extension would amend the effective date of renewal to January 1, 2021 with an automatic renewal date of January 1st for each subsequent year. Ms. Jolly advised that utilization of services for 2019 was 60% based on the total TelaDoc visits divided by the total number of employees covered. Ms. Jolly stated that the average response time was 20 minutes with membership satisfaction of 100%. She noted the Teladoc visits resulted in an average savings of \$517 per visit. In 2019 the City's health plan experienced savings of approximately \$99,000. Ms. Jolly stated that as of April 2020 the utilization rate was 83% with an average response time of 80 minutes due to COVID-19. She added that current savings was approximately \$45,000 to date. Staff recommended approval of the item.

Councilwoman McKenzie asked if Council would still have the opportunity to review the terms of the agreement prior to an automatic renewal. Ms. Jolly stated that an item would still be placed on an agenda for review and consideration.

Councilwoman McKenzie moved to approve an Amendment to the Services Agreement with Teladoc, the City's tele-medicine provider, extending the current agreement through December 31, 2020, and amending the agreement's effective date of renewal to January 1, 2021 with an automatic renewal date of January 1st each subsequent year, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER THE APPOINTMENT OF COUNCILMAN MARK HAMM TO SERVE AS A MEMBER ON THE ACOG BOARD OF DIRECTORS, INTERMODAL TRANSPORTATION POLICY COMMITTEE, GARBER WELLINGTON POLICY COMMITTEE, AND THE 911 ASSOCIATION BOARD OF DIRECTORS, WITH THE REMAINING CITY COUNCIL MEMBERS TO SERVE AS ALTERNATES.

Councilwoman Hunt moved to appoint Councilman Mark Hamm to serve as a member on the ACOG Board of Directors, Intermodal Transportation Policy Committee, Garber Wellington Policy Committee, and the 911 Association Board of Directors, with the remaining City Council Members to serve as alternates, second by Councilman Blair. Motion carried unanimously.

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

Councilwoman McKenzie expressed her appreciation to Councilman Hamm for his willingness to serve on the committee.

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:41 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 15, 2020.
- B) RATIFY ACTION OF CITY COUNCIL ON AMENDMENT TO THE SERVICES AGREEMENT WITH TELADOC, THE CITY'S TELE-MEDICINE PROVIDER, EXTENDING THE CURRENT AGREEMENT THROUGH DECEMBER 31, 2020, AND AMENDING THE AGREEMENT'S EFFECTIVE DATE OF RENEWAL TO JANUARY 1, 2021, WITH AN AUTOMATIC RENEWAL DATE OF JANUARY 1ST EACH SUBSEQUENT YEAR.
- C) ACCEPT A DONATION FROM BETHANY BRITTON IN THE AMOUNT OF \$30,000 TO PROVIDE ASSISTANCE TO UTILITY CUSTOMERS DUE TO THE COVID-19 PANDEMIC.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$1,041,148.99.

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

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

Brooks Mitchell, City Manager, stated that the City received a check with a letter asking that the City use the money for individuals impacted by COVID-19. Mr. Mitchell indicated that staff would work on implementing criteria for use of the funds. Mayor Lewis and the City Council expressed appreciation to Mr. Britton for her generous donation.

Agenda Item Number 12 being:

CONSIDER RENEWAL OF A CONTRACT FOR COLLECTION OF COMMERCIAL SOLID WASTE WITH ALLIED WASTE SYSTEMS, INC. D/B/A REPUBLIC SERVICES OF OKLAHOMA CITY FOR A FIVE (5) YEAR TERM (WITH THE OPTION OF SUCCESSIVE FIVE-YEAR PERIODS) BEGINNING JULY 1, 2020.

Jerry Ihler, Assistant City Manager, stated that the proposed contract with Allied Waste Systems, Inc. d/b/a Republic Services was for solid waste collection for commercial, industrial, and municipal facilities which included the recycle center. Mr. Ihler stated that the contract included an effective date of July 1, 2020 with a five-year term. He advised that the contract also included five successive automatic renewals if both parties were agreeable. He indicated that the annual fee rate allowed an adjustment of a minimum of 2% and a maximum of 4%. Mr. Ihler recommended approval of the item.

Councilman Williams asked if the first five years of the contract was at a fixed rate. Mr. Ihler indicated that the contract rate was adjustable each year. Councilman Hamm asked if there were any issues with the commercial rates. Mr. Ihler stated that the City received very few complaints and when a complaint is brought to their attention they have been very responsive.

Trustee Williams to approve renewal of a contract for collection of commercial solid waste with Allied Waste Systems, Inc. d/b/a Republic Services of Oklahoma City for a five (5) year term (with the option of successive five-year periods) beginning July 1, 2020, second by Trustee McKenzie. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER A BUDGET SUPPLEMENT FOR FY 20-21 TO BUDGET FUNDS AND RELATED EXPENSES FOR A NEW TERMINATOR TRUCK AND RELATED SANITATION STAFF.

Betty Koehn, Finance Director, stated that the proposed budget supplement was for the purchase of a terminator truck, the refurbishing of an existing 2013 terminator truck, and three employees to assist with large trash pickups.

Councilman Williams asked how the budget was being adjusted to compensate for the expense. Mr. Mitchell stated that the monies were available through the Moore Public Works Authority fund. Councilwoman McKenzie asked if the terminator trucks would be put into service within the next six months. Mr. Mitchell felt that was an adequate amount of time.

Trustee McKenzie to approve a budget supplement for FY 20-21 to budget funds and related expenses for a new terminator truck and related sanitation staff, second by Trustee Williams. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:48 P.M.

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JUNE 15, 2020.
- B) APPROVE PAYMENT OF A WORKERS COMPENSATION SETTLEMENT IN THE AMOUNT OF \$12,790.80 FOR CBR NO. 2050000728 TO ZACHARY GRISMER, AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$426,243.94.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:49 P.M.

Agenda Item Number 15 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.

Councilwoman Hunt commended staff on the fireworks program held on July 4th.

Mayor Lewis stated that two cities were voting on whether to make it mandatory to wear masks in their communities. He asked for the opinion of the Council regarding the subject. Councilman Hamm felt the City was doing okay currently but he needed additional data on the number of COVID-19 cases in Moore and why other cities felt it necessary to implement that type of policy. Councilwoman McKenzie stated that if the City Council needed to vote on implementing mandatory masks within the City she felt that an enforcement plan needed to be discussed. She agreed that Council would need additional information before making this determination. Councilman Williams felt the issue would need to be discussed during a study session since businesses, churches, and community spaces needed to be taken into consideration if the City was contemplating making wearing masks mandatory. Councilwoman Hunt stated that she wears a mask and hoped that the citizens were respectful of those businesses that require masks but she did not feel at this point the City should make wearing masks mandatory. Mayor Lewis felt that the decision

should left up to the health officials. He recommended that the citizens wear masks when they are out to protect themselves and others and to practice social distancing.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, congratulated the Parks staff for the great July 4th event. Mr. Mitchell stated that the issues at The Station have been resolved and expressed his appreciation to staff for their proactive view on dealing with difficult individuals. He also expressed appreciation to Chief Gibson, Captain Maddox and the Police Department for coming up with a plan and resolving the issues to make it a more enjoyable experience for the patrons.

Agenda Item Number 16 being:

EXECUTIVE SESSION:

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE POSSIBLE ACTION IN PENDING LITIGATION STYLED: AMBER SKINNER V. CITY OF MOORE AND VEOLIA WATER NORTH AMERICA, CASE NO. CJ-2019-306 AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

B) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session.

C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 8:05 p.m.

D) ACTION.

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE POSSIBLE ACTION IN PENDING LITIGATION STYLED: AMBER SKINNER V. CITY OF MOORE AND VEOLIA WATER NORTH AMERICA, CASE NO. CJ-2019-306 AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY OF MOORE AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman McKenzie moved to accept the mediation settlement as discussed in executive session regarding pending litigation styled: Amber Skinner v. City of Moore and Veolia Water North America, Case No. CJ-2019-306 and authorization for legal counsel and staff to take action as necessary and appropriate in the interest of the City of Moore as authorized by 25 Okla. Stat. § 307(B)(4), second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 17 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 8:08 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

ADAM WEBB, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2020.

ATTEST:

VANESSA KEMP, City Clerk