

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
AUGUST 3, 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 August 3, 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, Hunt, Williams, Webb, Lewis
ABSENT: Blair, Hamm

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; Emergency Management Director, Gayland Kitch; Finance Director, Betty Koehn; Fire Chief Greg Herbster; Manager of Information Technology, David Thompson; Parks & Recreation Director, Sue Wood; Police Major, Jon White; Police Sergeant Troy Fullbright; Public Works Director, Richard Sandefur; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 20, 2020.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD MAY 12, 2020.
- C) ACCEPT VARIABLE WIDTH DRAINAGE EASEMENTS FROM R & R LAND DEVELOPMENT, LLC, LOCATED ON LOTS 1-15 OF BLOCK 9, LOTS 1-2 OF BLOCK 5, LOTS 1-2 OF BLOCK 7, AND LOTS 1-3 OF BLOCK 14 OF THE EDGEWATER ADDITION, SECTION 2 LOCATED SOUTH OF SE 19TH STREET AND WEST OF SUNNYLANE.
- D) ACCEPT A 5' TEMPORARY CONSTRUCTION EASEMENT FROM JAMES HEMPHILL LOCATED ON LOT 8, BLOCK 53 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 734 N. JANEWAY AVENUE.
- E) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT FROM JENNIFER AND MITCHELL PROVENZO LOCATED ON LOT 15, BLOCK 65 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 729 N. GALE.
- F) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT FROM DEBBIE BARNARD LOCATED ON LOT 16, BLOCK 65 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 733 N. GALE.

- G) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT FROM DARREN MODENA LOCATED ON LOT 19, BLOCK 65 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 805 N. GALE.
- H) ACCEPT A 5' TEMPORARY CONSTRUCTION EASEMENT FROM SCOTT PRATER LOCATED ON LOT 20, BLOCK 65 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 809 N. GALE.
- I) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT AND A 15' PERMANENT UTILITY EASEMENT FROM SAM AND AMANDA OSBURN LOCATED ON LOT 12, BLOCK 66 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 917 N. GALE.
- J) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT AND A 16' PERMANENT UTILITY EASEMENT FROM LORENZO SANCHEZ, JR. LOCATED ON LOT 9, BLOCK 66 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 1005 N. GALE.
- K) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT AND A 16' PERMANENT UTILITY EASEMENT FROM TED E POPE REVOCABLE LIVING TRUST/JESSICA CRAIN, LOCATED ON LOT 7, BLOCK 66 OF THE SOUTHGATE ADDITION, ALSO KNOWN AS 1013 N. GALE.
- L) ACCEPT A 35' TEMPORARY CONSTRUCTION EASEMENT AND A VARIABLE-WIDTH PERMANENT UTILITY EASEMENT FOR CONSTRUCTION OF A SANITARY SEWER GRAVITY MAIN FROM THE MEADOWS DEVELOPMENT/ MARVIN HAWORTH LOCATED IN THE NE/4 OF SECTION 31, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND WEST OF SUNNYLANE.
- M) ACCEPT A VARIABLE-WIDTH TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT UTILITY EASEMENT FOR CONSTRUCTION OF A SANITARY SEWER GRAVITY MAIN FROM SEITER FARMS HOA/MARVIN HAWORTH LOCATED IN THE NE/4 OF SECTION 31, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND WEST OF SUNNYLANE.
- N) ACCEPT A 40' TEMPORARY CONSTRUCTION EASEMENT AND A VARIABLE-WIDTH PERMANENT UTILITY EASEMENT FOR CONSTRUCTION OF A SANITARY SEWER GRAVITY MAIN FROM TAMMY SUE RADCLIFF LOCATED IN THE NE/4 OF SECTION 31, T10N, R2W, BEING SOUTH OF SE 34TH STREET AND WEST OF SUNNYLANE.
- O) APPROVE THE REAPPOINTMENT OF CHAD BURKS, KENNETH JAREMA, AND CHRIS RICKMAN TO THE PLANNING COMMISSION FOR A THREE-YEAR TERM.
- P) APPROVE THE REAPPOINTMENT OF JANIE MILUM TO THE BOARD OF ADJUSTMENT FOR A THREE-YEAR TERM.
- Q) DECLARE A 2009 CRANE CARRIER, NEW WAY, 18 YARD VIPER BODY REAR LOAD REFUSE TRUCK (VIN 1CYCAL5839T048368, CITY VEHICLE NO. 09750, AND A 2011 PETERBILT 320 MODEL BRIDGEPORT BODY 28 YARD RANGER ASL SIDE LOAD REFUSE TRUCK (VIN 3BPZL20X6BF134376, CITY VEHICLE NO. 11761) AS SURPLUS.
- R) RENEW EXISTING CONTRACT WITH PRESORT FIRST CLASS FOR THE PRINTING, STUFFING AND MAILING OF THE CITY'S UTILITY BILLS FOR THE PERIOD AUGUST 1, 2020 THROUGH JULY 31, 2021.
- S) APPROVE CHANGE ORDER NO. 3 WITH CAVINS CONSTRUCTION GROUP REDUCING THE CONTRACT AMOUNT BY \$733.50 BRINGING THE FINAL CONTRACT AMOUNT OF \$138,478.22, AN OVERALL INCREASE OF \$9,978.22 OVER THE ORIGINAL CONTRACT AMOUNT OF \$128,500, ADDRESSING ALL CHANGE ORDERS FOR THE CONSTRUCTION OF THE CITY HALL HARDENED CONFERENCE ROOM STORM SHELTER; ACCEPT THE PROJECT AS CONSTRUCTED AND IMPLEMENT THE ONE-YEAR MAINTENANCE BOND EFFECTIVE AUGUST 3, 2020.
- T) APPROVE THE FINAL CONTRACT AMOUNT WITH T.J. CAMPBELL CONSTRUCTION COMPANY OF \$3,886,467.90, AN INCREASE OF \$24,957.55 OVER THE ORIGINAL CONTRACT AMOUNT OF \$3,861,510.35, ADDRESSING CHANGE ORDERS, UNIT PRICE QUANTITY OVER-RUNS AND UNIT PRICE QUANTITY UNDER-RUNS FOR THE CONSTRUCTION OF SW 34TH STREET FROM TELEPHONE ROAD TO SANTA FE AVENUE; ACCEPT THE PROJECT AS CONSTRUCTED AND IMPLEMENT THE TWO-YEAR MAINTENANCE BOND EFFECTIVE APRIL 15, 2020.
- U) ACCEPT A PERMANENT ROADWAY, UTILITY, AND TEMPORARY CONSTRUCTION EASEMENT FOR PARCELS 15, 15.1 AND 15.2 FROM LARRY D. PENNINGTON AND TAMARA PENNINGTON FOR CONSTRUCTION AND MAINTENANCE OF THE SE 4TH STREET RAILROAD UNDERPASS PROJECT.

- V) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$748,621.08 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$2,405,140.23.

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

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

THE CITY COUNCIL MEETING WAS RECESSED AND A PUBLIC HEARING CONVENED AT 6:38 P.M.

Agenda Item Number 3 being:

HOLD A PUBLIC HEARING TO RECEIVE A PRESENTATION REGARDING THE PROPOSED CLEVELAND HEIGHTS URBAN RENEWAL PLAN FOR THE PURPOSE OF PROVIDING INFORMATION AND ANSWERING QUESTIONS.

Brooks Mitchell, City Manager, stated that the Moore Urban Renewal Authority had been working on an Urban Renewal Plan for Cleveland Heights since its inception. On July 13, 2020 the Urban Renewal Authority voted to recommend approval of the proposed plan to the City Council. Mr. Mitchell advised that a community meeting would be held at The Station on August 6, 2020 at 6:30 p.m. to give interested parties an additional opportunity to ask questions. The Plan would also be presented to the Planning Commission on August 11, 2020 for their consideration. He indicated that state statutes require two public hearings be held to receive citizen input; therefore, a second public hearing was proposed for August 17, 2020. He stated that Emily Pomeroy, attorney with the Center for Economic Development Law, had been working with the Authority on the creation of the Plan and would be making the presentation.

Ms. Pomeroy stated that on February 3, 2020 the City Council voted to adopt a resolution declaring the area of Cleveland Heights as blighted and authorizing the Urban Renewal Authority to prepare an Urban Renewal Plan for Council's consideration. She indicated that Oklahoma Urban Redevelopment Law provided the statutory process for the creation and adoption of an Urban Renewal Plan to encourage rehabilitation and redevelopment of blighted areas within the community. The City Council initiated the process by finding a blighted area existed in Cleveland Heights and by activating an Urban Renewal Authority governed by a Board of Commissioners. The City Council appointed the members of the Board who were then sworn into office. Ms. Pomeroy advised that the intent of the Plan was to acquire land, consolidate developable sites, and dispose of it for redevelopment. Ms. Pomeroy stated that on July 13, 2020 the Urban Renewal Authority recommended approval of the Plan and adopted the Acquisition and Relocation Policies and Procedures to be followed in the acquisition of any property acquired in the quarter section. She stated that the Planning Commission was briefed on the Urban Renewal Plan at their July 14, 2020 meeting.

Ms. Pomeroy stated that the Plan included many objectives such as creating sites for redevelopment on land that had been devoid of public infrastructure, provide the infrastructure necessary to develop those sites, and put the land back into a productive property tax producing situation. She stated that the property may be acquired through negotiation or eminent domain. Any effort made to acquire property must be done with proper notice. Property owners must be identified, contacted, and offers submitted to purchase the property based on a fair market value appraisal. Ms. Pomeroy added that the goal was to make the property developable by providing infrastructure improvements, rehabilitate and bring any

structures that remain in the area up to code, identify key sites and market them to the development community, and ensure that proper zoning and urban design standards normally required by City were followed.

Ms. Pomeroy stated that the Plan contained a Land Use Plan that comes from the City's Envision Moore 2040 Comprehensive Plan. Since the Land Use Plan offered different types of uses it allowed for flexibility in the type of development that could occur. Property must be conveyed by the Urban Renewal Authority for no less than fair value. She indicated that the goal was to incentivize public investment into the area by providing land at a potentially reduced cost because of the obligations that would be placed upon the developer to redevelop it. Any development would be subject to an agreement with the Urban Renewal Authority. She advised that the City Council would consent to any of those agreements under the normal development processes of the City. She stated that the Plan authorized Owner Participation Agreements which would allow property owners that exist in the area to develop their sites as long as it was consistent with the Plan. Notice must be given before the disposition of any property to ensure the process was open to the public and provided an opportunity for public input. Ms. Pomeroy stated that the required Financing Plan was broad since it was anticipated that the project would take a phased approach because of the need for significant funding sources. She noted that the City had allocated funds to the Urban Renewal Authority for implementation of the Plan.

Ms. Pomeroy advised that the law requires that the relocation plan provide a feasible method for the relocation of individuals, families and businesses that may be displaced into decent, safe, and sanitary accommodations within their means and without undue hardship. The Acquisition and Relocation Policies and Procedures adopted by the Urban Renewal Authority specifically outlined the relocation plan that would be followed to ensure each individual was treated consistently and fairly in any acquisition process.

Ms. Pomeroy reiterated that the Urban Renewal Authority prepares and recommends the Plan. The Planning Commission would then make considerations such as whether it is in conformance with the Comprehensive Plan and gives its recommendation to the City Council. The City Council would hold two public hearings. This public hearing was an opportunity to provide information and initiate feedback. Ms. Pomeroy indicated that notice was published, placed on the City's website, and signs were placed within the Urban Renewal area. A community meeting would be held on August 6, 2020 to give the citizens another opportunity to ask questions. The Planning Commission would consider its findings and possible recommendation on August 11, 2020. She indicated that a second public hearing would be held by the City Council on August 17, 2020, with an item to consider approval of the Urban Renewal Plan.

Citizens to Speak:

Mike Galier, 609 NE 23rd, stated that he was a real estate investor and owned improved properties in Cleveland Heights. Mr. Galier wanted to determine how his tenants would be affected. He also wanted to know how the appraisal process would work for property owners with improved properties compared to the majority of the property owners that owned unimproved properties. Mr. Galier stated that he, Donald Blue, and the Cleveland family owned all of the improved properties in Cleveland Heights. Mr. Galier noted that they also owned the water distribution system and did not know how that would be valued. He stated that his duplex properties have been lucrative providing him an annual income of approximately \$40,000 a year. Mr. Galier asked how soon the City would take action and require people to move. Brooks Mitchell, City Manager, stated that the Urban Renewal Authority would select the appraiser. He stated that if Mr. Galier's property was acquired the City would be obligated by statute to provide certain things and he added that the City would certainly work with the tenants.

Anthony Wright, 913 SW 10th, felt the City would be looking at a \$300 million investment and did not know what funding source could be used. He didn't think that money could be recouped through taxes.

Councilwoman McKenzie asked Mr. Wright owned property in the area or if he was an interested citizen. Mr. Wright stated that he was an interested citizen.

Kim Baldwin, 2317 NE 18th, stated that she purchased a home six months ago in Lost Creek. She advised that she bought the home because it seemed like it was in the country. Ms. Baldwin stated that she did not want to live on the west side of Moore due to the traffic and the population and would hate to see apartments, town homes, or businesses located on the site. Ms. Baldwin advised that she has lived in Moore since 1979 and did not want it to become a city like Norman or Edmond.

Karen Moore stated that she owned 12 lots in Cleveland Heights that she bought as an investment several years ago. Four or five of the lots are located directly behind her home on Estelle Road which she purchased to extend her property. The remaining lots are scattered throughout the site. Ms. Moore hoped that the City would be fair in their appraisal of the property.

Mayor Lewis declared the meeting closed after determining there were no other citizens who wished to speak.

No action was taken on the item.

THE PUBLIC HEARING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:03 P.M.

Agenda Item Number 4 being:

DISCUSS AND, IF DEEMED APPROPRIATE, CONSIDER SETTING A SECOND PUBLIC HEARING FOR AUGUST 17, 2020 AT 6:30 P.M. FOR THE PURPOSE OF HEARING A PRESENTATION REGARDING THE PROPOSED CLEVELAND HEIGHTS URBAN RENEWAL PLAN AND GIVING INTERESTED PERSONS THE OPPORTUNITY TO EXPRESS THEIR VIEWS ON SAID PLAN.

Councilman Williams moved to set a public hearing for August 17, 2020 at 6:30 p.m. for presentation regarding proposed Cleveland Heights Urban Renewal Plan and giving interested persons the opportunity to express their views on said Plan, second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER ADOPTION OF ORDINANCE NO. 949(20) OF THE CITY OF MOORE, OKLAHOMA AMENDING THE CITY OF MOORE, OKLAHOMA SALES TAX ORDINANCE [ORDINANCE NO. 60, AS AMENDED BY ORDINANCE NO. 331(83), AS AMENDED BY ORDINANCE NO. 470(88), AS AMENDED BY ORDINANCE NO. 551(06), AS AMENDED BY ORDINANCE NO. 677(10), AS AMENDED BY ORDINANCE NO. 725(12)], AS AMENDED BY ORDINANCE NO. 829(16) TO PROVIDE FOR THE RENEWING OF THE LEVYING AND ASSESSING OF AN EXISTING ONE-FOURTH OF ONE PERCENT (0.25%) SALES TAX UPON THE GROSS RECEIPTS OR PROCEEDS DERIVED FROM ALL SALES TAXABLE UNDER THE SALES TAX LAW OF OKLAHOMA; FIXING EFFECTIVE DATE AND DATE OF TERMINATION; PROVIDING THE PURPOSE OF SAID ADDITIONAL SALES TAX; MAKING PROVISIONS SEVERABLE; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Brooks Mitchell, City Manager, stated that Agenda Items No. 5 and 6 were companion items related to a possible election to renew the ¼ cent sales tax due to expire on March 31, 2021. He noted that the sales

tax rate would remain the same and the monies would be used to fund proposed expansions of the Public Works buildings and at The Station. Mr. Mitchell advised that Anthony McDermid with TAP Architure gave a presentation detailing the projects at the July 6, 2020 City Council meeting. Mr. Mitchell advised that concerns mentioned by the City Council during the meeting regarding an acoustical ceiling in the community room and a request for landscaping at the Public Works facility had been addressed. Mr. Mitchell advised that Mr. McDermid was in attendance at the meeting to answer any questions.

Councilman Webb moved to approve Ordinance No. 949(20), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER ADOPTION OF RESOLUTION NO. 962(20) AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION IN THE CITY OF MOORE, OKLAHOMA, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED VOTERS OF SAID CITY THE QUESTION OF AUTHORIZING THE EXTENSION OF AN EXISTING ONE-FOURTH OF ONE PERCENT (0.25%) SALES TAX AND PROVIDING THE USE THEREOF; CONTAINING OTHER PROVISIONS RELATING THERETO.

Councilman Williams moved to adopt Resolution No. 962(20), second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER ADOPTION OF ORDINANCE NO. 950(20) AMENDING THE "CITY OF MOORE HOTEL/MOTEL ROOM TAX ORDINANCE" BY AMENDING SECTION 6 OF ORDINANCE NO. 378(85), PASSED AND APPROVED FEBRUARY 4, 1985, AS AMENDED BY ORDINANCE NO. 378(02), PASSED AND APPROVED SEPTEMBER 3, 2002, ALSO IDENTIFIED AS PART 7, CHAPTER 5, SECTION 7-503 OF THE CODE OF THE CITY OF MOORE, OKLAHOMA, AS AMENDED, BY MODIFYING THE USE OF FUNDS; PROVIDING SEVERABILITY OF PROVISIONS; REQUIRING APPROVAL OF THE ORDINANCE BY A MAJORITY OF REGISTERED VOTERS VOTING AT AN ELECTION HELD FOR SUCH PURPOSE AS PROVIDED BY LAW; FIXING AN EFFECTIVE DATE; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Brooks Mitchell, City Manager, stated Agenda Items No. 7 and 8 were companion items relating to the hotel/motel tax originally passed in 1985 for acquisition and construction of parks. Mr. Mitchell noted that the language as written would not allow for park maintenance or equipment replacement. Although a clause existed which stated the City Council had administrative rights it was determined after consultation with the City Attorney that the use language should be amended and presented by ballot to the voters for their consideration.

Councilwoman Hunt moved to approve Ordinance No. 950(20), second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER ADOPTION OF RESOLUTION NO. 963(20) AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION IN THE CITY OF MOORE, OKLAHOMA, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF THEIR APPROVAL OR REJECTION OF ORDINANCE NO. 950(20) RELATING TO A MODIFICATION OF USE OF THE EXISTING CITY HOTEL/MOTEL ROOM TAX; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Brooks Mitchell, City Manager, stated that adoption of Resolution No. 963(20) would authorize the calling of an election to vote on modifying the use of the tax to include maintenance and equipment replacement. The hotel/motel tax rate would remain unchanged.

Councilwoman Hunt moved to adopt Resolution No. 963(20), second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF A REVOCABLE PERMIT FOR A MONUMENT SIGN AT 2850 S. TELEPHONE ROAD. APPLICATION BY GREAT PLAINS BANK/DAVID ATTAWAY.

Elizabeth Weitman, Community Development Director, stated that Great Plains Bank located at 2850 S. Telephone Road made application for a monument sign that would be placed in the Telephone Road right-of-way. Ms. Weitman advised that there was limited green space in front of the bank parking lot and available green space on the north side of the parking lot contained several utilities. Therefore, the applicant was requesting a revocable permit to place the sign in the right-of-way in line with the front door to the building. The sign would encroach into the right-of-way by approximately six feet. Ms. Weitman noted that there were no utilities currently located on the site and there would be approximately 15 to 20 feet of remaining right-of-way between the sign and the curb of the road. She stated that revocable permits are filed in Cleveland County and would allow the City to use the right-of-way at any time and for any reason by giving notice to the applicant who must then remove the sign. Ms. Weitman advised that David Attaway with Great Plain Bank was in attendance to answer any questions.

Councilman Webb moved to approve a revocable permit for a monument sign at 2850 S. Telephone Road, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER APPROVAL OF THE FY 20-21 CONTRACT BETWEEN THE CITY OF MOORE AND THE MOORE PUBLIC SCHOOL DISTRICT FOR THE PROVISION OF SEVEN UNIFORMED SCHOOL RESOURCE OFFICERS AND ONE POLICE VEHICLE. MOORE PUBLIC SCHOOLS SHALL REIMBURSE THE CITY IN A SUM NOT TO EXCEED \$351,353.68 AND REIMBURSE THE CITY \$33,583.34 AS 65% OF THE COST OF THE VEHICLE.

Brooks Mitchell, City Manager, stated that the item was for the annual renewal of a contract with the Moore Public Schools. Mr. Mitchell stated that Major Jon White from the Moore Police Department was available to answer any questions regarding the item. Councilwoman McKenzie asked how the school resource officers were distributed among the schools. Major White advised that two were stationed at Moore High School and Southmoore High School and one at each of the three junior high schools. Councilman Williams asked if Oklahoma City Police Department provides resources officers at the Moore schools located in Oklahoma City. Major White indicated that it was his understanding that they did.

Councilwoman McKenzie moved to approve the FY 20-21 contract between the City of Moore and the Moore Public School District for the provision of seven uniformed School Resource Officers and one police vehicle. Moore Public Schools shall reimburse the City in a sum not to exceed \$351,353.68 and reimburse the City \$33,583.34 as 65% of the cost of the vehicle, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER REZONING APPLICATION NO. RZ-995, LOCATED IN THE SW/4 OF SECTION 11, T10N, R3W, BEING NORTH OF NE 18TH STREET AND EAST OF N. BROADWAY AVENUE, FROM R-1 SINGLE-FAMILY DWELLING DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT; AND APPROVE ORDINANCE NO. 945(20). APPLICATION BY WISHNUCK INVESTMENTS, LLC. (PLANNING COMMISSION RECOMMENDED APPROVAL 8-0). WARD 2.

Elizabeth Weitman, Community Development Director, stated that the subject site was located north of NE 18th Street and east of Broadway Avenue at 1930 N. Broadway Avenue. The property contained one building last occupied several years ago by a dentist office and other professional office uses. Ms. Weitman advised that the legal non-conforming status for the R-1 property expired since it had been vacant for over six months. She stated that the applicant would like to market the property for retail sales and other allowable uses within a C-3 zoning category. A rezoning was required in order to utilize the property for this purpose. She advised that public water and sewer were available to serve the site and access would be provided from N. Broadway Avenue through an existing driveway.

Ms. Weitman stated that the Envision Moore 2040 Plan designated the area as Neighborhood Commercial inside the I-35 Corridor. The Plan stated that the I-35 Corridor should have only uses conducive to shopping, dining, and entertainment. She advised that the application was reviewed and found to be in conformance with the intent of the Plan; therefore, staff recommended approval of the item. Ms. Weitman indicated that the applicants was participating virtually and was available to answer any questions.

Councilman Webb moved to approve Rezoning Application No. 995 located in the SW/4 of Section 11, T10N, R3W, being north of NE 18th Street and east of N. Broadway Avenue, from R-1 Single-Family Dwelling District to C-3 General Commercial District; and approve Ordinance No. 945(20), second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER REZONING APPLICATION NO. RZ-996, LOCATED IN THE NE/4 OF SECTION 26, T10N, R3W, BEING SOUTH OF SE 19TH STREET AND WEST OF BROADWAY AVENUE, FROM I-2 MEDIUM INDUSTRIAL DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT; AND APPROVED ORDINANCE NO. 946(20). APPLICATION BY BLUE FLOWER PROPERTIES, LLC/DAVID YOUNG. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-1). WARD 3.

Elizabeth Weitman, Community Development Director, stated that the subject site was located on the southwest corner of SW 19th Street and S. Broadway Avenue at 220 SE 19th. The property was zoned I-2 Medium Industrial District and contained one existing building which was last occupied by an insurance adjuster before becoming vacant. The applicant requested rezoning the property to a C-3 General Commercial District in order to market the property for retail sales and other uses within a C-3 zoning category. Ms. Weitman advised that public water and sewer were available to serve the site and access would be provided from SW 19th Street through an existing driveway.

The Envision Moore 2040 Plan designated the area as Employment Mixed-Use which would accommodate a mix of office, residential, and other supporting uses and primarily located along arterial roadways. Ms. Weitman stated that the application was reviewed and found to be in conformance with the intent of the Plan. Staff recommended approval of the item.

Councilwoman McKenzie asked if the prior business operated under a special permit since they were zoned for industrial uses. Ms. Weitman stated that they were considered a legal non-conforming use and were allowed to operate until the business closed. Councilwoman McKenzie asked why one of the Planning Commissioners voted against the item. Ms. Weitman stated that the Commissioner expressed concerns regarding the amount of parking. She indicated that it was a small building located on a small lot. The parking would not be sufficient for a business that generated a lot of traffic; however, staff felt it was adequate for this situation. Councilwoman McKenzie asked if there was a tenant in mind for the space. The applicant indicated that the tenant planned to operate a medical marijuana business at the site.

Councilwoman McKenzie moved to approve Rezoning Application No. RZ-996, located in the NE/4 of Section 26, T10N, R3W, being south of SE 19th Street and west of Broadway Avenue, from I-2 Medium Industrial District to C-3 General Commercial District; and approved Ordinance No. 946(20), second by Councilman Webb. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER APPROVAL OF FY 2021 DUES TO THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS ("ACOG") IN THE AMOUNT OF \$39,228.

Betty Koehn, Finance Director, stated that the item was to approve payment of the City's annual membership dues to ACOG in the amount of \$39,228. Councilman Williams asked if the benefit from membership was worth the cost to the City. Councilwoman McKenzie stated that ACOG was a very active organization that did a lot of good and she felt the City got more than we pay for. Councilwoman Hunt added that the City also benefitted by receiving grant funding on various projects.

Councilman Williams moved to approve FY 2021 dues to the Association of Central Oklahoma Governments (“ACOG”) in the amount of \$39,228, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER APPROVAL OF A FY 20-21 BUDGET SUPPLEMENT TO BUDGET ADDITIONAL FUNDS AND RELATED EXPENSES FOR THE GENERAL FUND.

Betty Koehn, Finance Director, advised that the proposed budget supplement would budget funds received from ODOT for the easement on 4th Street and the related costs to clear the easement. It would also budget funds released by the district court to fund training within the Police Department.

Councilman Webb moved to approve a FY 20-21 budget supplement to budget additional funds and related expenses for the General Fund, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 15 being:

CONSIDER RESOLUTION NO. 961(20) ADOPTING THE SCHEDULE OF FEES AND CHARGES; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Brian Miller, Assistant City Attorney, stated that the majority of the proposed changes to the Schedule of Fees and Charges were due to a recent amendment to Ordinance No. 944(20) approved on June 15, 2020. There are also updates to the section on Central Park, Recreation Center and Aquatic Center.

Councilman Williams asked if the fees changes involving Animal Control were to bring Moore in line with the surrounding communities. Mr. Miller indicated that was case adding that the City's fees were very low in comparison to other cities.

Councilwoman McKenzie asked how a determination of a vicious canine was made. Mr. Miller indicated that the dog would have to bite an individual causing injury or kill another animal. Councilman Williams confirmed that the term vicious canine was based on the animal's action or behavior and not based on the breed.

Councilman Williams moved to adopt Resolution No. 961(20) adopting the Schedule of Fees and Charges; effective upon approval and remaining in effect until modified, amended or repealed; and repealing prior inconsistent fees, second by Councilwoman Hunt. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:26 P.M.

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JULY 20, 2020.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$311,784.50 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$336,070.21.

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

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

Agenda Item Number 17 being:

CONSIDER APPROVAL OF A FY 20-21 BUDGET SUPPLEMENT TO BUDGET ADDITIONAL FUNDS AND RELATED EXPENSES FOR THE MOORE PUBLIC WORKS AUTHORITY.

Betty Koehn, Finance Director, advised that the proposed budget amendment would move budgeted funds for a packer body to be installed on the chassis of a sanitation route truck from FY 20 to FY 21. Ms. Koehn stated that the funds were originally budgeted in FY 20 although the bid was not awarded until July in FY 21.

Trustee Williams to approve a FY 20-21 budget supplement to budget additional funds and related expenses for the Moore Public Works Authority, second by Trustee McKenzie. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:28 P.M.

Agenda Item Number 18 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JULY 20, 2020.
- B) APPROVE PAYMENT OF A WORKERS COMPENSATION SETTLEMENT IN THE TOTAL AMOUNT OF \$50,000, WHICH IS A CONSOLIDATION OF THREE CLAIMS, CONSISTING OF CBR NO. 2050000764 IN THE AMOUNT OF \$28,682, CBR NO. 2050000742 IN THE AMOUNT OF \$15,988.50, AND CBR NO. 2050000781 IN THE AMOUNT OF \$5,329.50 TO JEFFREY WEATHERS, AND AUTHORIZE PLACEMENT ON THE AD VALOREM TAX ROLL.

- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$474,279.26.

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

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

Agenda Item Number 19 being:

CONSIDER APPROVAL OF A FY 20 BUDGET SUPPLEMENT TO BUDGET ADDITIONAL FUNDS AND RELATED EXPENSES FOR RISK MANAGEMENT.

Betty Koehn, Finance Director, stated that the FY 20 budget amendment would budget additional revenue to support the health care claims expense and legal fees related to several unexpected personnel issues.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:31 P.M.

Agenda Item Number 20 being:

NEW BUSINESS:

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

Anthony Wright, 913 SW 10th, stated that he attended the meeting to speak on a mask ordinance that he thought would be on the agenda. Councilwoman Hunt stated that a work study session was held to hear comments regarding the issue on July 23, 2020. A vote was not anticipated to be taken on a mask mandate at this time.

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

Councilwoman McKenzie stated that there were some legal issues resulting from cities issuing mask mandates. Councilwoman Hunt indicated her concern was how to enforce a mask mandate. She felt that the City Council felt more comfortable with a mask recommendation.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, advised the City Council of the following items:

- Dead trees in Veteran's Park and Kiwanis Park would be addressed by staff.
- On July 20, 2020 the City Council received citizen complaints from residents of Lost Creek regarding an individual who appeared to be operating a business out of his home. He stated that

a meeting with the property owner would be held on August 5, 2020 after which he would report his findings to the City Council along with a recommendation on how to proceed.

- A town meeting on the Cleveland Heights Urban Renewal Plan would be held on August 6, 2020 at 6:30 p.m. at The Station.
- The Moore Police Department was sponsoring National Night Out to be held on August 4, 2020 from 7:00 p.m. to 9:00 p.m. in the Warren Theatre parking lot. Attendees were encouraged to practice social distancing and to wear masks.

Councilwoman McKenzie stated that she had received calls regarding tall grass in areas of the City and asked if it was due to the abundance of rain. Mr. Mitchell indicated that the weather had disrupted the normal mowing schedule.

Councilwoman Hunt asked about the progress in collecting tree limbs from storm damage. Mr. Mitchell stated that by August 4, 2020 staff will have made one pass throughout the entire City. Another pass would be made to collect any areas previously missed.

Agenda Item Number 21 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:38 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

MELISSA HUNT, MPWA Secretary

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

ATTEST:

VANESSA KEMP, City Clerk