

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
SEPTEMBER 8, 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 September 8, 2020 at 6:30 p.m. with Vice-Mayor Mark Hamm 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, Hamm
ABSENT: Blair, Webb, Lewis

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; Director of Public Affairs, 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; Parks & Recreation Director, Sue Wood; PC Technician, Thomas Farrar; Police Chief, Todd Gibson; Police Sergeant Becky Miller; Police Captain Chris Maddocks; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; and Public Works Director, Richard Sandefur.

Vice-Mayor Hamm read a proclamation declaring September as "Library Card Sign-Up Month" in the City of Moore and indicated that he would be accepting the proclamation on behalf of Chris Manna, Branch Manager of the Moore Public Library. Each of the council members recommended a book they enjoyed in order to encourage reading.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 17, 2020.
- B) APPROVE THE MINUTES OF THE SPECIAL WORK STUDY SESSION HELD JULY 23, 2020.
- C) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD JULY 14, 2020.
- D) APPROVE AN ADDENDUM TO THE INTERLOCAL AGREEMENT WITH THE CITY OF OKLAHOMA CITY DEFINING REIMBURSABLE EXPENSES RELATED TO THE HOUSING REHABILITATION PROGRAM FOR THE 2013 TORNADO.

- E) APPROVE AN AMENDMENT TO CONTRACTS WITH THE CURVE APARTMENTS, LP AND NHS MOORE CURVE, MESHEK & ASSOCIATES AND COMMUNITY DEVELOPMENT SERVICES INCORPORATING MISSING FEDERAL CLAUSES.
- F) ACCEPT A 5' TEMPORARY CONSTRUCTION EASEMENT FROM ELIZABETH A. CORONADO, AT 709 N. GALE.
- G) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT FROM SAM RENTALS, LLC, 705 N. GALE; LARRY AND BEVERLY SAMMAN, 913 N. GALE; KAMMI WRIGHT, 1009 N. GALE; AND CHRISTOPHER AND MADELIN ALTOM, 1101 N. GALE.
- H) ACCEPT A 15' PERMANENT UTILITY EASEMENT FROM LARRY AND BEVERLY SAMMAN LOCATED AT 913 N. GALE.
- I) ACCEPT A 16' PERMANENT UTILITY EASEMENT FROM KAMMI WRIGHT, 1009 N. GALE AND CHRISTOPHER AND MADELIN ALTOM, AT 1101 N. GALE.
- J) ACCEPT TWO VARIABLE-WIDTH SANITARY SEWER EASEMENTS FROM PREMIUM LAND COMPANY/TABER LEBLANC LOCATED EAST OF BRYANT AND NORTH OF SE 34TH STREET TO SERVE THE BROADMOORE HEIGHTS SECTION 1.
- K) ACCEPT A 10' TEMPORARY CONSTRUCTION EASEMENT AND A 15' PERMANENT UTILITY EASEMENT FROM JUDITH MCGEE FOR THE CONSTRUCTION OF A SANITARY SEWER FORCE MAIN LOCATED ON LOT 1, BLOCK 1 OF VALLEY VIEW ESTATES.
- L) ACCEPT A VARIABLE WIDTH PERMANENT DRAINAGE CHANNEL EASEMENT FROM SHIRLEY A. WELLS, TRUSTEE OF THE SHIRLEY A. WELLS LIVING REVOCABLE TRUST, LOCATED AT 1621 SE 4TH STREET.
- M) ACCEPT A PERPETUAL UTILITY EASEMENT FOR PARCEL 10.1 FROM JAMES CASTOR REVOCABLE TRUST, DALE RAY CASTOR AND ANNETTE CASTOR, AND JUDITH CAROLE MANNING AND JACKIE MANNING FOR CONSTRUCTION AND MAINTENANCE OF THE SE 4TH STREET RAILROAD UNDERPASS PROJECT.
- N) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$248,710.30 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$2,412,496.29.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF ORDINANCE NO. 953(20) AMENDING PART 12, CHAPTER 8, ARTICLE A, SECTION 12-206 GENERAL PROVISIONS OF THE FLOOD DAMAGE PREVENTION REGULATIONS BY ADOPTING THE FEMA FLOOD INSURANCE RATE MAPS EFFECTIVE JANUARY 15, 2021.

Elizabeth Weitman, Community Development Director, stated that approval of Ordinance No. 953(20) would adopt the most current FEMA Flood Plain Maps. Ms. Weitman advised that the map was the culmination of a comprehensive drainage study for Walnut Creek, a part of the Canadian River system, which resulted in an amendment to the base flood elevations and flood maps. Ms. Weitman noted that the findings had no effect on the City of Moore since the flood plain only covered half a square mile on the far west side of Moore which included The Grace Point Senior Living Community, Greenbriar Eastlake, and Santa Fe North. She added that although the changes only involved the City of Norman, Moore was still required to adopt the most recent FEMA maps.

Councilman Williams moved to approve Ordinance No. 953(20) amending Part 12, Chapter 8, Article A, Section 12-206 General Provisions of the Flood Damage Prevention Regulations by adopting the FEMA Flood Insurance Rate Maps effective January 15, 2021, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER REZONING APPLICATION NO. RZ997, LOCATED IN THE SE/4 OF SECTION 14, T10N, R3W, BEING NORTH OF SE 4TH STREET AND EAST OF TURNER AVENUE, FROM A-2 SUBURBAN AGRICULTURAL DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT; AND APPROVE ORDINANCE NO. 948(20). APPLICATION BY ROBERT ROGERS. (PLANNING COMMISSION RECOMMENDED APPROVAL 9-0). WARD 1.

Elizabeth Weitman, Community Development Director, stated that the subject site was located north of SE 4th Street and east of Turner Avenue and contained two lots totaling .75 acres. Ms. Weitman advised that the east lot was vacant and the west lot contained an existing home. The applicant proposed rezoning both lots to C-3 General Commercial District for future commercial development. She stated that public water and sewer were available to serve the site, and access would be provided from SE 4th Street. Ms. Weitman advised that the site contained a FEMA regulated floodplain and floodway along the north side of the site; however, storm water detention was not required since the property was under one acre in size.

Ms. Weitman advised that the Envision Moore 2040 Plan designated the area as Community Commercial which typically included uses such as retail, service, and office designed for community activity and sales tax revenue. Ms. Weitman advised that the application was reviewed and found to be in compliance with the intent of the Plan; therefore staff recommended approval of the item.

Councilwoman McKenzie moved to approve Rezoning Application No. RZ997, located in the SE/4 of Section 14, T10N, R3W, being north of SE 4th Street and east of Turner Avenue, from A-2 Suburban Agricultural District to C-3 General Commercial District; and approve Ordinance No. 948(20), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 5 being:

DISCUSS, AND IF DEEMED APPROPRIATE, APPOINT AN ATTORNEY TO REPRESENT CITY EMPLOYEES JERRY STILLINGS AND TODD STRICKLAND, IN BRYAN GAINES, ET AL. V. CITY OF MOORE ET AL., CASE NO. CIV-2020-851-D, PURSUANT TO 11 OKLA. STAT. § 23-102.

Brooks Mitchell, City Manager read a statement at the request of Randy Brink, City Attorney, who was absent from the meeting. The statement was in reference to requested action for the agenda item and stated that the requested motion was to "appoint an attorney to represent Jerry Stillings and Todd Strickland in Bryan Gaines, et al. v. City of Moore et al., Case No. CIV-2020-851-D, pursuant to a determination that Jerry Stillings and Todd Strickland were acting in good faith in the course of their

employment; and further authorize City Attorney and staff to proceed as directed." Mr. Mitchell recommended approval of the item.

Councilwoman McKenzie moved to appoint an attorney to represent Jerry Stillings and Todd Strickland in Bryan Gaines, et al. v. City of Moore et al., Case No. CIV-2020-851-D, pursuant to a determination that Jerry Stillings and Todd Strickland were acting in good faith in the course of their employment; and further authorize City Attorney and staff to proceed as directed, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER AUTHORIZING THE PURCHASE OF SIX (6) IN-CAR VIDEO SYSTEMS IN THE AMOUNT OF \$34,890 FROM COMPUTECH INTERNATIONAL D/B/A WATCHGUARD FOR NEW FORD EXPLORER SUV POLICE INTERCEPTORS FROM THE UNITED STATES GENERAL SERVICES ADMINISTRATION ("GSA") CONTRACT PURSUANT TO PART 7, SECTION 7-205(6).

Police Chief Todd Gibson addressed Agenda Items No. 6 through 8. Chief Gibson stated that the items were for the budgeted purchase of cameras, radios, and interior and exterior parts such as cages, consoles, computer mounts, and rifle racks for six new police vehicles.

Councilwoman McKenzie moved to authorize the purchase of six (6) in-car video systems in the amount of \$34,890 from Computech International d/b/a Watchguard for new Ford Explorer SUV police interceptors from the United States General Services Administration ("GSA") contract pursuant to Part 7, Section 7-205(6), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER AUTHORIZING THE PURCHASE OF SIX (6) MOBILE PATROL RADIOS IN THE AMOUNT OF \$21,331.50 FROM MOTOROLA SOLUTIONS, INC. FOR NEW FORD EXPLORER SUV POLICE INTERCEPTORS FROM THE UNITED STATES GENERAL SERVICES ADMINISTRATION ("GSA") CONTRACT PURSUANT TO PART 7, SECTION 7-205(6).

Councilwoman Hunt moved to authorize the purchase of six (6) mobile patrol radios in the amount of \$21,331.50 from Motorola Solutions, Inc. for new Ford Explorer SUV police interceptors from the United States General Services Administration ("GSA") contract pursuant to Part 7, Section 7-205(6), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER THE PURCHASE OF INTERIOR AND EXTERIOR PARTS FOR NEW FORD EXPLORER SUV POLICE INTERCEPTORS IN THE AMOUNT OF \$22,584.24 FROM FLEET SAFETY EQUIPMENT, INC. D/B/A DANA SAFETY SUPPLY AS THE LOWEST OF THREE WRITTEN QUOTES.

Vice-Mayor Hamm asked how long it would take to equip the new vehicles once they were delivered. Chief Gibson indicated that the City was fortunate to have employees at the Police Department who were able to install the equipment thereby reducing the installation time to three days compared to a month if the work was contracted out.

Councilwoman Hunt moved to approve the purchase of interior and exterior parts for new Ford Explorer SUV police interceptors in the amount of \$22,584.24 from Fleet Safety Equipment, Inc. d/b/a Dana Safety Supply as the lowest of three written quotes, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF A TRADE CONTRACT WITH H & H SHOOTING SPORTS FOR THE REMOVAL OF 139 UNCLAIMED FIREARMS, AS LISTED IN CASE NO. CV-2020-1487, IN EXCHANGE FOR 23 POLICE RIFLES USING A FEDERAL FIREARMS LICENSE HOLDER.

Police Chief Todd Gibson stated that the proposed contract with H & H Shooting Sports, a Federal Firearms License Holder, was for the trade of 139 unclaimed firearms. The disposition of the guns was given to the City of Moore by court order allowing the City to trade the unclaimed firearms for 23 fully outfitted patrol rifles. Vice-Mayor Hamm asked if this would allow every certified officer to have a City rifle. Chief Gibson indicated that 50% of the police officers would obtain a rifle through the proposed firearms trade. The remaining 50% would use their personal weapons until they can reach their goal of providing every eligible police officer with a rifle.

Councilman Williams moved to approve a Trade Contract with H & H Shooting Sports for the removal of 139 unclaimed firearms, as listed in Case No. CV-2020-1487, in exchange for 23 police rifles using a Federal Firearms License Holder, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER APPROVAL OF A NEW JOB DESCRIPTION FOR A PROPERTY CLERK IN THE POLICE DEPARTMENT AND APPROVE PLACEMENT IN PAY GRADE 109 OF THE CITY'S SALARY TABLE.

Christine Jolly, Human Resources Director, requested approval of a new job description for Property Clerk in the Police Department. The position would be responsible for maintaining the chain of custody for evidence and property, disposal of property following final disposition of the case, and disposal of evidence following a request from the District Attorney. The position would be non-commissioned and would free up a

commissioned officer to focus on criminal investigations. Staff recommended approval and placement of the budgeted position in Pay Grade 109 of the City's salary table.

Vice-Mayor Hamm asked when the position would be filled. Ms Jolly indicated they would like to fill the position within a month.

Councilman Williams moved to approve a new job description for a Property Clerk in the Police Department and approve placement in Pay Grade 109 of the City's salary table, second by Councilwoman McKenzie. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AUTHORIZING THE PURCHASE OF HARD DRIVES AND HARD DRIVE ENCLOSURES FOR POLICE BODY CAMERA EVIDENCE STORAGE OFF STATE CONTRACT NO. SW 1020D FROM THE DAVENPORT GROUP IN THE AMOUNT OF \$24,514.

David Thompson, Manager of Information Technology, stated that the proposed request would provide additional hard drive space for evidence obtained from police body cameras. Councilman Williams asked if the City investigated converting the information to the Cloud. Mr. Thompson advised that staff looked into that option and found it would cost significantly more than the cost of the proposed hard drives. Councilman Williams stated that if there were no any legal ramifications he recommended considering migrating the backup information to the Cloud.

Councilwoman McKenzie moved to authorize the purchase of hard drives and hard drive enclosures for police body camera evidence storage off State Contract No. SW 1020D from the Davenport Group in the amount of \$24,514, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 12 being:

CONSIDER APPROVAL OF BUDGET SUPPLEMENTS FOR FY 20-21 FOR PRIOR YEAR PURCHASE ORDER CARRYOVERS AS FOLLOWS: RISK MANAGEMENT \$1,425.00; STREET BOND IMPROVEMENTS \$1,634,195.77; MOORE PUBLIC WORKS AUTHORITY \$506,315.53; GENERAL FUND \$298,279.80; SPECIAL REVENUE FUND \$714,163.22; ½ CENT SALES TAX PUBLIC SAFETY EQUIPMENT/RESIDENTIAL STREETS \$565,659.29; ¼ CENT PARKS/FIRE STATION \$113,474.56; AND CDBG-DR GRANT \$2,156,293.45.

Betty Koehn, Finance Director, requested authorization to roll last fiscal year's open year-end purchase orders into the new fiscal year.

Councilwoman Hunt moved to approve budget supplements for FY 20-21 for prior year purchase order carryovers as follows: Risk Management \$1,425.00; Street Bond Improvements \$1,634,195.77; Moore Public Works Authority \$506,315.53; General Fund \$298,279.80; Special Revenue Fund \$714,163.22; ½ Cent Sales Tax Public

Safety Equipment/Residential Streets \$565,659.29; ¼ Cent Parks/Fire Station \$113,474.56; and CDBG-DR Grant \$2,156,293.45, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER ADOPTING RESOLUTION NO. 967(20) APPROVING THE JUNE 28, 2018 WEIGHTED VOTING AMENDMENT TO THE AGREEMENT CREATING THE 9-1-1 ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS.

Brooks Mitchell, City Manager, advised that the proposed resolution was being requested by the Association of Central Oklahoma Governments ("ACOG") for their member cities. The resolution would approve the amendment to the original agreement by basing the weighted vote on population size rather than the number of land lines located within a City. Since the number of land lines being utilized was decreasing as people switch to exclusive cell phone usage they felt this would be the fairer option.

Councilwoman McKenzie moved to adopt Resolution No. 967(20) approving the June 28, 2018 Weighted Voting Amendment to the agreement creating the 9-1-1 Association of Central Oklahoma Governments, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 14 being:

CONSIDER, AND IF DEEMED APPROPRIATE, APPROVE AN AGREEMENT WITH WITT O'BRIEN, LLC, WAIVING COMPETITIVE BIDDING PURSUANT TO STATE OF EMERGENCY DECLARATION (DR-4504) DECLARED BY THE STATE OF OKLAHOMA ON THE 15TH DAY OF MARCH 2020; TO PROVIDE CONSULTING AND STAFF AUGMENTATION SERVICES, COST RECOVERY AND EMERGENCY MANAGEMENT ADVISORY SERVICES, AND TO PROVIDE AN IMMEDIATE RESPONSE TO IMMINENT RISKS PRESENTED BY COVID-19, IN AN AMOUNT NOT TO EXCEED \$150,000.00.

Brooks Mitchell, City Manager, stated that Witt O'Brien was a consulting firm that would assist the City with the application and utilization of the CARES Act monies and in determining eligibility for future reimbursements. Mr. Mitchell noted that the \$150,000 fee for this service would be a reimbursable expense. Carolina Van Horn with Witt O'Brien was available by Zoom to answer any questions.

Councilman Williams moved to approve an agreement with Witt O'Brien, LLC, waiving competitive bidding pursuant to State of Emergency Declaration (DR-4504) declared by the State of Oklahoma on the 15th day of March 2020; to provide consulting and staff augmentation services, cost recovery and emergency management advisory services, and to provide an immediate response to imminent risks presented by COVID-19, in an amount not to exceed \$150,000.00, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 15 being:

CONSIDER AWARDING BID NO. 2020-01 FOR "CONSTRUCTION SERVICES FOR S. JANEWAY STREET REPLACEMENT" TO ALL ROADS PAVING, INC. IN THE AMOUNT OF \$418,127.26 AS THE LOWEST AND MOST RESPONSIBLE BIDDER; AND APPROVE CONTRACT FOR THE SAME. (CONTRACT FUNDED USING CDBG-DR FUNDS).

Jerry Ihler, Assistant City Manager, stated that on July 8, 2020 the City solicited bids for the reconstruction of S. Janeway Avenue from SW 17th Street to approximately SW 10th Street. Mr. Ihler advised that the City received six responses ranging in price from \$418,000 to \$711,000. After reviewing the bids it was staff's recommendation to award the bid/contract to All Roads Paving, Inc. in the amount of \$418,127.26. Mr. Ihler advised that the estimated completion date for the project was 180 days and would be funded using Community Development Block Grant-Disaster Recovery ("CDBG-DR") funds.

Councilman Williams asked if the project only included the road along one side of the creek. Mr. Ihler indicated that the project would also include 100' to 150' along the west side of Little River at the intersection between Dreessen Drive and SW 12th which would ultimately be the entrance to The Curve. Councilman Williams asked if the City had contracted with All Roads Paving in the past. Mr. Ihler stated that the City had not contracted with this company before; however, they received good references from the cities of Oklahoma City, Edmond, and Norman.

Councilman Williams moved to award Bid No. 2020-01 for "Construction Services for S. Janeway Street Replacement" to All Roads Paving, Inc. in the amount of \$418,127.26 as the lowest and most responsible bidder; and approve contract for the same, second by Councilwoman McKenzie. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:00 P.M.

Agenda Item Number 16 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD AUGUST 17, 2020.
- B) APPROVE AN AMENDMENT INCORPORATING A MISSING FEDERAL CLAUSE TO THE CONTRACT WITH VEOLIA WATER NORTH AMERICA-CENTRAL, LLC.
- C) RATIFY ACTION OF THE CITY COUNCIL ON APPROVAL OF BUDGET SUPPLEMENTS FOR FY 20-21 FOR PRIOR YEAR PURCHASE ORDER CARRYOVERS.
- D) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2019-2020 IN THE AMOUNT OF \$402,995.10 AND APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$1,052,963.32.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:01 P.M.

Agenda Item Number 17 being:

CONSENT DOCKET:

- A) ACCEPT THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD AUGUST 17, 2020.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$146,198.28.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR GLENN LEWIS PRESIDING AT 7:02 P.M.

Agenda Item Number 18 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 McKenzie wanted to note for the record that the request for legal presentation under Agenda Item No. 5 was for former Police Chief Jerry Stillings and former Acting Police Chief Todd Strickland and were not directly involved in the accident.

Councilman Williams thanked the Police Department for their quick response to the school zone/parking situation at Oak Ridge Elementary School.

Vice-Mayor Hamm noted that the Police Department would begin having unmarked units patrolling school zones and encouraged drivers to monitor their speed.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, advised that the City received a rebate of approximately \$397,000 since the City Council voted to change the City's Pharmacy Benefits Manager around 18 months ago. Mr.

Mitchell also advised that the millage rate for next year will decrease from 16.53 mills to 15.49 mills honoring a pledge to the citizens to keep the millage rate below 16.5 mills.

Agenda Item Number 19 being:

EXECUTIVE SESSION:

- A) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: MARLENE REQUA V. CITY OF MOORE, CASE NO. CJ-2017-1261, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: KEVIN SHARP V. CITY OF MOORE, CASE NO. CJ-2020-443, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- C) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: IESHA CARTER V. CITY OF MOORE, CASE NO. CJ-2020-660, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- D) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: BRYAN GAINES, ET AL. V. CITY OF MOORE ET AL., CASE NO. CIV-2020-851-D, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- E) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: CITY OF MOORE V. TRUCK-N-TRAILER, INC., AN OKLAHOMA CORPORATION, ET AL., CASE NO. CV-2016-2723-TS, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTERESTS OF THE PLAINTIFF AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- E(1) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING AMENDED TORT CLAIM FROM ROB AND BONNIE FILA FOR DAMAGES OCCURRING ON THE 30TH DAY OF OCTOBER 2019, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- F) CONVENE INTO EXECUTIVE SESSION

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

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

The City Council convened into executive session at 7:08 p.m.

G) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:49 p.m.

H) ACTION.

- A) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: MARLENE REQUA V. CITY OF MOORE, CASE NO. CJ-2017-1261, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: KEVIN SHARP V. CITY OF MOORE, CASE NO. CJ-2020-443, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- C) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: IESHA CARTER V. CITY OF MOORE, CASE NO. CJ-2020-660, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- D) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: BRYAN GAINES, ET AL. V. CITY OF MOORE ET AL., CASE NO. CIV-2020-851-D, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- E) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: CITY OF MOORE V. TRUCK-N-TRAILER, INC., AN OKLAHOMA CORPORATION, ET AL., CASE NO. CV-2016-2723-TS, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTERESTS OF THE PLAINTIFF AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- E(1) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING AMENDED TORT CLAIM FROM ROB AND BONNIE FILA FOR DAMAGES OCCURRING ON THE 30TH DAY OF OCTOBER 2019, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman McKenzie moved to proceed as directed in executive session regarding Agenda Items No. 19A-E(1), second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 20 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:50 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