

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD
AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY
SEPTEMBER 21, 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 21, 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, Webb, Hamm, Lewis
ABSENT: None

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Randy Brink; Assistant City Attorney/Risk Manager, Brian Miller; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; 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 and Recreation Director, Sue Wood; Police Chief Todd Gibson; Police Sergeant David Dickinson; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; Public Affairs Director, Deidre Ebrey; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 8, 2020.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD AUGUST 4, 2020.
- C) ACCEPT A PERMANENT RIGHT OF WAY/PUBLIC UTILITY EASEMENT FROM TROY L. AND TROY J. SHATSWELL FOR CONSTRUCTION AND MAINTENANCE OF A DRAINAGE STRUCTURE AS PART OF THE SE TURNER AVE. STREET PROJECT.
- D) APPROVE A CONTRACT WITH AGING SERVICES TO PROVIDE HOME DELIVERED MEALS TO HOMEBOUND SENIORS USING COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) FUNDS.
- E) APPROVE A CONTRACT WITH MOORE YOUTH AND FAMILY SERVICES TO PROVIDE A YOUTH FIRST TIME OFFENDER PROGRAM USING CDBG FUNDS.
- F) APPROVE A CONTRACT WITH MOORE YOUTH AND FAMILY SERVICES TO PROVIDE AN EARLY INTERVENTION PROGRAM IN MOORE’S SECONDARY SCHOOLS USING CDBG FUNDS.

- G) APPROVE A CONTRACT WITH METROPOLITAN FAIR HOUSING COUNCIL TO PROVIDE FAIR HOUSING SERVICES TO MOORE RESIDENTS USING CDBG FUNDS.
- H) APPROVE A CONTRACT WITH BETHESDA TO PROVIDE COUNSELING FOR ABUSED CHILDREN IN MOORE USING CDBG FUNDS.
- I) APPROVE A CONTRACT WITH MARY ABBOTT CHILDREN'S HOUSE TO PROVIDE A FORENSIC INTERVIEW PROGRAM FOR ABUSED CHILDREN USING CDBG FUNDS.
- J) APPROVE AN AGREEMENT WITH SALVATION ARMY TO PROVIDE A UTILITY AND RENTAL/MORTGAGE ASSISTANCE PROGRAM FOR MOORE RESIDENTS USING COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19 FUNDS.
- K) DECLARE A 2006 FORD TAURUS (VIN 1FAFP53U06A210267), POLICE UNIT NO. 06-291, AS SURPLUS.
- L) APPROVE THE SECOND OF A FOUR YEAR CONTRACT WITH ARBITRAGE COMPLIANCE SPECIALISTS TO REVIEW ARBITRAGE COMPLIANCE REQUIREMENTS RELATED TO CITY BONDS/NOTES.
- M) APPROVE A NEW JOB DESCRIPTION FOR MARKETING COMMUNICATIONS MANAGER IN THE PUBLIC AFFAIRS DEPARTMENT AND APPROVE PLACEMENT IN PAY GRADE 117 OF THE CITY'S SALARY TABLE.
- N) APPROVE MEMBERSHIP RENEWAL IN THE AMOUNT OF \$5,000 TO OKLAHOMA MUNICIPAL MANAGEMENT SERVICES ("OMMS").
- O) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$1,877,288.63.

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

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

Agenda Item Number 3 being:

RECEIVE A REPORT FROM SELECT ACTUARIAL SERVICES AND ACCEPT THE ANNUAL ACTUARIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2020.

Brian Miller, Risk Manager, stated that the City had contracted with Select Actuarial Services for the past several years on the preparation of the City's annual actuarial report which is used for budgeting purposes. Mr. Miller noted that Laura Sprouse with Select Actuarial Services would appear virtually to give a summary of her findings.

Ms. Sprouse stated that the actuarial report covered total liabilities associated with the City's health benefits, workers compensation, and automobile with general liability exposures. She indicated that the objective of the report was to provide an estimate of required reserves for unpaid claims that occurred prior to 6/30/20 and to provide a forecast of the ultimate cost for claims that would occur during the current and upcoming fiscal year. She then reviewed the Program Summary below:

PROGRAM SUMMARY

PROGRAM	RESERVES @ 6/30/20	FORECAST 7/1/20-21	FORECAST 7/1/21-22
Health	\$672,000	\$5,567,000	\$5,833,000
Workers Compensation	\$1,495,000	\$495,000	\$495,000
Liability	\$271,000	\$110,000	\$113,000
Other - Open tort claim	\$30,000		
TOTAL	\$2,468,000	\$6,172,000	\$6,441,000

Ms. Sprouse stated that the forecast for FY 21-22 was projected by allowing for inflation and a slight increase in the number of anticipated employees. She ended her presentation by asking if there were any questions. Mayor Lewis and the City Council thanked Ms. Sprouse for her presentation. Brooks Mitchell, City Manager, noted that the numbers from the actuarial report would also be presented to the auditors for inclusion in the annual audit report.

Councilman Williams noted a correction within the report summary. The annual payroll figure for 7/1/20-21 (from the 2019 report) on Page 9 of the summary listed the amount as \$23,708. That number appears to be transposed on Page 10 where the annual payroll figure for 7/1/20-21 (prior) was listed as \$23,078. Ms. Sprouse confirmed that the error was an accidental transposition of the numbers.

Councilman Webb moved to accept the annual Actuarial Report for fiscal year ending June 30, 2020 with the noted correction, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER MODIFYING THE PERSONNEL POLICY AND PROCEDURES MANUAL BY ADDING AN IDLE REDUCTION POLICY IN REGARDS TO THE USAGE OF CITY VEHICLES.

Brian Miller, Assistant City Attorney, stated that the proposed item would amend the Personnel Policy and Procedures Manual to include an "Idle Reduction Policy" to reduce fuel consumption and emissions in City vehicles. Mr. Miller added that putting this policy into place would allow the City to be eligible for grant funding.

Kahley Gilbert, Project-Grants Manager (Capital Planning & Resiliency), stated that staff was preparing a grant application through the Department of Environmental Quality which required an Idle Reduction Policy. If the City was awarded the funds it would pay for 75% of the cost of an additional terminator truck for Public Works.

Councilwoman McKenzie asked if the proposed Idle Reduction Policy mirrored other cities. Mr. Miller indicated that it did.

Councilman Webb moved to modifying the Personnel Policy and Procedures Manual by adding an Idle Reduction Policy in regards to the usage of City vehicles, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 5 being:

RECEIVE A PRESENTATION FROM STAFF REGARDING THE NE 12TH STREET ROADWAY IMPROVEMENT PROJECT.

Jerry Ihler, Assistant City Manager, advised that he would be making a presentation regarding a 2018 General Obligation Bond roadway project for NE 12th from I-35 to Eastern Avenue. Mr. Ihler stated that design of the project was previously awarded to Freese & Nichols in the amount of \$360,000. The scope of the project included an assessment of the paving conditions to determine if the roadway required rehabilitation or complete reconstruction, an assessment of required drainage improvements,

sidewalk/trail design, and landscaping. Mr. Ihler advised that the NE 12th and Eastern Avenue intersection would also be included in this project along with proposed improvements to the intersections at NE 12th and the I-35 ramp and NE 12th and Broadway.

Mr. Ihler stated that the plans included a 4-lane undivided roadway from the I-35 ramp to N. Broadway. There would be a 6' sidewalk along the north side of 12th Street and a 10' trail along the south side of 12th Street which would end at Briarwood. Intersection improvements at NE 12th and the I-35 northbound ramp would include the addition of an eastbound right turn lane to reduce delays during peak traffic.

He advised that the geotechnical report submitted on the paving conditions indicated significant deterioration of the roadway and recommended full reconstruction.

Due to concerns regarding the current configuration of the intersection at NE 12th and Broadway the addition of right turn lanes for both eastbound and northbound traffic was proposed. It was determined that a safety issue existed when southbound traffic turning left off Broadway onto 12th Street encountered backup traffic from drivers attempting to turn left off 12th Street into Sonic. For that reason the option of a raised median in front of Sonic which would prevent access from eastbound traffic was also being considered. Mr. Ihler stated that roadways were designed for the next 20 years in mind. With no improvements made to the intersection the existing traffic volumes were operating at Level of Service ("LOS") C. However, based on projected traffic volumes by 2040 the level of service in the a.m. hours would drop to a LOS D and in the p.m. hours to an LOS E. With the proposed improvement of an eastbound right turn lane the LOS for 2040 traffic volumes would be a C. The addition of a northbound right turn lane would result in a LOS D and LOS F by 2040 if no improvements are made. Mr. Ihler stated that a 6' sidewalk on the north side and a 10' trail on the south side of 12th Street was proposed. However, additional right-of-way must be acquired on the southeast and southwest corners of the intersection to allow for the sidewalk at this location.

He stated that further east on NE 12th Street was a railroad crossing. The project included a 10' trail along the south side of the roadway that would continue across the railroad tracks. A retaining wall would be necessary along the south side of the roadway due to a steep drop-off located there. Councilman Hamm asked if the City anticipated problems with cooperation from BNSF railroad on the proposed improvements. Mr. Ihler stated that staff wanted to solicit input from the City Council regarding the proposed plans before contacting the railroad.

Mr. Ihler advised that landscaping for the project would consist of trees spaced intermittently for shade and benches where space would allow.

He stated that the City would apply for ACOG grant funds in addition to the \$3.93 million anticipated in appropriated funds. The construction schedule would be as follows:

PROPOSED SCHEDULE WITHOUT ACOG FUNDING:

Preliminary Design Completion	February 2021
Final Design Completion	October 2021
Bid Solicitation	November 2021
Construction Start Date	January 2022

PROPOSED SCHEDULE WITH ACOG FUNDING:

Preliminary Design Completion	February 2021
Final Design Completion	December 2021
Bid Solicitation	April 2022
Construction Start Date	July 2022

Mr. Ihler added that the additional timeline was due to the review process and the necessary environmental assessments required by ODOT.

The estimated cost of the project was \$5.8 million or approximately \$6 million with the addition of the three right turn lanes. The remaining funding source after design costs was \$3.5 million necessitating application for additional funding. Mr. Ihler noted that this project was submitted to ACOG for their three year program last year to be funded in FFY 2022. At that time this project was ranked at the top of the list for FFY 2022 at a total estimated cost of \$4.4 million. At that time ACOG funding would have been 80% of the project or approximately \$3.5 million. ACOG now has two year submittals with the applications due around October 23, 2020. Mr. Ihler advised that the City would be submitting five projects. Three of the roadway projects could be eligible for 80% federal funding include Phase II of the Eastern Avenue project from SE 4th to NE 12th Street, the Eastern Avenue intersection at SE 19th, and the project being discussed at NE 12th Street from I-35 to Eastern Avenue. Mr. Ihler noted that the NE 12th Street and Eastern Avenue intersection would be added to whichever project would receive the best score. The other two projects be submitted to ACOG for potential funding would include safety projects for the 19th Street Corridor to upgrade traffic signals, preemption for the Fire Department, and street striping from Santa Fe to Broadway which could be eligible for 100% funding. Mr. Ihler also noted that the score the City received for ACOG funding on this project would be reduced if the median was omitted from the plans on 12th Street east of Broadway.

Mr. Ihler asked for Council input regarding the preliminary design. He indicated that if the project did not score well enough to receive additional ACOG funding the project may not include the sidewalk on the north side of the street and it was possible that not all of the intersection improvements could be made, such as the addition of the three right turn lanes, due to the lack of funding. Mr. Ihler indicated that five resolutions submitting the projects to ACOG for funding would be presented at the October 5, 2020 meeting for Council consideration.

Councilman Hamm moved to receive a presentation from staff regarding the NE 12th Street Roadway Improvement Project, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF RESOLUTION NO. 966(20) ADOPTING THE DELEGATION OF THE CERTIFYING OFFICER TO THE CITY MANAGER.

Kahley Gilbert, Project-Grants Manager (Capital Planning & Resiliency), advised that an environmental review was required for any federally funded project. The review would identify any negative environmental impacts to the surrounding environment and ensure the project meets federal, state, and local environmental standards. In order to receive grant funds the submittal of the environmental review to HUD must be signed by the certifying officer. Ms. Gilbert advised that in this past the City Manager served as the certifying officer. Following a monitoring visit from HUD it was noted that a formal delegation of a certifying officer should be in their files.

Councilman Williams moved to adopt Resolution No. 966(20) approving the delegation of the Certifying Officer to the City Manager, second by Councilwoman Hunt. Motion carried unanimously.

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

Agenda Item Number 7 being:

DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, APPROVE A CONTRACT WITH THERAPY DOGS INTERNATIONAL TO PROVIDE THERAPY DOG SERVICES AT THE BRAND CENTER AT NO COST TO THE CITY.

Brian Miller, Assistant City Attorney, stated that the proposed contract with Therapy Dogs International, a volunteer organization, would provide therapy dogs through their handlers to the Brand Center at no cost to the City. Mr. Miller noted his only concern with the contract was a clause that indicated that any dispute that might occur between Therapy Dogs International and the City of Moore would be governed in accordance with the laws of the State of New Jersey and their jurisdiction. Mr. Miller stated that if a problem occurred it would be necessary for the City to hire an attorney who was licensed to practice in New Jersey to represent the City. Councilwoman McKenzie noted that the contract included various insurance coverages for things such as liability and medical expenses. Mayor Lewis asked where the dog would be located after hours. Mr. Miller stated that the dog was owned by the handler who would bring the therapy dog to meet with the seniors who visit the Brand Center. Councilman Williams asked if the contract term was open ended. Mr. Miller indicated that it was. Councilwoman McKenzie stated that she liked the idea of having therapy dogs visit the Brand Center but wanted an opportunity to read some references and, if possible, have a local handler attend a City Council meeting to speak on the issue. Councilman Williams recommended tabling the item to the next meeting to allow Council an opportunity to obtain additional information.

Councilwoman McKenzie moved to table Agenda Item No. 7, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER APPROVAL OF A TRANSFER INTO THE GENERAL FUND RESERVE FUND.

Betty Koehn, Finance Director, advised that last year the City Council approved Ordinance 923(19) establishing a General Fund Reserve Fund. It stated that after the close of each fiscal year staff would recommend to City Council an amount to be transferred into the reserve fund based on excess revenues over expenditures. For FY 2020 staff recommended the transfer of \$400,000 into the General Fund Reserve Fund. Ms. Koehn noted that although revenues were lower than projected the departments did a good job of monitoring their expenditures allowing the \$400,000 transfer compared to \$200,000 last fiscal year.

The City Council complimented staff on the good job they did curbing their expenditures.

Councilwoman McKenzie moved to approve a \$400,000 transfer into the General Fund Reserve Fund, second by Councilman Blair. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT APPROXIMATELY 7:22 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD SEPTEMBER 8, 2020.
- B) RATIFY ACCEPTANCE OF THE ANNUAL ACTUARIAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2020.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$583,697.01.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT APPROXIMATELY 7:23 P.M.

Agenda Item Number 10 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD SEPTEMBER 8, 2020.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$214,394.94.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH COUNCILMAN LOUIE WILLIAMS PRESIDING AT 7:24 P.M.

Agenda Item Number 11 being:

ROLL CALL

PRESENT: McKenzie, Blair, Hunt, Lewis, Webb, Hamm, Williams
ABSENT: None

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD AUGUST 17, 2020.

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

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

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:25 P.M. WITH MAYOR GLENN LEWIS PRESIDING.

Agenda Item Number 13 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.

Mayor Lewis announced that he received notice from a drilling company located on S. Broadway that they were closing their facility.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, expressed his appreciation to Assistant City Manager Jerry Ihler, Community Development Director Elizabeth Weitman, and Project-Grants Manager Kahley Gilbert for their hard work on the application process for ACOG funding. The City Council concurred with his comments.

Councilman Hamm requested that staff look into a malfunction with the lighting on the 34th Street Bridge.

Agenda Item Number 14 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:27 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