

**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  
JANUARY 16, 2024 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on January 16, 2024 at 6:30 p.m. with Vice-Mayor Melissa Hunt presiding.

*Adam Webb*  
*Councilman, Ward I*

*Kathy Griffith*  
*Councilwoman, Ward I*

*Melissa Hunt*  
*Councilwoman, Ward II*

*Vacant*  
*Councilman, Ward II*

*Jason Blair*  
*Councilman, Ward III*

*Louie Williams*  
*Councilman, Ward III*

PRESENT: Blair, Williams, Webb, Hunt

ABSENT: Griffith, Lewis

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney/Risk Manager, Brian Miller; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; Finance Director, John Parker; Fire Chief Greg Herbster; Information Technology Director, David Thompson; Parks and Recreation Director, Sue Wood; Police Chief Todd Gibson; Sergeant Kevin Stromski; Public Affairs Director, Deidre Ebrey; Public Works Director, Tony Mensah; and Veolia Water Project Manager, Robert Pistole.

Audio recording of the meeting did not start until reading of the Consent Docket began.

**Agenda Item Number 2 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JANUARY 2, 2024.
- B) ACCEPT 800.05 SQ. FT. OF PERMANENT RIGHT-OF-WAY AND 400.08 SQ. FT. OF TEMPORARY CONSTRUCTION EASEMENT FROM KEVIN R. REIFF AND PAMELA J. REIFF FOR CONSTRUCTION OF THE S. BRYANT AND SE 4TH STREET & DRAINAGE IMPROVEMENT PROJECT.
- C) ACCEPT 1,248.28 SQ. FT. OF PERMANENT RIGHT-OF-WAY AND 1,662.49 SQ. FT. OF TEMPORARY CONSTRUCTION EASEMENT FROM LEONARD C. MASON AND CHERYL FAYE MASON FOR CONSTRUCTION OF THE S. BRYANT AND SE 4TH STREET & DRAINAGE IMPROVEMENT PROJECT.
- D) ADOPT RESOLUTION NO. 72(23) APPROVING THE DECEMBER 2023 COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (CDBG-DR) PROGRAM INTERNAL AUDIT REPORT.

- E) APPROVE A ONE-YEAR CONTRACT EXTENSION WITH WEAVER & TIDWELL, LLP FOR CDBG-DR INTERNAL AUDIT SERVICES.
- F) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$3,573,419.21.

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

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Agenda Item Number 3 being:**

CONSIDER APPROVAL OF A NEW JOB DESCRIPTION FOR FINANCIAL TECHNOLOGY SUPPORT SPECIALIST IN THE FINANCE DEPARTMENT AND ASSIGN IT TO PAY GRADE 111 OF THE SALARY TABLE APPROVED BY CITY COUNCIL ON JUNE 20, 2016 AND IN ACCORDANCE WITH THE BUDGET APPROVED BY CITY COUNCIL FOR FISCAL YEAR 23-24.

Brooks Mitchell, City Manager, stated that the proposed job description more closely defines job duties currently performed by the Assistant to the Finance Director. The position evolved to encompass more technology tasks and fewer accounting tasks due to the City's continued use of Tyler Technology's Munis System. If the new job description is approved the job title will change to "Financial Technology Support Specialist" with no change in the placement of the budgeted job description in Pay Grade 111 of the City's salary table.

**Councilman Blair moved to approve a new job description for Financial Technology Support Specialist in the Finance Department and assign it to Pay Grade 111 of the salary table approved by City Council on June 20, 2016 and in accordance with the budget approved by City Council for Fiscal Year 23-24, second by Councilman Williams. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Agenda Item Number 4 being:**

CONSIDER APPROVAL OF A REVISED JOB DESCRIPTION FOR RECREATION COORDINATOR IN THE PARKS AND RECREATION DEPARTMENT, CHANGE THE JOB TITLE TO PROGRAM COORDINATOR, AND ASSIGN IT TO PAY GRADE 110 OF THE SALARY TABLE APPROVED BY CITY COUNCIL ON JUNE 20, 2016 AND IN ACCORDANCE WITH THE BUDGET APPROVED BY CITY COUNCIL FOR FISCAL YEAR 23-24.

Brooks Mitchell, City Manager, requested that the item be tabled.

**Councilman Blair moved to table Agenda Item No. 4, second by Councilman Williams. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Agenda Item Number 5 being:**

CONSIDER APPROVAL OF A REVISED JOB DESCRIPTION FOR ENVIRONMENTAL SERVICES MANAGER IN THE COMMUNITY DEVELOPMENT DEPARTMENT AND ASSIGN IT TO PAY GRADE 117 OF THE SALARY TABLE APPROVED BY CITY COUNCIL ON JUNE 20, 2016 AND IN ACCORDANCE WITH THE BUDGET APPROVED BY CITY COUNCIL FOR FISCAL YEAR 23-24.

Brooks Mitchell, City Manager, requested that the item be tabled.

**Councilman Blair moved to table Agenda Item No. 5, second by Councilman Williams. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Agenda Item Number 6 being:**

CONSIDER APPROVAL OF AN AGREEMENT WITH HALFF ASSOCIATES, INC. IN THE AMOUNT OF \$340,690 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MAIN STREET RECONSTRUCTION PROJECT FROM BROADWAY AVENUE TO EASTERN AVENUE.

Jerry Ihler, Assistant City Manager, advised that the agreement with Halff Associates was for engineering services for the Main Street Reconstruction Project from Broadway to Eastern Avenue. He stated that this was the fifth of six projects approved by the voters in the 2023 G.O. Bond election. Mr. Ihler recommended approval of an agreement with Halff Associates in the amount of \$340,690 for design of the proposed project.

**Councilman Webb moved to approve an Agreement with Halff Associates, Inc. in the amount of \$340,690 for professional engineering services for the Main Street Reconstruction Project from Broadway Avenue to Eastern Avenue, second by Councilman Williams. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Agenda Item Number 7 being:**

CONSIDER APPROVAL OF CHANGE ORDER NO. 2 WITH ALLEN CONTRACTING IN THE AMOUNT OF \$14,234 FOR TRAFFIC STRIPING AND A SIGNAL CONTROLLER UPGRADE FOR THE EASTERN AVENUE RECONSTRUCTION PROJECT FROM SE 4TH STREET TO SE 19TH STREET.

Jerry Ihler, Assistant City Manager, advised that the proposed change order with Allen Contracting was for an additional mobilization fee to add striping from the intersection at SE 19<sup>th</sup> and Eastern north to SE 13<sup>th</sup> Street. Mr. Ihler explained that the striping would allow the residents in the area to fully utilize the intersection now instead of waiting until completion of the project. It also included an upgrade to the Signal System Controller to allow for flashing yellow arrows to allow drivers to make left turns after yielding to oncoming traffic. He indicated that the existing controller is outdated and will not allow this function.

Mr. Ihler noted that a previous change order included five items and were approved as Change Orders 1 through 5; therefore, the agenda language in this item should be amended to approve as Change Order No. 6.

**Councilman Williams moved amend the Change Order number in the language for Agenda Item No. 7 to read Change Order No. 6 instead of Change Order No. 2, second by Councilman Blair. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Councilman Webb moved to approve Change Order No. 6 with Allen Contracting in the amount of \$14,234 for Traffic Striping and a Signal Controller Upgrade for the Eastern Avenue Reconstruction Project from SE 4th Street to SE 19th Street, second by Councilman Blair. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Agenda Item Number 8 being:**

CONSIDER APPROVAL OF AMENDMENT NO. 1 IN THE AMOUNT OF \$31,000 TO THE AGREEMENT WITH FREESE AND NICHOLS FOR ADDITIONAL HYDRAULIC ANALYSIS AND STRUCTURAL DESIGN OF THE DRAINAGE SYSTEM FOR THE SW 19TH STREET AND SANTA FE AVENUE INTERSECTION RECONSTRUCTION PROJECT.

Jerry Ihler, Assistant City Manager, stated that the traffic study for the intersection of SW 19<sup>th</sup> and Santa Fe Avenue called for additional storage length for queuing westbound traffic on SW 19<sup>th</sup> turning south onto Santa Fe. This resulted in the need to expand the project further east of CVS. Mr. Ihler stated there is an extensive drainage system located east of the intersection. He indicated that the pedestrian trail and bicycle path must cross over the open channel which currently ties into corrugated metal pipe that is in poor condition. Staff would propose replacing the pipe with a concrete box. Mr. Ihler recommended approval of Amendment No. 1 with Freese and Nichols for incorporation of the proposed design changes in the amount of \$31,000.

**Councilman Williams moved to approve Amendment No. 1 in the amount of \$31,000 to the Agreement with Freese and Nichols for additional hydraulic analysis and structural design of the drainage system for the SW 19th Street and Santa Fe Avenue Intersection Reconstruction Project, second by Councilman Blair. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Agenda Item Number 9 being:**

CONSIDER AWARDING A CONTRACT IN THE AMOUNT OF \$67,100 TO KC DEMOLITION AND DIRT WORK FOR DEMOLITION OF THE TILLISON CABINET SHOP LOCATED AT 137 SE 4TH STREET FOR CONSTRUCTION AND MAINTENANCE OF THE SE 4TH STREET RAILROAD UNDERPASS PROJECT.

Jerry Ihler, Assistant City Manager, advised that three quotes were collected for demolition of the Tillison Cabinet Shop, as part of the 4<sup>th</sup> Street Railroad Underpass project, that range in price from \$67,100 to \$82,225. Staff recommends awarding the contract to KC Demolition and Dirt Work who submitted the lowest best responsive quote.

**Councilman Williams moved to approve awarding a contract in the amount of \$67,100 to KC Demolition and Dirt Work for demolition of the Tillison Cabinet Shop located at 137 SE 4th Street for construction and maintenance of the SE 4th Street Railroad Underpass Project, second by Councilman Webb. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**Agenda Item Number 10 being:**

CONSIDER APPROVAL OF ORDINANCE NO. 1047(24) AMENDING PART 12, CHAPTER 2, ARTICLE A, SECTION 12-206(E) OF THE MOORE LAND DEVELOPMENT CODE BY REMOVING "TATTOO AND/OR BODY PIERCING PARLORS" FROM THE RETAIL SALES AND SERVICES: RESTRICTED USE UNIT CLASSIFICATION AND ADDING THE SAME TO PERSONAL SERVICES: RESTRICTED USE UNIT CLASSIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A REPEALER.

Elizabeth Weitman, Community Development Director, stated that Rezoning Application No. 1042, currently under consideration by the Planning Commission, was tabled to allow the City Council an opportunity to determine in which use unit classification tattoo parlors should be placed. Ms. Weitman advised that Ordinance No. 1047(24) proposes a use on review within the C-2 zoning district. She noted that the item was being presented for discussion and consideration of the proposed ordinance and not for consideration of the rezoning application.

Ms. Weitman stated that tattoo parlors are currently listed under Retail Sales and Services: Restricted Use Unit Classification which includes appliance repair, used furniture sales and rentals, used clothing sales, food banks, pawn shops, blood plasma donation centers, and tattoo and body piercing parlors. Ms. Weitman stated that this use unit classification is a use permitted on review which means it must go through the Planning Commission and the City Council in the C-2, C-3 and C-4 zoning districts, but is allowed by right in the C-5 and C-6 zoning districts.

Ms. Weitman indicated that she had reached out to other communities to see how they handle this type of use. She determined that Norman, Edmond, and Oklahoma City allow tattoo parlors as a permitted use, meaning no review is necessary, in the closest equivalent to the City of Moore's C-2 zoning district. The proposed ordinance would remove tattoo and/or body piercing parlors from the Retail Sales and Services: Restricted Use Unit Classification and reclassify it as Personal Services: Restricted Use Unit Classification. This is a use allowed by right in the C-2, C-3, C-4 and C-6 zoning districts. Other uses in the Personal Services Restricted category include in part, photography and art studios, driving schools, barber shops, beauty parlors, and dance and music academies. If Ordinance No. 1047(24) is approved tattoo and body piercing parlors would be inserted into this use unit classification.

Ms. Weitman stated that the City Council may decide to approve Ordinance No. 1047(24) as written, deny the ordinance, or table the item. She noted that opposition to the reclassification was voiced by some residents as well as from some of the Planning Commissioners. Ms. Weitman indicated that other options may include the creation of a new classification or the implementation of a special use permit for

tattoo and body piercing parlors. A special use permit would require going through the rezoning process allowing Council the opportunity to place any restrictions they feel are necessary on the business.

Councilman Williams expressed his opinion that tattoo parlors should be given the opportunity for consideration but still felt it should be reviewed by whatever method is most practical since some uses are feasible in certain locations but not in others.

Vice-Mayor Hunt asked if rezoning applications for this type of use would need to come before the Council each time. Ms. Weitman stated that staff could create a special use permit for tattoo and body piercing parlors. This would require that the Planning Commission and City Council review the applications no matter what zoning district they want to go into.

**Citizens to Speak:**

Nita Wallinger, 908 NE 21<sup>st</sup>, spoke against the reclassification of tattoo and body piercing businesses. Ms. Wallinger felt that this type of business brings crime and should not be located near family-oriented neighborhoods. She indicated that she had witnessed the illegal operation of this tattoo shop on several occasions and urged the City Council to vote no on the item.

Arthur Reimann, 824 NE 20<sup>th</sup> Place, stated that he did not feel a tattoo parlor is the same thing as a barber shop or beauty salon. Mr. Reimann felt the location was not appropriate for this type of business and was concerned that it would result in decreased property values and property owners moving from the area. Mr. Reimann requested that the City Council vote no on the ordinance change and stated that he would speak against the rezoning request when it is heard.

Vice-Mayor Hunt, finding that there were no other individuals who wished to speak on the item, suggested that a possible solution might be the option of a special use permit which would allow for review by the Planning Commission and the City Council. She stated that she not in favor of the reclassification. Vice-Mayor Hunt asked for information on the process involved with a special use permit. Mr. Weitman stated that the building would retain the original zoning. The special use permit would be for tattoo parlors and would not cover any other use. The City Council could, as a part of the special use permit, place any restrictions on the business deemed necessary or appropriate. Vice-Mayor Hunt confirmed that if the tattoo parlor closed and another tattoo parlor wanted to go in that location, it would still require approval.

Councilman Webb asked if Moore would be the only city in the metro area that places restrictions on this type of business. Ms. Weitman advised that Midwest City has restrictions and does not allow them by right. Councilman Williams asked what the City of Norman places restrictions on this type of use. Ms. Weitman stated that they consider tattoo parlors to be similar to a beauty salon and allows them by right.

**Councilman Williams moved to table Agenda Item No. 10 to allow the City Council an opportunity to review the situation in more detail and to give the Community Development department time to prepare something to submit at the next meeting, second by Councilman Blair. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

Ms. Weitman noted that the applicant will be notified that the item was tabled and inquire whether he would like to table his rezoning application or move forward with it. She stated that the neighbors will be notified if he chooses to withdraw. If he wishes to move forward the item will be heard at the February 13, 2024 Planning Commission Meeting.

**Agenda Item Number 11 being:**

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF (3) HARRIS XL-185M MOBILE RADIOS AND (4) HARRIS XL-95 PORTABLE RADIOS FROM L3 HARRIS IN THE AMOUNT OF \$27,528.35 USING THE CITY OF NORMAN'S CONTRACT AS THE LOWEST QUOTE.

Fire Chief Greb Herbster advised that the proposed purchase is a continuation of the replacement of the 2006 Motorola radios which are past their service life. Chief Herbster stated that the City of Norman's contract is 4% less than the state contract.

**Councilman Williams moved to authorize the budgeted purchase of (3) Harris XL-185M mobile radios and (4) Harris XL-95 portable radios from L3 Harris in the amount of \$27,528.35 using the City of Norman's contract as the lowest quote, second by Councilman Webb. Motion carried unanimously.**

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:03 P.M.**

**Agenda Item Number 12 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JANUARY 2, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$1,662,734.78.

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

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:04 P.M.**

**Agenda Item Number 13 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JANUARY 2, 2024
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$35,811.63.

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

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED AT 7:05 P.M.**

**Agenda Item Number 14 being:**

ROLL CALL

PRESENT: Blair, Williams, Webb, Hunt  
ABSENT: Griffith, Lewis

**Agenda Item Number 15 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD DECEMBER 18, 2023.

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

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH VICE-MAYOR MELISSA HUNT PRESIDING AT 7:06 P.M.**

**Agenda Item Number 16 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.

Councilman Webb asked if the timing of the Broadway and Eastern project would coincide with the 4<sup>th</sup> Street Underpass Project creating traffic problems. Brooks Mitchell, City Manager, indicated that the projects would be sequenced around the underpass project.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, congratulated the Police and Parks Departments on the success of the Special Olympics event held January 12, 2024 which had an attendance of approximately 1,000 people. Mr. Mitchell stated that issues occurred with the City water wells in 2021 due to extremely low



temperatures such as what the City experienced over the past week. He noted that improvements made in 2021 prevented problems from occurring this time.

**Agenda Item Number 17 being:**

EXECUTIVE SESSION:

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE POSSIBLE ACTION REGARDING PENDING CLASS ACTION LITIGATION AGAINST 3M COMPANY AND E.I. DUPONT DE NEMOURS AND COMPANY, AND OTHER DEFENDANTS, INVOLVING PER- AND POLYFLUOROALKYL SUBSTANCES ("PFAS") FILED IN UNITED STATES DISTRICT COURT, DISTRICT OF SOUTH CAROLINA; 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

Brooks Mitchell, City Manager, stated that the attorneys were unable to make a report on the class action litigation; therefore, there is no need to convene into executive session.

- C) RECONVENE FROM EXECUTIVE SESSION
- D) ACTION

There was no action taken on the item.

**Agenda Item Number 18 being:**

ADJOURNMENT

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

Ayes: Blair, Williams, Webb, Hunt  
Nays: None  
Absent: Griffith, Lewis

**The City Council, Moore Public Works Authority, Moore Risk Management, and Moore Economic Development Authority meetings were adjourned at 7:08 p.m.**

TRANSCRIBED BY:

\_\_\_\_\_  
RHONDA BAXTER, Executive Assistant

FOR:

\_\_\_\_\_  
KATHY GRIFFITH, MPWA Secretary

These minutes passed and approved as noted this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
VANESSA KEMP, City Clerk