

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
MARCH 4, 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 March 4, 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

Rob Clark
Councilman, Ward II

Jason Blair
Councilman, Ward III

Louie Williams
Councilman, Ward III

PRESENT: Griffith, Blair, Williams, Webb, Hunt

ABSENT: Lewis

Pledge of Allegiance Led by Kyleigh McCaskill with Girl Scout Troop 798.

Judge Blake Virgin administered the Oath of Office to Rob Clark who will be serving out the remaining term of the Ward 2 seat vacated by Mark Hamm before beginning a new term of office.

PRESENT: Griffith, Blair, Williams, Webb, Clark, Hunt

ABSENT: Lewis

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney, Brian Miller; City Clerk, Vanessa Kemp; Community Development Director, Elizabeth Weitman; Fire Chief Greg Herbster; Emergency Management Director, Gayland Kitch; Finance Director, John Parker; Human Resource Director, Christine Jolly; Information Technology Director, David Thompson; Parks and Recreation Director, Sue Wood; Police Chief Todd Gibson; Sergeant David Dickinson; Public Affairs Director, Deidre Ebrey; Public Works Director, Tony Mensah; 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 FEBRUARY 20, 2024.
- B) ACCEPT 504 SQ. FT. OF ADDITIONAL SANITARY SEWER EASEMENT FROM THE SUNNYLANE ESTATES MOBILE HOME PARK FOR CONSTRUCTION AND MAINTENANCE OF THE SOUTHEAST LIFT STATION GRAVITY FLOW 36" SEWER MAIN PROJECT.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$3,056,306.82.

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

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

Agenda Item Number 3 being:

CONSIDER APPROVAL OF AN UPDATE TO THE ON-CALL AGREEMENT WITH MESHEK AND ASSOCIATES UPDATING HOURLY RATES FOR REVIEW ENGINEERING SERVICES.

Elizabeth Weitman, Community Development Director, stated that the item is an update to the contract with Meshek and Associates for drainage plan reviews. Ms. Weitman indicated that Meshek and Associates was requesting approval of a new fee schedule that includes a 30% to 50% increase for different levels of project manager services. Ms. Weitman pointed out that the contract is an on-call agreement and costs incurred will be directly related to the amount of development that occurs within the City.

Councilman Williams moved to approve an update to the on-call agreement with Meshek and Associates updating hourly rates for review engineering services, second by Councilwoman Griffith. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER APPROVAL OF AN UPDATE TO THE ON-CALL AGREEMENT WITH CIVIL AND ENVIRONMENTAL CONSULTANTS, INC. ("CEC") UPDATING HOURLY RATES FOR REVIEW ENGINEERING SERVICES.

Elizabeth Weitman, Community Development Director, advised that the item was for approval of an updated contract with CEC for paving, water, and sewer plan review. Ms. Weitman stated that CEC's costs are increasing by approximately 25%; therefore, the hourly rate would increase from \$180 to \$220 per hour. Ms. Weitman noted that costs incurred by the City was completely dependent on the amount of development.

Councilman Williams asked if the City would increase their fees accordingly. Ms. Weitman stated that a request for a fee increase would be included in the next fee schedule update.

Councilman Williams moved to approve an update to the on-call agreement with Civil and Environmental Consultants, Inc. ("CEC") updating hourly rates for review engineering services, second by Councilwoman Griffith. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER APPROVAL OF A LOT SPLIT OF COMMON AREA "A" OF THE RENAISSANCE CROSSING ADDITION, LOCATED SOUTH OF SW 34TH STREET AND WEST OF EASTERN AVENUE. APPLICATION BY RENAISSANCE CROSSING HOA/ROBERT ENFIELD, PRESIDENT.

Elizabeth Weitman, Community Development Director, stated that Agenda Items No. 5 and 6 are companion items. Robert Enfield, HOA President for Renaissance Crossing, advised her that he had an individual requesting to purchase the common area located along Eastern Avenue currently used for drainage. Mr. Enfield indicated that the HOA would like to retain ownership of a lot located in front of their neighborhood for beautification purposes. The City made an offer for purchase of the common area which was accepted by the HOA. The proposed lot split would split off the lot the HOA wished to retain, from the drainage area to be purchased by the City.

Councilman Webb moved to approve lot split of Common Area "A" of the Renaissance Crossing Addition, located south of SW 34th Street and west of Eastern Avenue. Application by Renaissance Crossing HOA/Robert Enfield, President, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER APPROVAL OF THE PURCHASE OF 1.19 ACRES OF PERMANENT RIGHT-OF-WAY FROM THE RENAISSANCE CROSSING HOMEOWNER'S ASSOCIATION IN THE AMOUNT OF \$8,000 FOR FUTURE ROADWAY AND DRAINAGE IMPROVEMENTS ALONG S. EASTERN AVENUE SOUTH OF SW 34TH STREET.

Councilman Blair moved to approve purchase of 1.19 acres of Permanent Right-of-Way from the Renaissance Crossing Homeowner's Association in the amount of \$8,000 for future roadway and drainage improvements along S. Eastern Avenue south of SW 34th Street, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 7 being:

CONSIDER APPROVAL OF ORDINANCE NO. 1048(24) AMENDING PART 12, CHAPTER 8, SECTION 12-806 OF THE FLOOD DAMAGE PREVENTION REGULATIONS BY ADOPTING THE FEMA FLOOD INSURANCE RATE MAPS EFFECTIVE MARCH 27, 2024.

Elizabeth Weitman, Community Development Director, stated that Ordinance No. 1048(24) would formally adopt new FEMA floodplain maps. Ms. Weitman noted that the flood maps cover very large areas and often extend into other jurisdictional boundaries. The areas being updated are located in Oklahoma City and Norman; however, the City is still required to adopt the regulating maps because Moore is on the same panel.

Councilman Williams moved to approve Ordinance No. 1048(24) amending Part 12, Chapter 8, Section 12-806 of the Flood Damage Prevention Regulations by adopting the FEMA Flood Insurance Rate maps effective March 27, 2024, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 8 being:

DISCUSS COMMERCIAL LANDSCAPING COMPLIANCE REGULATIONS AND DIRECT STAFF AS APPROPRIATE.

Elizabeth Weitman, Community Development Director, stated that she was asked to perform a landscaping inspection of all commercial properties since adoption of the 2000 Landscaping Regulations. Inspections were made of 247 commercial properties with 91 to 93 deemed to be in non-compliance with the regulations. The inspection was for trees only since aerial photographs could not adequately identify shrubs. Ms. Weitman indicated that a survey of other Central Oklahoma communities was made to determine how they handled landscaping compliance issues. She advised that the City of Norman requires a landscaping maintenance bond for new construction. The City of Edmond treats it as a code enforcement issue with an inspection made three to five years after construction. If a business fails the inspection a notice is issued with a deadline for compliance after which time a citation may be issued. The City of Oklahoma City does not do anything after the final occupancy. The City of Midwest City currently does not do anything but are looking into implementing a landscaping inspection program. Ms. Weitman recommended sending out notices to violators to see how many come into compliance with citations issued for noncompliance. She stated a lot of violators are located in strip centers or high turnover buildings. When an occupancy permit or remodel is done staff can perform a landscaping inspection and have the property come back into compliance. Ms. Weitman requested direction from the City Council on how to proceed.

Councilman Webb thanked Ms. Weitman for doing the landscaping inspections and surveys for commercial businesses. He felt that some of the commercial businesses have not maintained their landscaping in some time creating an eyesore. Councilman Webb felt that businesses in Norman and Edmond are maintained much better than in Moore. He believed a mechanism should be in place, with an adequate time period for compliance, to ensure the businesses are maintained in an acceptable way.

Vice-Mayor Hunt asked what kind of leverage the City had on business owners who are located out of state after citations are issued. Ms. Weitman stated that the only leverage in that type of situation would be the extreme measure of pulling the water or electric meter. Brooks Mitchell, City Manager, asked if we get notifications from entities involved in refinancings. Ms. Weitman confirmed that requests from lenders are occasionally sent to the City when a property is being refinanced or sold to see if it meets all City Code requirements. Staff could notify the entities if a property has an open violation for landscaping. Councilman Blair asked if staff felt the City's landscaping requirements was comparable to other cities. Ms. Weitman indicated that staff surveyed other communities a few years ago and found that Moore's landscaping requirements were comparable to other cities in the number of trees and shrubs required. Councilman Blair asked if violations are more common in certain areas of the City. Ms. Weitman stated that some violations are owner specific, and that industrial properties appear more likely not to maintain their landscaping. Councilman Blair confirmed that violators would be given an adequate timeframe in the notice to comply before a citation is issued. Councilman Williams suggested that, as a last-ditch effort, the City could hire a contractor to do the required landscaping and then add the cost to their water bill. Ms. Weitman stated that it was possible although the option might require a City Code update.

Ms. Weitman stated it was her understanding that the City Council would like notices to be sent to the violators with a deadline for compliance that would occur as soon as the planting season would allow. After compliance levels are determined staff could look into Code changes that would give the City more options in dealing with noncompliance.

Councilman Blair requested that Mr. Mitchell gives updates to the City Council on which businesses are responding and which are not.

No action was taken on the item.

Agenda Item Number 9 being:

CONSIDER RENEWAL OF A CONTRACT WITH ARC PYROTECHNICS FOR THE CITY'S ANNUAL FOURTH OF JULY AND CHRISTMAS SPECTACULAR FIREWORKS DISPLAYS IN THE TOTAL BUDGETED AMOUNT OF \$58,500.

Sue Wood, Parks and Recreation Director, stated that the proposed contract with Arc Pyrotechnics was for fireworks displays for the Fourth of July and Christmas Spectacular shows in the total amount of \$58,500. She noted that there was not an increase in price from last year.

Ms. Wood confirmed for Councilman Webb that there are sponsors who donate to the fireworks displays.

Councilman Webb moved to renew a contract with ARC Pyrotechnics for the City's annual Fourth of July and Christmas Spectacular fireworks displays in the total budgeted amount of \$58,500, second by Councilman Williams. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER A CONTRACT WITH S & S STAFFING D/B/A HIREGO FOR A STAFFING AGREEMENT FOR THE PARKS AND CEMETERY MAINTENANCE DEPARTMENT.

Sue Wood, Parks and Recreation Director, stated that the proposed annual agreement was for temporary staffing when necessary, during the summer months for the Parks and Cemetery Maintenance Departments.

Councilman Williams moved to approve a contract with S & S Staffing d/b/a HireGo for a staffing agreement for the Parks and Cemetery Maintenance Department, second by Councilman Webb. Motion carried unanimously.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:54 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD FEBRUARY 20, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$386,820.81.

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

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:55 P.M.

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD FEBRUARY 20, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$243,916.26.

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

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH VICE-MAYOR MELISSA HUNT PRESIDING AT 6:56 P.M.

Agenda Item Number 13 being:

NEW BUSINESS:

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

Cleetis Passmore, 1217 Woodbine Circle, stated that he addressed the City Council in July 2023 regarding the creek located behind his house eroding his property. Mr. Passmore asked if the City would bring dirt in to fix the issue or if he would be required to do that. Jerry Ihler, Assistant City Manager, stated that he was aware of the situation. A location which would allow the equipment access to the site and a 404 Permit with the Corp of Engineers would be required. Mr. Passmore stated that the problem is affecting the entire neighborhood and requested that something be done as soon as possible.

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

Vice-Mayor Hunt asked for an update on the Eastern Avenue project. Jerry Ihler, Assistant City Manager, stated that the contractor notified him that his crew would not be back until AT&T relocates their utility lines. Mr. Ihler stated that the City originally worked around the areas where the lines were located and then began work on the south end of the project. Now the south end of the project is substantially

complete with the exception of sidewalk/trails. He advised that he had spoken with AT&T about the necessary utility line relocations on multiple occasions. AT&T was unaware that three lines were located under the roadway in the middle of the outside southbound lane. AT&T has since attempted to expedite the relocation of the underground lines by working out an agreement with OG&E to locate the lines on OG&E's poles. Mr. Ihler stated that there was now a delay due to AT&T having a shortage of workers who can splice the line. Mr. Ihler also indicated that AT&T was behind on relocations due to the increased number of roadway projects currently underway and the recent availability of grant funding. He noted that the City has been waiting on AT&T for close to a year to relocate their utilities that they originally indicated were clear of all conflicts. Councilman Williams asked if future contracts could include a timeline for utility companies to move their lines out of the way of construction. Mr. Ihler stated that he did not know of a way to require a utility company to comply with a deadline on the relocation of their utility line. Mr. Ihler noted that other cities are dealing with similar delays.

C) ITEMS FROM THE CITY/TRUST MANAGER.

There were no items from the City Manager/Trust Manager.

Agenda Item Number 14 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:11 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