

**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  
MAY 20, 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 May 20, 2024 at 6:30 p.m. with Mayor Mark Hamm 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, Hunt, Williams, Webb, Clark, Hamm  
ABSENT: Blair

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; City Attorney/Risk Manager, Brian Miller; City Clerk, Vanessa Kemp; Assistant Community Development Director, Chad Denson; Emergency Management Director, Gayland Kitch; Finance Director, John Parker; Fire Chief Greg Herbster; Information Technology Director, David Thompson; Parks and Recreation Director, Sue Wood; Assistant Police Chief Blake Green; Sergeant Kevin Stromski; Project Grants Manager, Kahley Gilbert; 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 MAY 6, 2024.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD APRIL 2, 2024.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$3,352,121.06.

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

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

**Agenda Item Number 3 being:**

CONSIDER APPROVAL OF A CONTRACT WITH HOLBROOK ASPHALT LLC, FOR STREET PAVEMENT PRESERVATION OF SELECTED CITY STREETS USING HIGH DENSITY MINERAL BOND (HA5) IN THE AMOUNT OF \$160,705.40 AS THE LOWEST RESPONSIBLE BIDDER.

Tony Mensah, Public Works Director, advised that the proposed contract with Holbrook Asphalt was for select street pavement preservation. The streets were driven and ranked using the Present Serviceability Index ("PSI"). The selected streets for treatment have a PSI of 80 or above.

Councilman Williams confirmed that the contract was for pre-selected streets with the option of doing more streets in the future. Mayor Hamm asked if the treatment could be used to prevent separation on residential streets. Mr. Mensah stated that the treatment cannot be used to repair separation but can be used to prevent separation from occurring. Councilman Williams asked if the process involved the removal of a thin section of asphalt. Mr. Mensah advised that the treatment is applied over the street to prevent oxidation by keeping UV rays and moisture from entering the asphalt and damaging the roadway.

**Councilman Williams moved to approve a contract with Holbrook Asphalt LLC, for street pavement preservation of selected city streets using High Density Mineral Bond (HA5) in the amount of \$160,705.40 as the lowest responsible bidder, second by Councilman Webb. Motion carried unanimously.**

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

**Agenda Item Number 4 being:**

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF ONE FEDERAL SIGNAL 508-128 OUTDOOR WARNING SIREN WITH SOLAR POWER OPTION, POLE, FREIGHT, AND INSTALLATION FROM FEDERAL SIGNAL SAFETY AND SECURITY SYSTEMS IN THE AMOUNT OF \$32,286.70 UTILIZING OKLAHOMA STATE CONTRACT NO. SW404F.

Gayland Kitch, Emergency Management Director, advised that staff was requesting authorization to purchase one outdoor warning siren. Councilman Williams asked if the new siren would replace an existing siren. Mr. Kitch indicated that he planned to locate the siren around 4<sup>th</sup> and Eastern in the middle of several older sirens that are around 55 years old.

Councilman Webb expressed his appreciation to Mr. Kitch and his team for the work they do during storm season.

**Councilman Webb moved to authorize the budgeted purchase of one Federal Signal 508-128 outdoor warning siren with solar power option, pole, freight, and installation from Federal Signal Safety and Security Systems in the amount of \$32,286.70 utilizing Oklahoma State Contract No. SW404F, second by Councilman Clark. Motion carried unanimously.**

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

**Agenda Item Number 5 being:**

CONSIDER APPROVAL OF A CHANGE ORDER WITH VOSS ELECTRIC COMPANY D/B/A VOSS LIGHTING FOR LED LIGHTING UPGRADES OF THE MOORE PUBLIC LIBRARY USING OKLAHOMA DEPARTMENT OF ENERGY GRANT FUNDS.

Kahley Gilbert, Project-Grants Manager, advised that in March 2024 a contract was approved for LED lighting upgrades at the Moore Public Library. A change order to the contract in the amount of \$3,735 was requested to include the upgrade of emergency lighting for the building. The total contract amount, including the proposed upgrades, is \$36,985 which will be funded using Oklahoma Department of Energy Grant funds.

**Councilwoman Hunt moved to approve a change order with Voss Electric Company d/b/a Voss Lighting for LED lighting upgrades of the Moore Public Library using Oklahoma Department of Energy grant funds, second by Councilman Clark. Motion carried unanimously.**

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

**Agenda Item Number 6 being:**

CONSIDER APPROVAL OF A REVOCABLE PERMIT AND HOLD HARMLESS AGREEMENT FOR THE INSTALLATION OF AN ELECTRIC LINE IN THE PUBLIC ROW LOCATED AT 2105 NE 15<sup>TH</sup> STREET. APPLICATION BY DARRELL AND CARLA WINNER.

Chad Denson, Assistant Community Development Director, stated that a Revocable Permit application for construction of a lighted brick entryway at 2105 NE 15<sup>th</sup> was presented by Darrell Winners and tabled by the City Council at the May 6, 2024 City Council Meeting. The proposed entryway would have two brick columns connected by an electrical branch circuit to power lights and electrical receptacles. Mr. Denson stated that staff believes the location of the electrical circuits in the public Right-of-Way ("ROW") is a safety concern for the public, utility crews, and transportation crews since they are not identified by any of the utility line locating companies. He advised that Cox Communications and Oklahoma Natural Gas lines are located within the ROW. Cox indicated that the electrical and general contractor may install around or over their utilities; however, the integrity of the facilities must be kept, and notification given if any damage occurs to their facilities. ONG did not object to the revocable permit but requires a minimum two-foot undisturbed separation from underground or aboveground facilities. Mr. Denson stated that staff recommended denial of the application due to safety concerns during future projects within the ROW due to the unidentified private line located there. If Council approves the revocable permit staff requested the following stipulations:

- Two-foot horizontal/vertical clearance around ONG utility line and facilities.
- Installation of 90-degree bends to maintain the two-foot clearance.
- Maximum height of 6-feet for the lighting element with a maximum 60-watt bulb or 900 lumens.
- Electrical installation must comply with local adoptions.
- Current/future property owners cannot hold any utility company or the City of Moore liable for damages or harm caused from the installation of the private electrical wiring.

Cody Clark, 2213 NE 15<sup>th</sup>, advised that he owns two properties in the Lost Creek Addition and is the President of the HOA. Mr. Clark wanted to clarify that NE 18<sup>th</sup> was adopted by the City in 2008 and is no longer a private roadway but a City street. Mr. Clark stated that Lost Creek contains 96 homes, 6

streetlights, and 12 electrical entryways. On October 31, 2023 a golf cart was struck by a car due to the lack of lighting in the area resulting in the passengers being taken to the OU trauma center. He stated that most of the existing entryway lights in the addition were installed in 2000 prior to the current Code restrictions. He advised that one property owner installed solar powered pedestals after their electrical lines were damaged. He felt that Mr. Winners hiring an electrician and obtaining a permit would be setting the right precedent. Mr. Clark also stated that OG&E's lines are in the backyard of each property and not in the easement being discussed. He did not feel there was a danger to anyone since the electrical lines have a GFI circuit. Mr. Clark stated that as President of their HOA he did not have any objection with the City granting Mr. Winner a revocable permit for an electrical brick entryway which is allowed in their covenants.

Applicant, Darrell Winners, stated that staff told him he needed to apply for a \$150 revocable permit for his proposed project. He commented that the entryway lights would be on a timer and the receptacles on a GFI circuit so unless someone comes in the middle of the night to work in the easement there would not be any power to his entryway. Mr. Winners stated that staff mentioned there were three solar powered lights in the addition. However, the only property owner with solar powered lights is located on the street that the City stated was a private roadway. He spoke to the property owners who indicated they did not like the solar powered lights because the batteries give out too soon. Mr. Winners advised that his electrical lines come up from the back of his property. The two utility lines that cross his driveway belong to Cox and ONG. Mr. Winners estimated that the Cox line is located around 10-feet from the street and ONG around 17-feet from the street. His lines would be within 6-feet from the street. He did not believe there would be any issues with the two utility companies.

Councilman Clark asked Mr. Winners if he was agreeable with the stipulations contained in the ONG letter referenced by Mr. Denson. Mr. Winners stated that he was unaware of a letter from ONG; however, he did contact OKIE regarding his application and found that they did not have any concerns with it. Mayor Hamm advised that the letter referenced burying the line 2-feet below the surface. Mr. Winner stated that the ¾ inch conduit, which is all that is in place, is buried 18-inches beside the driveway per Code requirements and is 2-feet below the surface when it crosses the driveway into the public easement. Councilman Williams asked if he was 2-feet away from the ONG line. Mr. Winners estimated he was 15-feet south of the ONG line and was agreeable to using 60-watt bulbs with up to 900 luminaires or less. He pointed out that the presentation by staff added a different dimension to the situation than what was discussed at the previous meeting.

Councilwoman Hunt stated a precedent was set when other homeowners installed electrical entryways. Because Mr. Winner was appropriately utilizing the revocable permit process, and the City is aware that the lines are there, she was in favor of approving the revocable permit as long as Mr. Winner follows the stipulations from ONG.

Councilman Clark stated that his biggest concern is the safety of workers in the public ROW. Councilman Webb questioned how these situations will be handled in the future. Mayor Hamm suggested that the City Manager discuss options with staff and report back to the City Council.

Mayor Hamm thanked Mr. Winners for going through the correct process required by the City in the construction of a lighted brick entryway. Mr. Winners stated that he felt certain he can comply with the stipulations required by Cox and ONG. Councilman Williams asked that staff ensure that Mr. Winner receive a copy of the letter containing the stipulations.

**Councilwoman Hunt moved to approve a Revocable Permit and Hold Harmless Agreement for the installation of an electric line in the public ROW located at 2105 NE 15<sup>th</sup> Street with the stipulations issued from Cox Communications and ONG, second by Councilman Webb. Motion carried by majority vote.**

Ayes: Griffith, Hunt, Williams, Webb, Hamm  
Nays: Clark  
Absent: Blair

**THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:59 P.M.**

**Agenda Item Number 7 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD MAY 6, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$954,035.25.

**Trustee Williams moved to approve Consent Docket Items No. A through B, second by Trustee Griffith. Motion carried unanimously.**

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

**THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:00 P.M.**

**Agenda Item Number 8 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD MAY 6, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$327,441.02.

**Trustee Webb moved to approve Consent Docket Items A through B, second by Trustee Clark. Motion carried unanimously.**

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

**THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED AT 7:01 P.M. WITH CHAIRWOMAN HUNT PRESIDING:**

**Agenda Item Number 9 being:**

ROLL CALL

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

**Agenda Item Number 10 being:**

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD APRIL 15, 2024.

**Trustee Williams moved to approve Consent Docket Item A, second by Trustee Griffith. Motion carried unanimously.**

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

**THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:02 P.M. WITH MAYOR MARK HAMM PRESIDING:**

**Agenda Item Number 11 being:**

NEW BUSINESS:

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

Bryan Overling, 2732 SE 38<sup>th</sup>, appeared on behalf of the Seiter Farms HOA. Mr. Overling indicated that he wanted to discuss damages that occurred to their property during the 36" gravity flow sewer line project. Mr. Ihler indicated that Mr. Overling had notified him in April 2024 that the contractor had gotten outside of the easement leaving ruts in the grass. He stated that the City did a final walkthrough on the project and came up with a list of deficiencies that must be addressed. Mr. Ihler stated that the contractor agreed to fill in the ruts and make sure it was level. Mr. Overling then notified him that the subcontractor's truck used to deliver dirt to the site drove over the sidewalk and sprinkler system breaking them. The subcontractor then placed the remaining soil over the sod; however, because the sod was wet they created more ruts. Mr. Ihler advised that he met with the contractor and did another walkthrough to discuss what needed to be done. The contractor indicated that, weather permitting, they would complete the work in two weeks. Mr. Ihler informed the contractor that if the work wasn't completed to the satisfaction of the City, and Mr. Overling and Mr. Hladik with the HOA, then the City will have another contractor fix the items and the cost would come from their retainage. The contractor understood those were the terms. He noted that a meeting was scheduled for May 21, 2024 with Mr. Overling, Mr. Hladik, and the contractor who will be overseeing the work for a final walkthrough to ensure everyone had the same understanding of what was to be done.

Jordan Hodgden, 126 Platt Lane, stated that she was appearing before Council to request that the City allow backyard chickens in residential areas that are not zoned A-1 or A-2. She stated that other people were in attendance to offer their support of the request. She noted the reasons they feel backyard chickens should be allowed:

- The price of food is unpredictable and having backyard chickens would allow some families to secure a source of protein in order to feed their families without relying on programs.
- Practical solution for pest control since it is a chemical free way to reduce ticks and mosquitoes leading to better health outcomes and food and water supply.

- Parents have the option of allowing their children to become more aware of where their food comes from as well learning the proper care and husbandry of animals.
- Raising chickens has known mental health benefits by being outdoors raising Vitamin D levels and increasing dopamine.
- More sustainable and health way to eat eggs.
- Norman and Oklahoma City have approved this initiative.

Ms. Hodgden addressed some objections that were made in the past:

- The Moore Animal Shelter building project has been completed and is no longer an obstacle.
- In regard to noise complaints it would be reasonable for the Council to accept the initiative with limitations for the urban environment. Such as allowing only hens and limiting the number of hens per property to one hen for every 10 to 20 square feet.
- There are residents from an area zoned A-1 who have expressed their willingness to take the roosters.

Ms. Hodgden stated that they plan to continue working on the initiative until it is approved. Councilman Webb asked that staff make inquiries with the City of Oklahoma City and the City of Norman on how allowing backyard chickens in their respective cities was working. Brooks Mitchell, City Manager, advised that John Fryrear, Animal Control Supervisor, was working to obtain the information.

Mayor Hamm stated that when citizens approached Council about the possibility of allowing backyard chickens, they were asked to postpone the discussion until construction of the new Animal Shelter was complete. Because the subject of allowing backyard chickens has come up again he felt that once research has been completed and an ordinance is proposed Council should vote on the subject. Councilman Webb advised that his family raised chickens and his concern was that the animals be treated in a humane way. Councilwoman Hunt and Mayor Hamm expressed their appreciation for the individuals who came to the meeting to discuss their initiative.

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

Mayor Hamm announced that a memorial service will be held on Memorial Day, May 27, 2024 at Veterans Park at 10:00 a.m. for anyone that wished to attend.

**C) ITEMS FROM THE CITY/TRUST MANAGER.**

Brooks Mitchell, City Manager, advised that the City was awarded a little over \$10.5 million in ACOG funds for the Telephone Road and the SW 27<sup>th</sup> and Shields Blvd. Intersection project. Mr. Mitchell congratulated Jerry Ihler Assistant City Manager, Elizabeth Weitman Community Development Director, and Kahley Gilbert Grants Manager for their work in obtaining the grant award. Representative McBride delivered a flag that was flown over the State Capitol in honor of former Mayor Glenn Lewis following his death along with some items from Governor Stitt. Mr. Mitchell stated that he will be giving the items to Glenn Lewis' daughter, Laura Lewis, upon her return to the City.

Mayor Hamm announced that the City will also be receiving \$320,000 in grand funds for street striping. He stated that he was grateful for staff applying for these grants.

**Agenda Item Number 12 being:**

EXECUTIVE SESSION:

- A) DISCUSS AND CONSIDER TAKING ACTION CONCERNING THE CITY MANAGER'S EVALUATION AND EMPLOYMENT BENEFITS, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1).
- B) CONVENE INTO EXECUTIVE SESSION

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

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

**The City Council convened into executive session at 7:17 p.m.**

- C) RECONVENE FROM EXECUTIVE SESSION

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

**The City Council reconvened from executive session at 7:52 p.m.**

- D) ACTION

- A) DISCUSS AND CONSIDER TAKING ACTION CONCERNING THE CITY MANAGER'S EVALUATION AND EMPLOYMENT BENEFITS, AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(1).

**Councilwoman Hunt moved to proceed as discussed in executive session, second by Councilman Williams. Motion carried unanimously.**

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

**Agenda Item Number 13 being:**

ADJOURNMENT

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

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

**The City Council, Moore Public Works Authority, Moore Risk Management, and Moore Economic Development Authority meetings were adjourned at 7:54 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