

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
JULY 1, 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 July 1, 2024 at 6:30 p.m. with Vice-Mayor Louie Williams presiding.

*Adam Webb, Hamm
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, Hunt, Clark, Williams

ABSENT: Webb, Hamm

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; 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.

Vice-Mayor Williams presented former Councilwoman Danielle McKenzie with a plaque honoring her for her service on the Moore City Council from 2016 to 2023. Ms. McKenzie expressed her appreciation for the plaque and stated that it had been a pleasure serving with the other council members.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 17, 2024.
- B) RECEIVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD MARCH 12, 2024.
- C) REAPPOINT GARY LUNOW AND HERMES ARAVELO TO THE BOARD OF ADJUSTMENT FOR A THREE-YEAR TERM.
- D) APPROVE RENEWAL OF A CONTRACT WITH DOTMAN GRAPHIC DESIGN, INC. FOR WEBSITE DEVELOPMENT AND WEBSITE MAINTENANCE BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.
- E) APPROVE RENEWAL OF A CONTRACT WITH TRIFECTA COMMUNICATIONS FOR MARKETING CONTENT PRODUCTION BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025.

- F) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$3,489,346.46.

Councilwoman Hunt moved to approve Consent Docket Items A-F, second by Councilman Clark. Motion carried unanimously.

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

Agenda Item Number 3 being:

CONSIDER REZONING APPLICATION NO. RZ-1044, LOCATED IN THE SW/4 OF SECTION 2, T10N, R3W, BEING NORTH OF NE 27TH STREET AND WEST OF POLE ROAD, FROM I-1 LIGHT INDUSTRIAL DISTRICT TO I-1/PU LIGHT INDUSTRIAL DISTRICT WITH A PERMISSIVE USE FOR CONSTRUCTION RENTALS; AND APPROVE ORDINANCE NO. 28(24). APPLICATION BY TRE DUPUY. (PLANNING COMMISSION RECOMMENDED APPROVAL 7-0). WARD 2.

Elizabeth Weitman, Community Development Director, stated that the subject site consisted of approximately five acres located east of I-35 and north of NE 27th Street, and contained two properties addressed as 501 NE 27th and 2901 N. Pole Road developed as Light Industrial. She noted that the applicant was not proposing a change to the underlying uses but was asking for a Permissive Use for Construction Sales and Services: Heavy, with a proposed use of operating a construction rental company for water pumps, water tanks, and related equipment at 501 NE 27th Street. The applicant was also bringing an existing oil well service business located at 2901 N. Pole Road into compliance with the zoning code.

Ms. Weitman stated that the property is served by public water and sewer, and would be accessed from NE 27th Street and Pole Road. She advised that stormwater detention was not required since no new development was anticipated for the site. Ms. Weitman indicated that the site was in an area which has been industrial in nature for some time. She stated that the site at 501 NE 27th is currently being used by the applicant's business, but with smaller equipment that meets the definition of the I-1 zoning designation. The applicant requested a permissive use due to the size and type of construction equipment proposed to be stored on the property.

Ms. Weitman advised that the Envision Moore 2040 Plan designated the area as Light Industrial. The application was reviewed and found to be in conformance with the Plan. She stated that staff recommended approval of the application contingent upon the replacement of all dead trees and shrubs on the site.

Councilwoman Hunt moved to approve Rezoning Application No. RZ-1044, located in the SW/4 of Section 2, T10N, R3W, being north of NE 27th Street and west of Pole Road, from I-1 Light Industrial District to I-1/PU Light Industrial District with a Permissive Use for Construction Rentals; and approve Ordinance No. 28(24), second by Councilwoman Griffith. Motion carried unanimously.

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

Agenda Item Number 4 being:

CONSIDER THE FINAL PLAT OF EAGLE LANE DUPLEXES, LOCATED IN THE SW/4 OF SECTION 22, T10N, R3W, BEING NORTH OF SW 19TH STREET AND EAST OF EAGLE DRIVE. APPLICATION BY OMNI HOLDINGS, LLC/JOE SHERGA.

Elizabeth Weitman, Community Development Director, advised that the subject site located north of SW 19th Street and east of Eagle Drive contains approximately 3 acres. Ms. Weitman stated that the applicant proposes the construction of 10 lots with 2 common areas on the R-2 property as a Planned Unit Development. The approved PUD allows for reduced lot widths of 60' and a maximum lot coverage of 50% in exchange for the following amenities:

- A common area, not including detention, containing a minimum of 9,767 sf.
- A total of 35 trees provided for the common areas.
- A 196 sq. ft. park shelter such as a pavilion with 8-foot ADA picnic table and 6-foot bench.
- Automatic irrigation system for all required landscaping.
- Residential exterior aesthetics with minimum of 70% brick, rock, or stone.

Stormwater detention is proposed in one of the common areas to the southwest of the site. No portion of the property is located within a FEMA floodplain. Access is provided by Eagle Drive. Ms. Weitman advised that the Planning Commission recommended approval of the rezoning application for the PUD and preliminary plat for the addition. The City Council approved both items on June 5, 2023.

Ms. Weitman stated that the Envision Moore 2040 Plan calls for the subject site to be Urban Residential. The application was reviewed and found to be in conformance with the intent of the Plan; therefore, staff recommended approval of the item.

Vice-Mayor Williams asked about fencing for the Eagle Lane Duplexes. Ms. Weitman stated that the units would be fenced in from their neighbors but advised that it would not be a gated community.

Councilman Blair moved approve the Final Plat of Eagle Lane Duplexes, located in the SW/4 of Section 22, T10N, R3W, being north of SW 19th Street and east of Eagle Drive, second by Councilman Clark. Motion carried unanimously.

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

Agenda Item Number 5 being:

CONSIDER ADOPTION OF RESOLUTION NO. 77(24) REMOVING CERTAIN FEES NO LONGER BEING CHARGED; PROVIDING FOR A FEE FOR REASONABLE AND DIRECT COSTS ASSOCIATED WITH COPYING OF RECORDS; UPDATING FEES PREVIOUSLY MODIFIED BY ORDINANCE; UPDATING THE APPLICATION FEE IN REGARDS TO THE BOARD OF ADJUSTMENT; AND UPDATING THE COMMERCIAL WASTE RATES AND THE SENIOR CITIZEN RATES FOR RESIDENTIAL ACCOUNTS; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Brian Miller, City Attorney, stated that the item was the annual update of the City's Fee Schedule. Mr. Miller noted the proposed changes to the fee schedule included the following items:

- Requests made through the Police Department for body cam footage requires redaction of a portion of the video. The fee schedule includes a \$25.00 per hour charge for the redactions.
- Incorporating an ordinance previously approved by Council changing the value of materials from \$500 to \$1,000 when disposing of surplus or obsolete items before bidding is required.
- Changing the Board of Adjustment application fee from \$250 to \$500.
- Updating the Commercial Waste Rates.
- Adjusting the Senior Citizen Discount annual income requirement to \$33,088 or less per year.

Councilwoman Hunt asked how the maximum annual income amount is determined. Mr. Miller advised the income level would automatically be adjusted each year based on the January Consumer Price Index for the South Region as published by the U.S. Bureau of Statistics, and will be effective the first full billing cycle in January of each year. Vice-Mayor Williams noted that the proposed language in the fee schedule mistakenly lists the annual income to be **at least** \$33,088 as of January 1, 2024. In fact, the language should indicate a maximum annual income of \$33,088. Mr. Miller stated that he would make that correction.

Councilwoman Hunt moved to adopt Resolution No. 77(24), as amended, removing certain fees no longer being charged; providing for a fee for reasonable and direct costs associated with copying of records; updating fees previously modified by ordinance; updating the application fee in regards to the Board of Adjustment; and updating the commercial waste rates and the senior citizen rates for residential accounts; effective upon approval and remaining in effect until modified, amended or repealed; and repealing prior inconsistent fees, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 6 being:

CONSIDER ADOPTION OF RESOLUTION NO. 78(24) ADOPTING THE SCHEDULE OF FEES AND CHARGES; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Brian Miller, City Attorney, stated that Resolution No. 78(24) adopts the Schedule of Fees and Charges, including the changes approved under Agenda Item No. 5 with the specified amendment.

Councilwoman Hunt moved to adopt Resolution No. 78(24) adopting the Schedule of Fees and Charges; effective upon approval and remaining in effect until modified, amended or repealed; and repealing prior inconsistent fees, as surplus, second by Councilman Clark. Motion carried unanimously.

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

Agenda Item Number 7 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, stated that the item was for authorization to purchase Storm Siren No. 44. Mr. Kitch advised that Storm Siren No. 43 was authorized for purchase at the May 20, 2024 City Council Meeting. Mr. Kitch indicated that the purchase was part of a ten-year plan to purchase additional sirens that will eventually replace the Legacy sirens that are over 50 years old but are still operational.

Councilwoman Griffith 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 Blair. Motion carried unanimously.

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

Agenda Item Number 8 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF SEVENTY-SIX (76) BODY CAMERAS AND THE ASSOCIATED SOFTWARE AND ACCESSORIES FROM MOTOROLA SOLUTIONS IN THE AMOUNT OF \$212,803.40 USING STATE CONTRACT NO. SW1053M TO BE PAID ANNUALLY IN THE AMOUNT OF \$42,560.68 FOR A FIVE-YEAR PERIOD.

Police Chief Todd Gibson stated that the requested authorization is for the upgrade of police body cameras that are ten years old and have reached end of life. Staff looked at several vendors and opted to remain with the same system.

Vice-Mayor Williams asked if there was a benefit to paying out the cost of the cameras over a five-year period. Chief Gibson indicated that it was beneficial from a budgeting standpoint and Motorola Solutions would offer the same support.

Councilman Clark asked if the purchase would include all necessary cameras and accessories. Chief Gibson indicated that another benefit would be that the car cameras don't have to be replaced since we are keeping the same company. The 76 cameras would provide body cameras for School Resource Officers, officer's working off-duty jobs, on-duty patrols with overlap shifts, and detectives.

Councilman Clark moved to authorizing the budgeted purchase of seventy-six (76) body cameras and the associated software and accessories from Motorola Solutions in the amount of \$212,803.40 using State Contract No. SW1053M to be paid annually in the amount of \$42,560.68 for a five-year period, second by Councilwoman Griffith. Motion carried unanimously.

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

Agenda Item Number 9 being:

CONSIDER APPROVAL OF THE FY 24-25 CONTRACT WITH THE MOORE PUBLIC SCHOOL DISTRICT FOR THE PROVISION OF EIGHT (8) UNIFORMED SCHOOL RESOURCE OFFICERS AND ONE POLICE VEHICLE FOR WHICH THE CITY WILL RECEIVE 65% REIMBURSEMENT OF THE OFFICERS' SALARY AND BENEFITS, AND 65% OF THE COST OF ONE (1) VEHICLE IN AN AMOUNT NOT TO EXCEED \$624,329.21.

Police Chief Todd Gibson stated that the proposed contract was for the City to provide eight uniformed School Resource Officers for the Moore Public School system. Chief Gibson noted that the only change involved an adjustment to the officers' salary to include a cost-of-living increase or merit increase as part of the union contract. He indicated that there was some discussion about adding another SRO in the future.

Councilwoman Hunt moved to approve the FY 24-25 contract with the Moore Public School District for the provision of eight (8) uniformed School Resource Officers and one police vehicle for which the City will receive 65% reimbursement of the officers' salary and benefits, and 65% of the cost of one (1) vehicle in an amount not to exceed \$624,329.21, second by Councilwoman Griffith. Motion carried unanimously.

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

Agenda Item Number 10 being:

CONSIDER ADOPTING RESOLUTION NO. 79(24) SUPPORTING THE APPOINTMENT OF MARK HAMM TO THE DISTRICT 8 SEAT ON THE BOARD OF DIRECTORS FOR THE OKLAHOMA MUNICIPAL LEAGUE; DECLARING SAID APPOINTMENT TO BE FOR THE BENEFIT OF THE CITY OF MOORE AND OTHER MUNICIPALITIES WITHIN THE DISTRICT; AND DECLARING THE MISSION OF THE OKLAHOMA MUNICIPAL LEAGUE TO BE FOR THE PUBLIC PURPOSE.

Brooks Mitchell, City Manager, advised that the District 8 seat on the Board of Directors for the Oklahoma Municipal League is open. Mr. Mitchell felt it was beneficial to have someone from Moore on the Board and recommended Mark Hamm for the position.

Councilwoman Griffith moved to adopt Resolution No. 79(24) supporting the appointment of Mark Hamm to the District 8 seat on the Board of Directors for the Oklahoma Municipal League; declaring said appointment to be for the benefit of the City of Moore and other municipalities within the District; and declaring the mission of the Oklahoma Municipal League to be for the public purpose, second by Councilman Blair. Motion carried unanimously.

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

Agenda Item Number 11 being:

CONSIDER AUTHORIZING THE CITY MANAGER TO BEGIN NEGOTIATIONS ON THE PURCHASE OF 8.3 ACRES WEST OF CLEVELAND HEIGHTS.

Brooks Mitchell, City Manager, stated that the proposed purchase of 8.3 acres located west of Cleveland Heights was discussed during the budget meetings and was part of the \$5 million financing approved by the City Council at the June 17, 2024 meeting.

Councilwoman Hunt moved to authorize the City Manager to begin negotiations on the purchase of 8.3 acres west of Cleveland Heights, second by Councilman Clark. Motion carried by majority vote.

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

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 6:51 P.M.

Agenda Item Number 12 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JUNE 17, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$616,561.16.

Trustee Blair moved to approve Consent Docket Items A-B, second by Trustee Griffith. Motion carried unanimously.

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

Agenda Item Number 13 being:

CONSIDER ADOPTING RESOLUTION NO. 267(24) ADOPTING THE SCHEDULE OF FEES AND CHARGES; EFFECTIVE UPON APPROVAL AND REMAINING IN EFFECT UNTIL MODIFIED, AMENDED OR REPEALED; AND REPEALING PRIOR INCONSISTENT FEES.

Trustee Blair moved to adopt Resolution No. 267(24) adopting the Schedule of Fees and Charges, second by Trustee Griffith. Motion carried unanimously.

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

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 6:52 P.M.

Agenda Item Number 14 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JUNE 17, 2024.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2023-2024 IN THE AMOUNT OF \$208,489.60.

Trustee Clark moved to approve Consent Docket Items No. A-B, second by Trustee Griffith. Motion carried unanimously.

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

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED WITH MAYOR MARK HAMM PRESIDING AT 6:53 P.M.

Agenda Item Number 15 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 Clark recognized the Police and Fire Departments for the recent training they did with Moore Public Schools regarding school shootings. Councilman Clark assisted with the training along with other teachers, facility members, and students. He stated that training was so important in today's world. Councilman Clark expressed his appreciation to the Police and Fire employees for the work that they do.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, encouraged attendance at Buck Thomas Park on July 4th to view the fireworks display.

Agenda Item Number 16 being:

EXECUTIVE SESSION:

- A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE POSSIBLE ACTION REGARDING MAYOR MARK HAMM AND HIS POTENTIAL DUAL OFFICE HOLDING; 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

Councilman Blair moved to convene into executive session, second by Councilwoman Griffith. Motion carried unanimously.

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

The City Council convened into executive session at 6:55 p.m.

- C) RECONVENE FROM EXECUTIVE SESSION

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

The City Council reconvened from executive session at 7:37 p.m.

D) ACTION

A) DISCUSS, CONSIDER, AND IF DEEMED APPROPRIATE, TAKE POSSIBLE ACTION REGARDING MAYOR MARK HAMM AND HIS POTENTIAL DUAL OFFICE HOLDING; 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).

Councilwoman Hunt moved to direct staff to proceed as directed in executive session regarding Mayor Mark Hamm and his potential dual office holding and authorize legal counsel and staff to take action as necessary and appropriate in the interest of the City of Moore, second by Councilwoman Griffith. Motion carried unanimously.

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

Agenda Item Number 17 being:

ADJOURNMENT

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

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

The City Council, Moore Public Works Authority, and Moore Risk Management meetings were adjourned at 7:38 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

ROB CLARK, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2024.

ATTEST:

VANESSA KEMP, City Clerk