

CITY COUNCIL MINUTES
NORMAN UTILITIES AUTHORITY MINUTES
NORMAN MUNICIPAL AUTHORITY MINUTES
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

October 26, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 26th day of October, 2010, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by students from Adams Elementary School.

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Item 3, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM ADAMS ELEMENTARY SCHOOL.

Mayor Rosenthal and Councilmember Quinn presented Citizenship Awards to students Alison Brand; Kalen Champ Florie; Breanna Eades; Trey Elliott; Bradon Folmsbee; Jaylen Johnson; Jorge Lopez; Ali MacKay; Carys Mannin; Emily Mannin; Isaiah Shipman; Havyn Sparkman; Nick Spens; Catherine Sullivan; and Justin Shipman. Ms. Linda Baxter, Principal of Adams Elementary School, said the students were selected as representatives of good citizens of Adams Elementary School.

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Oklahoma Medal of Freedom Award. Major General Myles Deering, Adjutant General for the State of Oklahoma, extended thanks to the City Council and the City of Norman for the outstanding contributions made in order to recognize the Vietnam Veterans in Operation Oklahoma which was held during the July 4th holiday events at Reaves Park. He said the event was interrupted by a storm in July and the ceremony and fireworks were postponed until November 6, 2010. He presented the Oklahoma Medal of Freedom to Mayor Rosenthal for the City of Norman's participation in Operation Oklahoma and the recognition of the Vietnam Veterans. He said this award was presented to those non-military members who exhibit outstanding contributions to the mission of the military and it was presented on behalf of himself and the Army National Guard.

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Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 23 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 5 through Item 23; a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Item 5 through Item 23 were placed on the consent docket by unanimous vote.

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Item 5, being:

APPROVAL OF THE CITY COUNCIL SPECIAL MEETING MINUTES AS FOLLOWS:

- CITY COUNCIL SPECIAL SESSION MINUTES OF SEPTEMBER 18, 2010
- CITY COUNCIL STUDY SESSION MINUTES OF OCTOBER 5, 2010
- CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 7, 2010
- CITY COUNCIL BUDGET RETREAT MINUTES OF OCTOBER 7, 2010
- CITY COUNCIL MINUTES OF OCTOBER 12, 2010
- NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 12, 2010
- NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 12, 2010
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 12, 2010.

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. City Council Special Session minutes of September 18, 2010
2. City Council Study Session minutes of October 5, 2010
3. City Council Special Session minutes of October 7, 2010
4. City Council Budget Retreat minutes of October 7, 2010
5. City Council minutes of October 12, 2010
6. Norman Utilities Authority minutes of October 12, 2010
7. Norman Municipal Authority minutes of October 12, 2010
8. Norman Tax Increment Finance Authority minutes of October 12, 2010

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 6, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

- NORMAN REGIONAL HOSPITAL AUTHORITY
- TERM: 10-31-10 TO 10-31-13: DR. JEFFREY BURCHAM, 3703 QUAIL DRIVE
- TERM: 10-31-10 TO 10-31-13: DR. BILL NATIONS, 2328 PARKLAND WAY
- TERM: 10-31-10- TO 10-31-13: DON SHERMAN, 3128 ST. CLAIR COMMON

Councilmember Kovach moved that the appointments be confirmed, which motion was duly seconded by Councilmember Atkins; and the question being upon confirming the appointments, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the appointments were confirmed.

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Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2010, AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Finance Director's Investment Report as of September 30, 2010

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 2010, AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved that receipt of the reports be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

- 1. Monthly Departmental Reports for the month of September, 2010
- Participants in discussion
 - 1. Mr. Jeff Bryant, City Attorney

and the question being upon acknowledging receipt of the reports and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of the reports acknowledged; and the filing thereof was directed.

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Item 9, being:

SUBMISSION OF A REPORT ENTITLED "PIONEER LIBRARY SYSTEM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2010, TOGETHER WITH AUDITORS' REPORT" AS PREPARED BY GRAY, BLODGETT, AND COMPANY, P.L.L.C., CERTIFIED PUBLIC ACCOUNTANTS.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. RPT-1011-20 dated October 12, 2010
2. Letter dated September 21, 2010, from Gray, Blodgett & Company, PLLC, to the Board of Directors, Pioneer Library System
3. Pioneer Library System Management Letter dated June 30, 2010
4. Pioneer Library System Financial Statements for the Year Ended June 30, 2010, together with Auditors Report as prepared by Gray, Blodgett, and Company, P.L.L.C., Certified Public Accountants

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

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Item 10, being:

CONSIDERATION AND AWARDED OF BID NO. 1011-30 FOR AGGREGATE AND STONE FOR THE STREET MAINTENANCE DIVISION.

1. 3/8-INCH SCREENINGS
2. 3/4-INCH WASHED CHIPS
3. CONCRETE SAND
4. 1 1/2-INCH AGGREGATE BASE, TYPE A
5. TRAFFIC BOUND SURFACE COURSE, TYPE A
6. KILN DUST
7. SELECT BORROW SUBGRADE MATERIAL
8. 3-INCH SURGE ROCK
9. 8-INCH RIPRAP
10. 2-INCH RIPRAP
11. 18-INCH RIPRAP
12. (A) TOPSOIL, PICKUP (NO BID RECEIVED)
(B) TOPSOIL, DELIVERED
13. MANUFACTURED SAND

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Sections 1 and 2 be awarded to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and Joe Brown Trucking as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 1, 3/8-inch screenings, and Section 2, 3/4-inch washed chips

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Sections 1 and 2, a vote was taken with the following result:

Item 10, continued:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Sections 1 and 2 was awarded to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and Joe Brown Trucking as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 3 be awarded to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and Sand Express, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 3, concrete sand

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 3, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 3 was awarded to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and Sand Express, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 4 be awarded to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and BBLW Trucking as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 4, 1 1/2-inch aggregate base, Type A

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 4, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 4 was awarded to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and BBLW Trucking as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 5 be awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathis Trucking, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 5, traffic bound surface course, Type A

Item 10, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 5, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 5 was awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathis Trucking, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that the bid as meeting specifications be accepted and the bid for Section 6 be awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 6, kiln dust

and the question being upon accepting the bid as meeting specifications and upon the subsequent awarding of the bid for Section 6, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the bid as meeting specifications accepted; and the bid for Section 6 was awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 7 be awarded to Sand Express, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 7, select borrow subgrade material

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 7, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 7 was awarded to Sand Express, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Sections 8, 9, and 13 be awarded to Joe Brown Company, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 8, 3-inch surge rock; Section 9, 8-inch riprap; and Section 13, manufactured sand

Item 10, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Sections 8, 9, and 13, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Sections 8, 9, and 13 was awarded to Joe Brown Company, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Sections 10 and 11 be awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Joe Brown Company, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 10, 12-inch riprap, and Section 11, 18-inch riprap

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Sections 10 and 11, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Sections 10 and 11 was awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Joe Brown Company, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 12B be awarded to Sand Express, Inc., as the lowest and best bidder meeting specifications and BBLW Trucking as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-30 dated October 12, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 12B, topsoil, delivered

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 12B, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 12B was awarded to Sand Express, Inc., as the lowest and best bidder meeting specifications and BBLW Trucking as the alternate bidder.

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Item 11, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-31 FOR INLET FRAMES, GRATES AND CURB HOODS FOR THE STREET MAINTENANCE DIVISION.

1. HEAVY-DUTY CAST IRON 3 FLANGE INLET FRAME
2. HEAVY-DUTY CAST IRON DOUBLE UNIT (LEFT AND RIGHT) INLET FRAMES WITH FASTENING HARDWARE
3. HEAVY-DUTY CAST IRON CENTER SECTION INLET FRAME WITH FASTENING HARDWARE
4. HEAVY-DUTY CAST IRON TYPE L GRATE
5. HEAVY-DUTY CAST IRON TYPE V GRATE
6. (A) 6-INCH MOUNTABLE CAST IRON CURB HOOD WITH FASTENING HARDWARE
(B) 8-INCH BARRIER CAST IRON CURB HOOD WITH FASTENING HARDWARE
7. DETECTABLE WARNING SURFACE/ADA TRUNCATED DOME, 2 FEET X 4 FEET TILE, CAST IN PLACE, BRICK RED

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Sections 1 through 5 and 7 be awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and Water Products of Oklahoma, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-31 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 1, heavy duty cast iron 3 flange inlet frame; Section 2, heavy duty cast iron double unit (left and right) inlet frames with fastening hardware; Section 3, heavy duty cast iron center section inlet frame with fastening hardware; Section 4, heavy duty cast iron Type L grate; Section 5, heavy duty cast iron Type V grate; and Section 7, detectable warning surface/ADA truncated dome 2-inch x 4-inch tile cast in place, brick red

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Sections 1 through 5 and 7, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Sections 1 through 5 and 7 was awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and Water Products of Oklahoma, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Sections 6A and 6B be awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and HD Supply Waterworks as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-31 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 6A, 6-inch mountable cast iron curb hood with fastening hardware, and Section 6B, 8-inch barrier cast iron curb hood with fastening hardware

Item 11, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Sections 6A and 6B, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Sections 6A and 6B was awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and HD Supply Waterworks as the alternate bidder.

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Item 12, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-32 FOR PORTLAND CEMENT CONCRETE PER CUBIC YARD FOR THE STREET MAINTENANCE DIVISION.

- 1 (A) CLASS A
- (B) CLASS A WITH ONE PERCENT CALCIUM CHLORIDE
- (C) CLASS A WITH TWO PERCENT CALCIUM CHLORIDE
2. CLASS B
3. HIGH EARLY STRENGTH
4. 5-SACK GROUT MIX
5. FLOWABLE FILL

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Sections 1-A, 1-B, 1-C, and 5 be awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications, Dolese Brothers Company as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-32 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 1-A, Class A concrete; Section 1-B, Class A 1% calcium chloride; Section 1-C, Class A 2% calcium chloride; and Section 5, flowable fill

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Sections 1-A, 1-B, 1-C, and 5, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Sections 1-A, 1-B, 1-C, and 5 was awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications, Dolese Brothers Company as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Sections 2 and 4 be awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-32 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 2, Class B concrete, and Section 4, 5-sack grout mix

Item 12, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Sections 2 and 4, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Sections 2 and 4 was awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 3 be awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications and Dolese Brothers Company as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-32 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 3, high early concrete

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 3, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 3 was awarded to Kudron Ready Mix, Inc., as the lowest and best bidder meeting specifications and Dolese Brothers Company as the alternate bidder.

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Item 13, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-33 FOR TYPE II BARRICADE RENTAL FOR THE STREET/STORM WATER DIVISIONS.

1. (A) 200 BARRICADES PER MONTH
2. (A) 20 BARRICADES PER SEVEN DAYS
(B) 40 BARRICADES FOR SEVEN DAYS
(C) 60 BARRICADES PER SEVEN DAYS

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid in all sections be awarded to RoadSafe Traffic Systems, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-33 dated October 1, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 1, 200 barricades per month; Section 2, 20 barricades per seven days; Section 3, 40 barricades for seven days; and Section 4, 60 barricades per seven days

Item 13, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid in all sections, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in all sections was awarded to RoadSafe Traffic Systems, Inc., as the lowest and best bidder meeting specifications.

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Item 14, being:

CONSIDERATION AND AWARDING OF BID NO. 1011-34 FOR ASPHALT/CONCRETE COLD MILLING FOR THE STREET MAINTENANCE DIVISION.

1. ASPHALT COLD MILLING - 1 TO 3 INCHES
2. ASPHALT COLD MILLING - 3 TO 6 INCHES
3. CONCRETE COLD MILLING - 1 TO 2 INCHES

(ALTERNATE-VENDOR HAULS RECYCLED MATERIALS TO CITY YARD)

1. ASPHALT COLD MILLING - 1 TO 3 INCHES
2. ASPHALT COLD MILLING - 3 TO 6 INCHES
3. CONCRETE COLD MILLING - 1 TO 2 INCHES

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 1 be awarded to Silver Star Construction as the lowest and best bidder meeting specifications; T.J. Campbell Construction Company as the first alternate bidder; and Bell Contracting, Inc., as the second alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-34 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 1, asphalt cold milling, 1-3 inches

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 1, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 1 was awarded to Silver Star Construction as the lowest and best bidder meeting specifications, T.J. Campbell Construction Company as the first alternate bidder, and Bell Contracting, Inc., as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 2 be awarded to Silver Star Construction as the lowest and best bidder meeting specifications, Bell Contracting, Inc., as the first alternate bidder, and T.J. Campbell Construction Company as the second alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-34 dated October 11, 2010, for Greg Hall, Street Superintendent
2. Bid tabulation for Section 2, asphalt cold milling, 3-6 inches

Item 14, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 2, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 2 was awarded to Silver Star Construction as the lowest and best bidder meeting specifications, Bell Contracting, Inc., as the first alternate bidder, and T.J. Campbell Construction Company as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for Section 3 be awarded Bell Contracting, Inc., as the lowest and best bidder meeting specifications, Silver Star Construction as the first alternate bidder, and T.J. Construction Company as the second alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-34 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for Section 3, concrete cold milling, 1-2 inches

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for Section 3, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for Section 3 was awarded to Bell Contracting, Inc., as the lowest and best bidder meeting specifications, Silver Star Construction as the first alternate bidder, and T.J. Construction Company as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all alternate bids meeting specifications be accepted and the alternate bid for Sections 1 and 2 be awarded to T.J. Campbell Construction Company as the lowest and best bidder meeting specifications and Bell Contracting, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-34 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for alternate – vendor hauls recycle materials to City yard, Section 1, asphalt cold milling, 1-3 inches, and Section 2, asphalt cold milling, 3-6 inches

and the question being upon accepting all alternate bids meeting specifications and upon the subsequent awarding of the alternate bid for Sections 1 and 2, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all alternate bids meeting specifications accepted; and the alternate bid for Sections 1 and 2 were awarded to T.J. Campbell Construction Company and Bell Contracting, Inc., as the alternate bidder.

Item 14, continued:

Thereupon, Councilmember Kovach moved that all alternate bids meeting specifications be accepted and the alternate bid for Section 3 be awarded to Bell Contracting, Inc., as the lowest and best bidder and T.J. Campbell Construction Company, as the alternate bidder, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. BID-1011-34 dated October 11, 2010, by Greg Hall, Street Superintendent
2. Bid tabulation for alternate – vendor hauls recycle materials to City yard, Section 3, concrete cold milling, 1-2 inches,

and the question being upon accepting all alternate bids meeting specifications and upon the subsequent awarding of the alternate bid for Section 3, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all alternate bids meeting specifications accepted; and the alternate bid for Section 3 was awarded to Bell Contracting, Inc., as the lowest and best bidder and T.J. Campbell Construction Company as the alternate bidder.

* * * * *

Item 15, being:

PERMANENT EASEMENT NO. E-1011-23: CONSIDERATION OF ACCEPTANCE OF A PERMANENT UTILITY EASEMENT DONATED BY UNIVERSITY TOWN CENTER, L.L.C., FOR THE ROCK CREEK ROAD AND 24TH AVENUE N.W. INTERSECTION PROJECT.

Councilmember Kovach moved that Permanent Easement No. E-1011-23 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. E-1011-23 dated October 11, 2010, by John Clink, Capital Projects Engineer
2. Easement No. E-1011-23 with Exhibit "A," legal description and location map
3. Location map for Easement No. E-1011-23

and the question being upon accepting Permanent Easement No. E-1011-23 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Permanent Easement No. E-1011-23 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 16, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 1011-1 FOR LOT 1, BLOCK 1, HALLBROOKE ADDITION, SECTION 4. (1967 BURNING TREE)

Councilmember Kovach moved that Consent to Encroachment No. 1011-1 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. EN-1011-1 dated October 14, 2010, by Blaine Nice, Assistant City Attorney
2. Consent to Encroachment No. 1011-1
3. Letter of request dated September 8, 2010, from James Geddes to Brenda Hall, City Clerk
4. Site plan
5. Location map
6. Memorandum dated September 9, 2010, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Coordinator, and Ken Komiske, Director of Utilities
7. Memorandum dated September 20, 2010, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
8. Memorandum dated October 13, 2010, from Ken Danner, Development Manager, to Blaine Nice, Assistant City Attorney

and the question being upon approving Consent to Encroachment No. 1011-1 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Consent to Encroachment No. 1011-1 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 17, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-0809-117: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND URBAN CONTRACTORS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$11,900 FOR THE HEADWORKS SCREENING WASHER/COMPACTOR MODIFICATION PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. Two to Contract No. K-0809-117 with Urban Contractors, L.L.C., increasing the contract amount by \$11,900 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$13,930 be directed to Urban Contractors, L.L.C., which motion was duly seconded by Trustee Atkins;

Items submitted for the record

1. Text File No. K-0809-117, Change Order 2, dated October 5, 2010, by Mark Daniels, Utilities Engineer
2. Change Order No. Two to Contract No. K-0809-117
3. Letter dated September 21, 2010, from James E. Parrish, Urban Contractors, Inc., to Mr. Ralph Arnett, Norman Utilities Authority
4. Purchase Order No. 176396 dated August 11, 2009, in the amount of \$40,600 including Change Order No. One, adding Change Order No. Two in the amount of \$11,900 for a total contract amount of \$52,500, and subtracting payments totaling \$38,570 leaving a balance of \$13,930

Item 17, continued:

and the question being upon approving Change Order No. Two to Contract No. K-0809-117 with Urban Contractors, L.L.C., increasing the contract amount by \$11,900 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS: Trustees Atkins, Butler, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Chairman Rosenthal

NAYES: None

The Chairman declared the motion carried and Change Order No. Two to Contract No. K-0809-117 with Urban Contractors, L.L.C., increasing the contract amount by \$11,900 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$13,930 was directed to Urban Contractors, L.L.C.

* * * * *

Item 18, being:

CONTRACT NO. K-1011-84; A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND BUCHER, WILLIS AND RATLIFF CORPORATION IN THE AMOUNT OF \$49,975 TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN OF A CONTINUOUS ROADWAY LIGHTING SYSTEM ALONG MAIN STREET, FROM WEST OF MERKLE DRIVE TO UNIVERSITY BOULEVARD.

Councilmember Kovach moved that Contract No. K-1011-84 with the Bucher, Willis, and Ratliff Corporation in the amount of \$49,975 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. K-1011-84 dated October 11, 2010, by Angelo Lombardo, Traffic Engineer
2. Contract No. K-1011-84 with Attachment A, Scope of Services; Attachment B, Project Schedule; Attachment C, Compensation; Attachment D, Owner's Responsibilities; and fee proposal dated August 30, 2010
3. Location map
4. Purchase Requisition No. 0000177462 dated October 11, 2010, in the amount of \$49,975 to Bucher, Willis and Ratliff Corporation

and the question being upon approving Contract No. K-1011-84 with Bucher, Willis and Ratliff Corporation in the amount of \$49,975 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1011-84 with Bucher, Willis and Ratliff Corporation in the amount of \$49,975 approved; and the execution thereof was authorized.

* * * * *

Item 19, being:

CONTRACT NO. K-1011-89: A RELOCATION AGREEMENT BY AND BETWEEN THE CITY OF NORMAN AND OKLAHOMA NATURAL GAS COMPANY, A DIVISION OF ONEOK, INC. IN THE AMOUNT OF \$1,533 IN CONNECTION WITH THE ROCK CREEK ROAD AND 24TH AVENUE NW INTERSECTION PROJECT.

Acting as the City Council and Norman Tax Increment Finance Authority, Councilmember Kovach moved that Contract No. K-1011-89, a relocation agreement with Oklahoma Natural Gas Company, a Division of ONEOK, in the amount of \$1,533 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. K-1011-89 dated October 11, 2010, by John Clink, Capital Project Engineer
2. Contract No. K-1011-89
3. Location map
4. Right-of-way Agreement filed April 15, 2008, between UTC II, L.L.C., an Oklahoma Limited Liability Company, and Oklahoma Natural Gas Company, a Division of ONEOK, Inc., with Exhibit A, location map and legal description
5. Purchase Requisition No. 0000177532 dated October 12, 2010, in the amount of \$1,533 to Oklahoma Natural Gas Company

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Ms. Brenda Hall, City Clerk

Thereupon, Councilmember Kovach moved to amend the motion to add "Acting as the City Council and Norman Tax Increment Finance Authority", which motion was duly seconded by Councilmember Atkins; and the question being upon amending the motion to add "Acting as the City Council and Norman Tax Increment Finance Authority," a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the motion was amended to add "Acting as the City Council and Norman Tax Increment Finance Authority" (See underlined text above for amended motion).

and the question being upon approving Contract No. K-1011-89, a relocation agreement with Oklahoma Natural Gas Company, a Division of ONEOK, in the amount of \$1,533 and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1011-89, a relocation agreement with Oklahoma Natural Gas Company, a Division of ONEOK, in the amount of \$1,533 approved; and the execution thereof was authorized.

* * * * *

Item 20, being:

CONTRACT NO. K-1011-90: A RIGHT-OF-WAY, PUBLIC UTILITY AND ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. STP-114B(256)AG, JOB NO. 26840(04) FOR THE PORTER AVENUE WIDENING PROJECT BETWEEN WOODCREST DRIVE TO NORTH OF TECUMSEH ROAD AND ADOPTION OF RESOLUTION NO. R-1011-53.

Councilmember Kovach moved that Contract No. K-1011-90 with ODOT be approved, Resolution No. R-1011-53 be adopted, and execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. K-1011-90 dated October 11, 2010, by Angelo Lombardo, Traffic Engineer
2. Contract No. K-1011-90
3. Resolution No. R-1011-53

and the question being upon approving Contract No. K-1011-90 with ODOT and upon the subsequent adoption and authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1011-90 with ODOT approved; Resolution No. R-1011-53 was adopted and the execution of the contract and resolution was authorized.

* * * * *

Item 21, being:

RESOLUTION NO. R-1011-56: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$15,000 FROM THE SEIZURES AND RESTITUTION FUND BALANCE TO PURCHASE A CELLULAR PHONE EXAMINATION AND TRANSFER DEVICE AND PAY DATA PHONE SERVICE COSTS FOR THE POLICE DEPARTMENT.

Councilmember Kovach moved that Resolution No. R-1011-56 be adopted, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. R-1011-56 dated October 12, 2010, by Major Jim Maisano
2. Resolution No. R-1011-56

and the question being upon adopting Resolution No. R-1011-56, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1011-56 was adopted.

* * * * *

Item 22, being:

RESOLUTION NO. R-1011-57: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$9,000 FROM THE SEIZURES AND RESTITUTION FUND BALANCE TO PURCHASE EQUIPMENT FOR SPECIALTY WEAPONS USED BY THE SPECIAL WEAPONS AND TACTICS (SWAT) TEAM.

Councilmember Kovach moved that Resolution No. R-1011-57 be adopted, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. R-1011-57 dated October 13, 2010, by Major Jim Maisano
2. Resolution No. R-1011-57

Participants in discussion

1. Major J.D. Younger, Police Department Staff Services

and the question being upon adopting Resolution No. R-1011-57, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1011-57 was adopted.

* * * * *

Item 23, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$18,810 REGARDING TABITHA NATION VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2010-06038 A.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of \$18,810 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. 2010-06038A dated October 8, 2010, by Blaine Nice, Assistant City Attorney
2. Workers' Compensation Court Order No. WCC 2010-06038A filed September 29, 2010
3. Purchase Requisition No. 0000177408 dated October 8, 2010, in the amount of \$18,810 to Tabitha Nation and Greg Barnard
4. Purchase Requisition No. 0000177410 dated October 8, 2010, in the amount of \$376.20 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000177412 dated October 8, 2010, in the amount of \$141.08 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000177413 dated October 8, 2010, in the amount of \$75 to Workers' Compensation Court
7. Purchase Requisition No. 0000177414 dated October 8, 2010, in the amount of \$118 to Cleveland County Court Clerk

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith
Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of \$18,810 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 24, being:

RESOLUTION NO. R-1011-52: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THE NECESSITY FOR ACQUIRING CERTAIN REAL PROPERTY, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF OBTAINING A RIGHT-OF-WAY FOR THE RAW WATER LINE PROJECT, PHASE I, IN THE CITY OF NORMAN, SUCH PROPERTY TO BE USED FOR WATERLINE REPLACEMENT; DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR WATERLINE REPLACEMENT PURPOSES; AND DECLARING AN EMERGENCY.

This item was withdrawn at the request of staff.

* * * * *

Item 25, being:

ORDINANCE NO. O-1011-21: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTION 21-104, OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN INCREASING THE UTILITY SERVICE DEPOSIT FOR CERTAIN DWELLING UNITS; INCREASING THE FEE FOR SERVICE DISCONTINUANCE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1011-21 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 12, 2010, Councilmember Kovach moved that Ordinance No. O-1011-21 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. O-1011-21 dated September 28, 2010, by Kathryn Walker, Assistant City Attorney
2. Ordinance No. O-1011-21
3. Legislatively noted copy of Ordinance No. O-1011-21
4. Finance Committee minutes of September 2 and September 15, 2010

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities
2. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

and the question being upon adopting Ordinance No. O-1011-21 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1011-21 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1011-21 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Kovach; and the question being upon adopting Ordinance No. O-1011-21 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1011-21 was adopted upon Final Reading as a whole.

* * * * *

Item 26, being:

ORDINANCE NO. O-1011-22: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE IV, SECTION 21-403, OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN INCREASING THE FEE FOR TESTING METERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1011-22 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 12, 2010, Councilmember Kovach moved that Ordinance No. O-1011-22 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1011-22 dated October 1, 2010, by Kathryn Walker, Assistant City Attorney
2. Ordinance No. O-1011-22
3. Legislatively noted copy of Ordinance No. O-1011-22
4. Finance Committee minutes of September 2 and September 15, 2010

Participants in discussion

1. Mr. Ken Komsiske, Director of Utilities
2. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

and the question being upon adopting Ordinance No. O-1011-22 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1011-22 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1011-22 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Cubberley; and the question being upon adopting Ordinance No. O-1011-22 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1011-22 was adopted upon Final Reading as a whole.

* * * * *

MISCELLANEOUS DISCUSSION

Gay Lesbian Bisexual Transgender (GLBT) Proclamation. Mr. Henry Roberson, 1141 Pinehurst Drive, said he served 30 years in the Army to allow people to have the right to say what they thought, even to oppose the GLBT Proclamation. He said he did not serve to protect "hate speech." He said Council paid a price because their constituents spend little sympathy on the negative aspects of public service yet wonder why otherwise qualified people would not consider serving. He said it was all right to disagree but Council should not tolerate "hate speech."

Councilmember Kovach said he appreciated Dr. Robertson's comments.

Mr. Roger Gallagher, 1522 East Boyd Street, said the newspaper had printed some of the Police Chief's comments after the meeting about removing some of the people at the meeting because their remarks had been disgusting. He said he felt the discussion had been somewhat equal debate and City Council meetings allowed people to use the microphone. He said people should not be removed for giving an opinion. He said Thomas Jefferson said "The Congress is sometimes the victim of a morbid rage of debate" meaning both sides of the issue have to be heard and that to silence someone in a debate is impossible because our American right of free speech gives us a right to speak.

Miscellaneous Discussion, continued:

GLBT Proclamation, continued. Mr. Jack Dawson, 1361 Twin Creek Drive, said he had watched the October 12th meeting and felt that City Councilmembers overreacted to the remarks made September 28th. He said he spoke in favor of the proclamation because the comments against it motivated him to get up and speak. He said some of the remarks were ignorant, irrelevant, overly fearful, and wrong but he did not remember anything that met his definition of "hate speech."

*

Norman's Support of Operation Oklahoma and Military Efforts. Ms. Ann Gallagher, 1522 East Boyd Street, said recognition of Vietnam veterans is long overdue. She recognized Don Schulenberg who organized security efforts during Operation Oklahoma and Mr. Russ McReynolds who scheduled shifts and refreshments for all of the volunteer hosts.

Councilmember Griffith encouraged everyone to support the Norman Community Initiatives Group who is working diligently to make sure that the 4,000 infantry soldiers, to be deployed to the Middle East in January, 2011, receive a care package. He said the event called "Stuff a Truck" will be conducted during the November 6th Veteran's Celebration. He listed several drop off points which are all of the fire stations; Republic Bank; Copelin's Office Center; and Griffith Dental Office. He said a list of items to put in the care packages is posted at these locations and on the website. He said the care packages will cost \$11 per box to mail and donations would be appreciated. He said the goal is to make sure each soldier being deployed gets a care package and the project will be ongoing for the next two weeks.

Councilmember Dillingham said if citizens want to see the list of items for the care packages, a list is provided on the City's website or anyone can "Google" Norman Fun which will take them to the Parks and Recreation Department's website. She said soldiers stationed in remote locations will treasure these items. She also urged citizens to attend the celebration on November 6th at Reaves Park.

Councilmember Atkins said as a parent of two sons who had served in Iraq, he knew how much it meant to the soldiers to receive a package from the community and urged everyone to join in the "Stuff the Truck" effort. He also invited everyone to come out to Reaves Park on November 6th.

*

Three-Foot Rule. Mr. Jack Dawson, 1361 Twin Creek Drive, said he hoped that \$35 does not become the standard fine for someone who breaks the three-foot rule for bicycles. He said if someone does something really dangerous on the road, he wants to see a higher fee charged for that offense and to prevent a fatality the City should be very strict on enforcement. He said the fine at Cleveland County for striking a bicycle rider is \$500 and for killing a bicycle rider is \$1,000.

*

Shop Norman. Councilmember Quinn asked citizens to "Shop Norman" during the holiday season and generate tax dollars.

*

Ward Five Meeting. Councilmember Butler announced a Ward Five meeting to be held Monday, November 1, 2010, at 6:30 p.m. at Little Axe Elementary School Cafeteria located at 2000 168th Avenue N.E. She said the meeting would be a follow-up to the last ward meeting held in the spring to continue discussion of eastside issues in relation to urban Norman. She said Staff will be on hand to answer questions.

*

Articles in the Norman Transcript. Councilmember Dillingham said there had been comments made this evening about articles published in the Norman Transcript and she reminded everyone that the Norman Transcript, like any other newspapers, has one goal and that is to sell newspapers. She said a person should always check the facts.

*

Miscellaneous Discussion, continued:

Municipal Finance Series. Councilmember Ezzell reminded citizens that the third of a series of Municipal Finance meetings would be held Thursday, October 28, 2010, at Norman High School Library at 6:30 p.m. and said much useful information is provided at these meetings.

Mr. Steve Lewis, City Manager, said the focus this week would be Capital Projects. He said although people like new projects, it is difficult to find ways to pay for them. He said capital projects, i.e., streets, water lines, bridges, and parks and recreation facilities are long-term investments that sometimes require millions of dollars to complete. There have been a number of financing techniques used over the years to finance these projects. He said they would discuss General Obligation Bonds; Revenue Bonds; Special Assessment Districts; Tax Increment Finance Districts; Federal and State Grants; and dedicated sales tax which are different financing techniques available to cities to bring about desired improvements. He said all of these series are being recorded and played back on Channel 20.

Mayor Rosenthal acknowledged those who were attending the Municipal Finance Series and thanked them for their time and hoped others would come or watch the meetings on Channel 20.

*

Norman Economic Development Coalition Loan. Councilmember Kovach said since the NEDC loan has closed, Council should discuss the definitions to be set for "quality jobs." He said the agreement set the base at the State standard and Council had previously discussed going with a higher number.

*

Thanks to Sylvia Martin. Councilmember Kovach thanked Sylvia Martin for helping keep the public informed and encouraging people to become involved. He said she was an incredible asset to our City.

Councilmember Atkins said he also appreciated Ms. Martin's comments because she has been a wealth of historical information for those new to City Council.

*

Halloween Safety. Councilmember Atkins reminded citizens that this weekend was Halloween and to use extra care and consideration for children's safety.

*

Smoke Alarms. Mr. Steve Lewis, City Manager, said the month of October is Fire Prevention Month across the country and the theme this year is smoke detectors. He said the saying was "It is a sound that you can live with." He said the City of Norman and the Fire Department encourage all residents to use smoke detectors in all dwelling units throughout the community. Two important tips are to change the batteries of smoke detectors twice a year during the time change and to test the batteries monthly. He pointed out that the Norman Fire Department stands ready to assist any resident homeowner if they need a smoke detector. He said the Fire Department can provide the smoke detectors and assist in installation of the smoke detectors or battery installation for those who are impaired or disabled. He said there have been three fatalities in recent weeks where working detectors were not in place. He and the Fire Chief are asking our firefighters to do fire surveys of apartment and condominium units within the City. He said there will be follow-up with formal inspections by the Fire Prevention Bureau. He said the survey should be completed within the next 60 days. He said smoke detectors are vitally important. He said the City had recently applied for a grant to receive additional smoke detectors and Chief Fullingim received notice today from the State Fire Marshall's Office that our inventory of smoke detectors will be supplemented with 50 smoke detectors per month.

*

Xenia Institute. Mayor Rosenthal thanked the Xenia Institute for providing the purple ribbons to Council this evening. She said the Xenia Institute is dedicated to promoting dialogue and understanding in the community. She said the color purple signifies the month of October for both domestic violence and anti-bullying.

Miscellaneous Discussion, continued:

Conferences and Conventions in October. Mayor Rosenthal said the month of October has been a remarkably busy time for the City of Norman. She welcomed the Oklahoma Arts Council to its annual convention. She said the Oklahoma Chapter of the American Planning Association and the Oklahoma Governors' Conference on Tourism were here last week and the Governor's Water Conference started this morning. She said this speaks to the fact that Norman appreciates informed discussion about public policy issues and is an education community that welcomes the best ideas and brightest minds. She said the water conference is particularly important as they are discussing issues that our Council is currently dealing with regarding stormwater, future water supplies, wastewater, and reuse issues. She said many of the projects to be discussed at the conference are projects that have come from experiments in our city and are changing State level policy. She said the City of Norman is pleased to have our city chosen for the site of these conferences.

* * * * *

ADJOURNMENT

There being no further business, Councilmember Kovach moved that the meeting be adjourned, which motion was duly seconded by Councilmember Quinn; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:

Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and the meeting was adjourned at 7:22 p.m.

ATTEST:

City Clerk

Mayor