

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

August 9, 2011

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 9th day of August, 2011, 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 Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 17 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 4 through Item 17, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 17 were placed on the consent docket by unanimous vote.

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Item 4, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

JOINT CITY COUNCIL/OVERSIGHT COMMITTEE STUDY SESSION MINUTES OF JULY 19, 2011

CITY COUNCIL MINUTES OF JULY 26, 2011

NORMAN UTILITIES AUTHORITY MINUTES OF JULY 26, 2011

NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 26, 2011

NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 26, 2011

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 Griffith;

Items submitted for the record

1. Text File No. GID-1112-9 dated August 3, 2011, by Brenda Hall, City Clerk
2. Joint City Council/Oversight Committee Study Session minutes of July 19, 2011
3. City Council Conference minutes of July 26, 2011
4. City Council minutes of July 26, 2011
5. Norman Utilities Authority minutes of July 26, 2011
6. Norman Municipal Authority minutes of July 26, 2011
7. Norman Tax Increment Finance Authority minutes of July 26, 2011

Item 4, continued:

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

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 5, being:

CONSIDERATION OF ORDINANCE NO. O-1011-62 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS GRANT SPECIAL USE FOR A BAR WITH LIVE ENTERTAINMENT FOR PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT, LOCATED AT 117 NORTH CRAWFORD AVENUE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-62 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1011-62 dated May 19, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-62
3. Location map
4. Staff Report dated July 14, 2011, recommending approval
5. Norman Predevelopment Informational Meeting Case No. PD11-19 for Mohammad Davani for property located at 117 North Crawford Avenue
6. Site plan
7. Norman Predevelopment Summary Case No. PD11-19 dated June 23, 2011, for Mohammad Davani for property located at 117 North Crawford Avenue
8. Protest Map containing 3.5% protest within notification area
9. Letter of protest dated May 28, 2011, from Phyllis Woodard to Norman Planning Commission
10. Pertinent excerpts from Planning Commission minutes of July 14, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1011-62 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1011-62 was Introduced and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1112-07 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE II, SECTIONS 5 AND 6 OF THE NORMAN CITY CHARTER WHICH RELATES TO THE DESIGNATION OF DATES FOR MUNICIPAL GENERAL AND RUNOFF ELECTIONS AS PROVIDED UNDER THE THEN-CURRENT STATE LAW; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-07 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. O-1112-07 dated August 2, 2011, by Brenda Hall, City Clerk
- 2. Ordinance No. O-1112-07
- 3. Legislatively notated copy of Ordinance No. O-1112-07

Participants in discussion

- 1. Mr. Stephen Tyler Holman, 1020 College Avenue, asked questions
- 2. Ms. Brenda Hall, City Clerk

and the question being upon the Introduction and adoption of Ordinance No. O-1112-07 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1112-07 was Introduced and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1112-08 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN SAID CITY OF NORMAN, STATE OF OKLAHOMA, (THE CITY), ON THE 8<sup>th</sup> DAY OF NOVEMBER 2011, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF APPROVING OR REJECTING ORDINANCE NO. O-1112-07 WHICH ORDINANCE AMENDS SECTIONS 5 AND 6 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN, OKLAHOMA, RELATING TO THE DESIGNATION OF DATES FOR MUNICIPAL GENERAL AND RUNOFF ELECTIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-08 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. O-1112-08 dated August 2, 2011, by Brenda Hall, City Clerk
- 2. Ordinance No. O-1112-08
- 3. Special Election Proclamation and Notice of Election

Participants in discussion

- 1. Mr. Stephen Tyler Holman, 1020 College Avenue, asked questions
- 2. Ms. Brenda Hall, City Clerk

and the question being upon the Introduction and adoption of Ordinance No. O-1112-08 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1112-08 was Introduced and adopted upon First Reading by title.

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Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1112-09 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE VIII, SECTIONS 13-809 THROUGH 13-814; AND ARTICLE XXVIII, SECTIONS 13-2804, 13-2806 AND 13-2809 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN BY ADDING PROVISIONS AND AMENDING THE APPLICATION AND PERMIT ISSUANCE PROCEDURES AND FEES FOR TEMPORARY FOOD ESTABLISHMENTS AND SOLICITORS AND PEDDLERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-9 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-9 dated August 4, 2011, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1112-9
3. Legislatively notated copy of Ordinance No. O-1112-9

and the question being upon the Introduction and adoption of Ordinance No. O-1112-9 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-9 was Introduced and adopted upon First Reading by title.

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Item 9, being:

CONSIDERATION OF BID NO. 1011-64; CONTRACT NO. K-1011-150 WITH RAILROAD YARD, INC. IN THE AMOUNT OF \$297,976; CHANGE ORDER NO. ONE DECREASING THE CONTRACT AMOUNT BY \$67,622.70; PERFORMANCE BOND NO. B-1011-86; STATUTORY BOND NO. B-1011-87, AND MAINTENANCE BOND NO. MB-1011-89 FOR THE FYE 2011 HALL PARK LAKE DAM IMPROVEMENT PROJECT, PHASE I; RESOLUTION NO. R-1011-139; AND BUDGET APPROPRIATION.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$297,976 be awarded to Railroad Yard, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1011-150, Change Order No. One decreasing the contract amount by \$67,622.70, and the performance, statutory, and maintenance bonds be approved; execution of the contract and change order be authorized; the filing of the bonds be directed; Resolution No. R-1011-139 be adopted; and \$94,538.55 be appropriated from the Capital Fund Balance (050-253-20-00) to Project No. DR0058, Hall Park Dam Repair, Construction (050-9968-431.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-150 dated July 28, 2011, by Bob Hanger, Stormwater Engineer
2. Capital Projects Recently Closed Resulting in Capital Fund Balance
3. Bid tabulation for FYE 2011 Hall Park Lake Dam Improvements Project, Phase I
4. Contract No. K-1011-150
5. Change Order No. One to Contract No. K-1011-150
6. Performance Bond No. B-1011-86
7. Statutory Bond No. B-1011-87
8. Maintenance Bond No. MB-1011-89
9. Resolution No. R-1011-139
10. Purchase Requisition No. 0000189645 dated July 28, 2011, in the amount of \$230,353.30 to Railroad Yard, Inc.

Item 9, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, directive, authorization, adoption, and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$634,160 was awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1011-03, Change Order No. One decreasing the contract amount by \$67,622.70, and the performance, statutory, and maintenance bonds were approved; the filing of the bonds was directed; execution of the contract and change order was authorized; Resolution No. R-1011-25 was adopted; and \$94,538.55 was appropriated from the Capital Fund Balance (050-253-20-00) to Project No. DR0058, Hall Park Dam Repair, Construction (050-9968-431.61-01).

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Item 10, being:

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1112-1 (PERMANENT DAM EMBANKMENT) DONATED BY KEN AND SHELLEY FERTITTA FOR THE HALL PARK LAKE DAM IMPROVEMENT PROJECT.

Councilmember Kovach moved that Easement No. E-1112-1 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-1 dated July 28, 2011, by John Clink, Capital Projects Engineer, with Exhibit "A", Table of Easements
2. Easement No. E-1112-1 with Exhibit "A," location map

and the question being upon accepting Easement No. E-1112-1 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Easement No. E-1112-1 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 11, being:

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1112-2 (PERMANENT DAM EMBANKMENT) DONATED BY JESSE BRANDON MITCHELL AND LINDY MARIE MITCHELL FOR THE HALL PARK LAKE DAM IMPROVEMENT PROJECT.

Councilmember Kovach moved that Easement No. E-1112-2 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-2 dated July 28, 2011, by John Clink, Capital Projects Engineer, with Exhibit "A", Table of Easements
2. Easement No. E-1112-2 with Exhibit "A," location map

Item 11, continued:

and the question being upon accepting Easement No. E-1112-2 and upon the subsequent directive, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Easement No. E-1112-2 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 12, being:

LIMITED LICENSE NO. LL-1112-1: LIMITED LICENSE TO PLACE TWO (2) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE CLEVELAND COUNTY YMCA FOR THE 10TH ANNUAL TIE-DYE TRI ON SEPTEMBER 25, 2011.

Councilmember Kovach moved that Limited License No. LL-1112-1 to place two (2) ground banners within the public right-of-way pursuant to a request from the Cleveland County YMCA be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. LL-1112-1 dated August 1, 2011, by Wayne Stenis, Planner II
2. Application for Limited License dated July 29, 2011, for two banners from the Cleveland County Family YMCA
3. Limited License No. LL-1112-1
4. Photograph of banner

and the question being upon approving Limited License No. LL-1112-1 to place two (2) ground banners within the public right-of-way pursuant to a request from the Cleveland County YMCA and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Limited License No. LL-1112-1 to place two (2) ground banners within the public right-of-way pursuant to a request from the Cleveland County YMCA approved; and the issuance thereof was authorized.

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Item 13, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-144: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND ASSOCIATED ENVIRONMENTAL INDUSTRIES CORPORATION INCREASING THE CONTRACT AMOUNT BY \$18,629.30 FOR THE CONSTRUCTION OF TEN WATER WELL HOUSES IN CONNECTION WITH PHASE 2 OF THE WELL FIELD DEVELOPMENT PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Change Order No. One to Contract No. K-0910-44 with Associated Environmental Industries Corporation increasing the contract amount by \$18,629.30 be approved, the execution thereof be authorized, the project be accepted, and final payment in the amount of \$39,769.27 be directed to Associated Environmental Industries Corporation, which motion was duly seconded by Trustee Griffith;

Item 13, continued:

Items submitted for the record

1. Text File No. K-0910-144, Change Order No. One, dated July 26, 2011, from Jim Speck, Capital Projects Engineer
2. Change Order No. One to Contract No. K-0910-144
3. Location map

Participants in discussion

1. Mr. Jim Speck, Capital Projects Engineer
2. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions

and the question being upon approving Change Order No. One to Contract No. K-0910-144 with Associated Environmental Industries Corporation increasing the contract amount by \$18,629.30 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS:

Trustees Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Chairman Rosenthal

NAYES:

None

The Chairman declared the motion carried and Change Order No. One to Contract No. K-0910-144 with Associated Environmental Industries Corporation increasing the contract amount by \$18,629.30 approved, the execution thereof was authorized, the project was accepted, and final payment in the amount of \$39,769.27 was directed to Associated Environmental Industries Corporation.

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Item 14, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-1011-56: BY AND BETWEEN THE CITY OF NORMAN AND SMC CONSULTING ENGINEERS, P.C., INCREASING THE CONTRACT AMOUNT OF \$5,000 TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE INTERSTATE 35/ROBINSON STREET INTERCHANGE NORTHEAST RAMP PROJECT.

Councilmember Kovach moved that Amendment No. One to Contract No. K-1011-56 with SMC Consulting Engineers, P.C., increasing the contract amount by \$5,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-56, Amendment No. One, dated July 28, 2011, from John Clink, Capital Projects Engineer
2. Amendment No. One to Contract No. K-1011-56 with Attachment A, Scope of Work; Attachment B, Anticipated Schedule; and Exhibit A, Preliminary Budget for Traffic and Roadway Improvements, Contract No, K-0607-45
3. Location map
4. Purchase Requisition No. 0000189408 dated July 20, 2011, in the amount of \$5,000 to SMC Consulting Engineers, P.C.

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works

and the question being upon approving Amendment No. One to Contract No. K-1011-56 with SMC Consulting Engineers, P.C., increasing the contract amount by \$5,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-1011-56 with SMC Consulting Engineers, P.C., increasing the contract amount by \$5,000 approved; and the execution thereof was authorized.

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Item 15, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1011-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND STANDARD ROOFING COMPANY, INC., INCREASING THE CONTRACT AMOUNT BY \$16,153 ADDING THE IRRIGATION PUMP BUILDING ROOF AT WESTWOOD GOLF COURSE AND GUTTERING AT THE SENIOR CENTER TO THE ROOFING PROJECTS.

Councilmember Kovach moved that Change Order No. One to Contract No. K-1011-131 with Standard Roofing Company, Inc., increasing the contract amount by \$16,153 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-131, Change Order No. One, dated August 2, 2011, by Matthew Smith, Facility Maintenance Superintendent
2. Change Order No. One to Contract No. K-1011-131

Participants in discussion

1. Ms. Brenda Hall, City Clerk

and the question being upon approving Change Order No. One to Contract No. K-1011-131 with Standard Roofing Company, Inc., increasing the contract amount by \$16,153 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Change Order No. One to Contract No. K-1011-131 with Standard Roofing Company, Inc., increasing the contract amount by \$16,153 approved; and the execution thereof was authorized.

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Item 16, being:

CONTRACT NO. K-1112-13: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. SRS-114D(294)ST, AND SRS-114D(295), STATE JOB NO. 28470(13) FOR THE SAFE ROUTES TO SCHOOL AGREEMENT FOR KENNEDY ELEMENTARY SCHOOL LOCATED AT 621 SUNRISE DRIVE, ADOPTION OF RESOLUTION NO. R-1112-12 AND BUDGET TRANSFER.

Councilmember Kovach moved that Contract No. K-1112-13 with the Oklahoma Department of Transportation be approved, Resolution No. R-1112-12 be adopted, the execution of the contract and resolution be authorized, and \$4,900 be transferred from the Special Revenue Fund Balance (022-0000-253-20-00) to Project No. TR0081, Safe Routes to School Kennedy, designating \$2,450 to Other Supplies, Materials (022-5023-429.31-99) and \$2,450 to Miscellaneous Services/Other (022-5023-429.47-99), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-13 dated July 27, 2011, by Mike Rayburn, Assistant Traffic Engineer
2. Contract No. K-1112-13 with Exhibit "A", Index of Specifications and Special Provisions; Attachment A, Scope of Services; Attachment B, Procedures for the Selection of Architects, Engineer and Other Design Consultants; Attachment C, Plan Preparation; Attachment C-1, Location and Hydraulic Design of Encroachments on Flood Plains; Attachment C-2, Specifications for Detailed Construction Plans for Grading, Drainage, Surfacing, Structures, and Incidentals; Attachment C-3, LRFD Bridge Design Specifications for Highway Bridges; and Attachment D, Federal Title VI Provisions
3. Resolution No. R-1112-12

Item 16, continued:

and the question being upon approving Contract No. K-1112-13 with the Oklahoma Department of Transportation and upon the subsequent adoption, authorization, and transfer, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1112-13 with the Oklahoma Department of Transportation approved; Resolution No. R-1112-12 was adopted; the execution of the contract and resolution was authorized; and \$4,900 was transferred from the Special Revenue Fund Balance (022-0000-253-20-00) to Project No. TR0081, Safe Routes to School Kennedy, designating \$2,450 to Other Supplies, Materials (022-5023-429.31-99) and \$2,450 to Miscellaneous Services/Other (022-5023-429.47-99).

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Item 17, being:

CONTRACT NO. K-1112-16: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR FEDERAL AID PROJECT NO. HSIPIY-114A(242) TR, JOB PIECE NO. 26474(04) THE CONSTRUCTION OF HIGHWAY 77 (CLASSEN BOULEVARD) AND IMHOFF ROAD INTERSECTION IMPROVEMENT PROJECT AND ADOPTION OF RESOLUTION NO. R-1112-15.

Councilmember Kovach moved that Contract No. K-1112-16 with the Oklahoma Department of Transportation be approved; Resolution No. R-1112-15 be adopted; the execution of the contract and resolution be authorized; and payment to the Oklahoma Department of Transportation in the amount of \$302,347.53 for the City's 20% share be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-16 dated July 28, 2011, by Angelo Lombardo, Traffic Engineer
2. Contract No. K-1112-16
3. Resolution No. R-1112-15
4. Purchase Requisition No. 0000189422 dated July 20, 2011, in the amount of \$302,347.53 to the Oklahoma Department of Transportation

and the question being upon approving Contract No. K-1112-16 with the Oklahoma Department of Transportation and upon the subsequent adoption, authorization, and directive, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1112-16 with the Oklahoma Department of Transportation approved; Resolution No. R-1112-15 was adopted; the execution of the contract and resolution was authorized; and payment to the Oklahoma Department of Transportation in the amount of \$302,347.53 for the City's 20% share was directed.

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Item 18, being:

CONTRACT NO. K-1112-17: AN ENTERPRISE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., (ESRI) TO PROVIDE SOFTWARE SUPPORT FOR THE PLANNING, PUBLIC WORKS, POLICE, PARKS AND RECREATION, AND UTILITIES DEPARTMENTS IN THE AMOUNT OF \$53,616.50 PER YEAR FOR A PERIOD OF THREE YEARS.

Councilmember Kovach moved that Contract No. K-1112-17 with ESRI in the amount of \$53,616.50 per year for a period of three years be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-17 dated July 25, 2011, by Joyce Green, GIS Service Manager
2. Letter dated July 19, 2011, from Larry Ambriz, ESRI, to Ms. Joyce Green, City of Norman
3. Quotation No. 20389835 dated July 19, 2011, in the amount of \$174,119.58 from Environmental Systems Research Institute, Inc.
4. Contract No. K-1111-17

Participants in discussion

1. Ms. Joyce Green, GIS Service Manager

and the question being upon approving Contract No. K-1112-17 with ESRI in the amount of \$53,616.50 per year for a period of three years and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No K-1112-17 with ESRI in the amount of \$53,616.50 per year for a period of three years approved; and the execution thereof was authorized.

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Item 19, being:

RESOLUTION NO. R-1011-126: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1011-14**, SO AS TO PLACE A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. BETWEEN CEDAR LANE ROAD AND HIGHWAY 9)

Councilmember Ezzell moved that Resolution No. R-1011-126, Land Use Plan Amendment No. LUP-1011-14, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1011-126 dated May 10, 2011, by Doug Kosciński, Current Planning Manager
2. Resolution No. R-1011-126, Land Use Plan Amendment No. LUP-1011-14
3. Location map
4. Staff Report dated June 9, 2011, recommending approval
5. Pertinent excerpts from Planning Commission minutes of June 9, 2011

Item 19, continued:

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Chris Russ, Campus Crest Communities. 2100 Rexford Road, #414, Charlotte, North Carolina, applicant
3. Mr. Shawn O'Leary, Director of Public Works
4. Ms. Ann Gallagher, 1522 East Boyd Street, made comments
5. Mr. Stephen Tyler Holman, 1020 South College Avenue, made comments
6. Mr. Mark Campbell, 2821 Dewey Avenue, asked questions
7. Ms. Joy Hampton, Norman Transcript, 215 East Comanche Street, asked questions
8. Mr. Angelo Lombardo, Traffic Engineer

and the question being upon adopting Resolution No. R-1011-126, Land Use Plan Amendment No. LUP-1011-14, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1011-126, Land Use Plan Amendment No. LUP-1011-14, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

\* \* \* \* \*

Item 20, being:

ORDINANCE NO. O-1011-59: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0910-25 TO ADJUST THE BOUNDARIES BY INCREASING THE AMOUNT OF AREA ALLOTTED TO OFFICE USES AND AMENDING THE SITE PLAN FOR LOT 1, BLOCK 1, SHAKLEE ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. BETWEEN CEDAR LANE ROAD AND HIGHWAY 9)

Ordinance No. O-1011-59 having been Introduced and adopted upon First Reading by title in City Council's meeting of July 26, 2011, Councilmember Kovach moved that Ordinance No. O-1011-59 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-1011-59 dated May 10, 2011, by Doug Kosciński, Current Planning Manager
2. Ordinance No. O-1011-59 with Exhibit A, site development plan
3. Location map
4. Staff Report dated June 9, 2011, recommending approval with condition
5. PUD narrative for Campus Crest Addition dated May 9, 2011, revised August 3, 2011, prepared by Sean Paul Rieger, the Rieger Law Group
6. Pertinent excerpts from Planning Commission minutes of June 9, 2011

and the question being upon adopting Ordinance No. O-1011-59 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-59 was adopted upon Second Reading section by section.

Item 20, continued:

Thereupon, Councilmember Ezzell moved that Ordinance No. O-1011-59 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-1011-59 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1011-59 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 21, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR CAMPUS CREST ADDITION, A PLANNED UNIT DEVELOPMENT, AND WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL PROPERTY. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. BETWEEN CEDAR LANE ROAD AND HIGHWAY 9).

Councilmember Kovach moved that the preliminary plat and waiver of alley requirements for Campus Crest Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. PP-1011-24 dated May 10, 2011, by Ken Danner, Development Manager
2. Traffic Table for Campus Crest Addition Preliminary Plat
3. Location map
4. Staff Report dated June 9, 2011, recommending approval
5. Preliminary plat
6. Preliminary site development plan
7. Oil well site plan
8. Letter requesting alley waiver dated June 1, 2011, from Tom L. McCaleb, P.E. SMC Consulting Engineers, P.C., to Mr. Jim Gasaway, Chairman, Planning Commission
9. Norman Predevelopment Summary No. PD11-15 dated April 28, 2011, for Campus Crest Development, L.L.C., for property located east of 12th Avenue S.E. and south of Highway 9
10. Greenbelt Commission Comments dated April 28, 2011
11. Norman Greenbelt Enhancement Statement dated April 12, 2011
12. Pertinent excerpts from Planning Commission minutes of June 9, 2011

and the question being upon approving the preliminary plat and waiver of alley requirements for Campus Crest Addition, a Planned Unit Development, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the preliminary plat and waiver of alley requirements for Campus Crest Addition, a Planned Unit Development, was approved.

\* \* \* \* \*

## MISCELLANEOUS DISCUSSION

Municipal Finance Forum. Mr. Stephen Tyler Holman, 1020 South College Avenue, thanked Mr. Anthony Francisco, Director of Finance, and staff for providing the Municipal Finance Forum last fall because it provided valuable knowledge to citizens and he hoped there would be more of this type of forum in the future.

\*

CART Costs. Mr. Fred Pope, 1501 Navajo Road, said at the July 26th City Council meeting, he questioned the cost of the subsidy per ride for the CART system and said he did not understand at that time that the proposed expenditure for CART related only to providing services to handicapped members of the community with extremely limited means of transportation. He said he had not intended to question providing such vital services. He said this funding is being used to support CART and it makes no difference whether the sources of the funds is labeled City, State, Federal, or University of Oklahoma, it all comes from the taxpayer's pocket. He said he would like information indicating how much a ride on the CART system costs the taxpayers and a summation of the cost of vehicles, wages and benefits for drivers, maintenance including mechanics and garage parking of vehicles, insurance, and other costs. He said there would be no question that income from paying riders is insufficient to cover the costs of operations and maintenance and it would be good for Norman taxpayers to be aware of the cost associated with the CART system.

Councilmember Dillingham said Doug Myers, Director of CART, has provided those calculations and she would be glad to get Mr. Pope this information. She said the Community Planning and Transportation Committee is now responsible for overseeing how our transportation system is working including CART. She said the ridership reports for CART are discussed at every meeting and invited Mr. Pope to attend.

Councilmember Spaulding commended Mr. Pope for his comments and encouraged more participation in local government.

Councilmember Gallagher said many churches provide transportation to those attending church and if the City approaches some of the churches and possibly the Kiwanis Cruiser, they might be able to help some of these people who have a need to get out on the weekend. He said the City should look at this.

Councilmember Dillingham said there is an Interfaith Council in town and she and Mr. Myers have called some of the church leaders to discuss helping out with transportation and there is a possibility some of the churches can help out.

Mayor Rosenthal said the Norman Justice Alliance has had ongoing discussions about how various churches assist people in need in our community and transportation issues have been discussed. She said not every church has a lift in their vans for handicapped riders and there are significant liability insurance issues preventing many of the churches from doing more than serving their own congregations. She said sometimes the costs of public transportation are examined and some feel we oversubsidize public transportation but the truth is the City oversubsidizes streets, road, bridges, and highways. She said it is very difficult to get a good comparison and the whole array of services need to be looked at.

\*

Building Permit Process. Mr. Sean Rieger, 136 Thompson Drive, Builders Association of South Central Oklahoma, said recently the City had recently approved a new process for residential building permit issuance which involves a one-hour timeframe whereas before it took two to three hours. He thanked the City Manager, Council, and Staff on behalf of the Builders Association of South Central Oklahoma and urged them to continue this process for commercial inspections and permitting.

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Alley Requirements. Mr. Mark Campbell, 2821 Dewey Avenue, asked why there were alley requirements when it seemed they were always waived.

Mr. Shawn O'Leary, Director of Public Works, said subdivision regulations require alleys on all multi-family and commercial developments to provide access for trash services, emergency vehicles, and public utility vehicles. He said the developers sometimes choose to provide that access through other means such as the site plan or parking lot layout. He said there are a number of ways this can be done and the City works with them. He said if the requirements are met, the alley requirements are not needed and the developer will request a waiver of the alley requirements.

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Miscellaneous Discussion, continued:

Public Art. Mr. Mark Campbell, 2821 Dewey Avenue, said it was his understanding that the purpose of the Public Arts Board was to approve publicly owned art. He said these were to be permanent art works of quality. He said the Public Art Board had taken proposals for "Indian Grass", the sculpture on the East Main Round-About and this art was voted on by the public. He asked why a proposal from the Firehouse Art Center was being considered as a new project which included placing painted ducks placed around Norman to be funded by citizens.

Mr. Jud Foster, Director of Parks and Recreation, said this project is in the conceptual stages at this point and no final decisions have been made. He said this project was originally proposed as a fundraiser and an educational project for youth involvement in public art but the costs involved are a detriment. He said other communities have adopted a brand, such as a buffalo or penguin, and the idea came forward for the duck. He said these are not final ideas.

Mayor Rosenthal reminded citizens that there are no city money used in projects proposed by the Public Arts Board and all funds come from private donations.

\*

Street Striping. Councilmember Quinn said the streets are being striped and painted and he has received comments from constituents about the traffic situations because of the improvements. He said the job has to be done and there are many miles to be covered. He said there is not enough time at night to do this project and apologized to citizens for the inconvenience, but it is a necessary improvement. He said he appreciates City crews and what they are doing.

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Shop Norman. Councilmember Quinn encouraged citizens to "Shop Norman."

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Item 18, Contract with ESRI. Councilmember Lockett thanked Ms. Joyce Green, GIS Service Manager, for working on the software contract with ESRI.

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Fire at University Greens. Councilmember Lockett thanked the Fire Department for working tirelessly during the recent fire at University Greens.

Councilmember Gallagher asked if there was any information about how the fire started at University Greens. Mr. James Fullingim, Fire Chief, said the origin for the fire had been determined but not an exact cause. He said the fire appears to have started on the exterior of the building in the mulch beds around the building and moved up the exterior of the building into the attic. He said with these dry conditions, any type of ignition source could start the mulch on fire.

Councilmember Kovach said whenever there is a major fire, there is a coordination of all emergency services and he commended all of them for the excellent work done. He said the temperatures have been extremely high the last few weeks and asked citizens to imagine putting out a fire while wearing a heavy protective coat. He said the fact these professionals are doing this job and doing it well is a testament to their training.

Councilmember Ezzell thanked all of the Public Safety personnel who helped out. He said fire personnel from Newcastle, Slaughterville, Noble, Cleveland County, were all present, as well as the National Guard Chinook helicopter dumping water on the site and they were all very much appreciated.

Mayor Rosenthal also thanked public safety personnel from all over the metro area who provided backup.

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Miscellaneous Discussion, continued:

Air Conditioning too Cold at Library. Councilmember Gallagher said the air conditioning at the library was too cold and he was told by employees that the temperature cannot be controlled because there are some parts that need to be replaced.

Ms. Brenda Hall, City Clerk, said there is a current project to replace all of the heating and air conditioning equipment at the library and that the current equipment is over 30 years old. She said recently there have been issues with the existing compressors where they had to be turned on completely or turned off. She said the contractor will start the replacement project in the next few weeks and at present, it is possible to do a few adjustments to make the temperature higher but it has to be set manually on a day-to-day basis.

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Visiting Boy Scout. Councilmember Ezzell welcomed Mr. John Robb, Boy Scout Troup No. 792, who is attending this evening's meeting in order to fulfill some of his Boy Scout citizenship requirements.

\*

Condition of the Animal Welfare Facility. Councilmember Ezzell said the first Business and Community Affairs Committee meeting was held recently and seven Councilmembers were present. He said the Animal Welfare Facility was discussed. He said extensive work and study has been done by the Animal Shelter Oversight Committee regarding the problems and issues of the Animal Shelter. He said there is a well designed project that has been idle due to a lack of funding. He said one idea was to bring it forward as part of a larger package of issues and his concern with that approach is that pushes it farther in the future. He said the only challenge is the funding mechanism because it is a \$3 million project. He said there is a very good staff at Animal Shelter and this project needs to move forward because the facilities are deficient and antiquated. He said he hoped other Councilmembers will support bringing forward an ordinance to create a General Obligation Bond Indebtedness to fund the project on First Reading on August 23rd so it could be voted on by the citizens on the November 8 ballot. He said this would require a Special Session to be held September 6, 2011, for Second and Final Reading of the Ordinance to meet the election deadline. He asked Council to support this so the Manager and Staff could work on this.

Councilmember Dillingham said she had been fortunate to serve as the Council liaison to the Animal Shelter Oversight Committee who are very dedicated and who are ready to get a project to the voters for their consideration. She said the present facility is not a welcoming place and can be dangerous. She said she would like to discuss this issue with the Finance Committee first but it is definitely needed.

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Ward Four Meeting. Councilmember Dillingham said the Ward Four Meeting on August 1st was a success and she thanked staff for being so responsive. She thanked the Norman Transcript for a very informative article.

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Sales Tax Collection. Mr. Steve Lewis, City Manager, said August sales tax collections had been received for the month of June and there was an increase of 4% over 2010. He said over the last twelve months, there had been a 4.8% increase.

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Water Conservation Efforts. Mr. Steve Lewis, City Manager, thanked utility customers for working so well with the City during the Odd/Even Water Rotation. He said it would be a strain over the next month of this record drought. He said \$400,000 is routinely budgeted every year for purchases of water from Oklahoma City. He said it is estimated that during the month of July, approximately \$350,000 was spent so it is possible more funding will be needed to purchase additional water.

\*

Change Orders to Contracts. Mr. Steve Lewis, City Manager, said contractors are working at their own peril because they are assuming City Council will follow through and make adjustments on change orders.

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Miscellaneous Discussion, continued:

Street Improvements. Mr. Steve Lewis, City Manager, said the timing of public improvements is scrutinized carefully and one of the realities is that the City depends on securing federal dollars from the Oklahoma Department of Transportation and the Association of Central Oklahoma Governments to bring about needed improvements. He said it is a very competitive process subject to multi-year budgeting and trying to deliver public projects at the right time at the right price is sometimes difficult. He said several months ago, we presented some projects to council that could possibly be done if we were able to secure General Obligation funding to allow these projects to advance in terms of the design and right-of-way acquisition. He said this could improve our readiness points to allow the City to be more competitive. He said it is possible time to look at the list of projects again because we are seeing a decrease of federal funding and this might be a good time to accelerate that process.

Mayor Rosenthal said we are fortunate in this community to have been as competitive as we had been to leverage the dollars and projects as timely as possible. She said although the City does not want to be too far behind in development we do not want to build infrastructure that is unnecessary by encouraging growth in areas where it is not going to grow on its own. She said looking at General Obligation Bonds in general for infrastructure projects is going to be a very important overview.

\* \* \* \* \*

ADJOURNMENT

There being no further business, Councilmember Dillingham 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 Dillingham, Ezzell,  
Gallagher, Griffith, Kovach, Lockett,  
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 8:30 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor