

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

September 23, 2008

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 23rd day of September, 2008, 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 Butler, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, Mayor Rosenthal

ABSENT: Councilmember Thompson

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Dillingham moved that Item 4 through Item 34 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Cubberley; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 34, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 34 were placed on the consent docket by unanimous vote.

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Item 4, being:

CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 9, 2008
CITY COUNCIL MINUTES OF SEPTEMBER 9, 2008
NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 9, 2008
NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 9, 2008
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 9, 2008
CITY COUNCIL STUDY SESSION MINUTES OF SEPTEMBER 16, 2008

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

Items submitted for the record

1. City Council Conference minutes of September 9, 2008
2. City Council minutes of September 9, 2008
3. Norman Utilities Authority minutes of September 9, 2008
4. Norman Municipal Authority minutes of September 9, 2008
5. Norman Tax Increment Finance Authority minutes of September 9, 2008
6. City Council Study Session minutes of September 16, 2008

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

YEAS: Councilmembers Butler, Cubberley,
Dillingham, Ezzell, Griffith, Kovach,
Quinn, 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 THE FOLLOWING ORDINANCE UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0809-9: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 8-111 TO CHAPTER 8 OF THE CODE OF THE CITY OF NORMAN REGARDING THE ACCEPTANCE OF DONATIONS BY THE CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Quinn moved that the ordinance be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated September 9, 2008, from Suzanne Krohmer, Budget Manager, through Anthony Francisco, Director of Finance, to Honorable Mayor and Councilmembers
- 2. Ordinance No. O-0809-9
- 3. Legislatively notated copy of Ordinance No. O-0809-9
- 4. Pertinent excerpts from Finance Committee minutes of August 14, 2008

and the question being upon the Introduction and adoption of the ordinance upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers 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 ordinance was Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENT AS FOLLOWS:

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2
TERM: 09-23-08 TO 04-10-10: HAROLD HARALSON, 516 AVON DRIVE

Councilmember Quinn moved that the appointment be confirmed, which motion was duly seconded by Councilmember Kovach;

Participants in discussion

- 1. Mr. Mark Campbell, 2821 Dewey Avenue, asked questions

and the question being upon confirming the appointment, a vote was taken with the following result:

YEAS:	Councilmembers 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 appointment was confirmed.

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Item 7, being:

SUBMISSION OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF AUGUST 30, 2008.

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

Items submitted for the record

- 1. Finance Director's Investment Report of August 30, 2008

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 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 OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF AUGUST, 2008

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

Items submitted for the record

- 1. Monthly Departmental Reports for the month of August, 2008

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 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:

CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-0809-1 FROM MOORE-NORMAN TECHNOLOGY CENTER TO PROVIDE ON-DUTY EMERGENCY MEDICAL TECHNICIAN – BASIC (EMT-B) TRAINING SERVICES FOR THIRTY (30) FIREFIGHTERS AND APPROVAL OF CONTRACT NO. K-0809-60.

Councilmember Quinn moved that Request for Proposal No. RFP-0809-1 from Moore-Norman Technology Center to provide on-duty Emergency Medical Technician - Basic (EMT-B) training services be accepted; Contract No. K-0809-60 in the amount of \$21,662.50 be approved, and the execution thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated September 8, 2008, from James Fullingim, Fire Chief, to Honorable Mayor and City Council
- 2. Contract No. K-0809-60
- 3. Purchase Requisition No. 0000148276 dated September 15, 2008, in the amount of \$21,662.50 to Moore-Norman Technology Center

Item 9, continued:

and the question being upon accepting Request for Proposal No. RFP-0809-1 from Moore-Norman Technology Center to provide on-duty Emergency Medical Technician - Basic (EMT-B) training services and upon the subsequent approval and authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Request for Proposal No. RFP-0809-1 from Moore-Norman Technology Center to provide on-duty Emergency Medical Technician - Basic (EMT-B) training services accepted; Contract No. K-0809-60 in the amount of \$21,662.50 was approved and the execution thereof was authorized.

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Item 10, being:

CONSIDERATION AND AWARDED OF BID NO. 0809-6 FOR THE PURCHASE OF THE FOLLOWING MATERIALS FOR THE LINE MAINTENANCE DIVISION:

- I. COPPER METER YOKES FOR WATER METERS
- II. HIGH DENSITY POLYETHYLENE (HDPE) METER BOXES WITH CAST IRON LIDS
- III. WATER LINE REPAIR CLAMPS
 1. 2 INCH X 6 INCH REPAIR CLAMPS
 2. 4 INCH X 6 INCH REPAIR CLAMPS
 3. 4 INCH X 8 INCH REPAIR CLAMPS
 4. 4 INCH X 12 INCH REPAIR CLAMPS
 5. 6 INCH X 8 INCH REPAIR CLAMPS
 6. 6 INCH X 12 INCH REPAIR CLAMPS
 7. 6 INCH X 15 INCH REPAIR CLAMPS
 8. 6 INCH X 20 INCH REPAIR CLAMPS
 9. 6 INCH X 24 INCH REPAIR CLAMPS
 10. 6 INCH X 30 INCH REPAIR CLAMPS
 11. 8 INCH X 8 INCH REPAIR CLAMPS
 12. 8 INCH X 12 INCH REPAIR CLAMPS
 13. 8 INCH X 15 INCH REPAIR CLAMPS
 14. 8 INCH X 20 INCH REPAIR CLAMPS
 15. 8 INCH X 30 INCH REPAIR CLAMPS
 16. 12 INCH X 15 INCH REPAIR CLAMPS
 17. 12 INCH X 20 INCH REPAIR CLAMPS
 18. 12 INCH X 24 INCH REPAIR CLAMPS
 19. 12 INCH X 30 INCH REPAIR CLAMPS
 20. 14 INCH X 20 INCH REPAIR CLAMPS
 21. 16 INCH X 20 INCH REPAIR CLAMPS
 22. 16 INCH X 30 INCH REPAIR CLAMPS
 23. 24 INCH X 24 INCH REPAIR CLAMPS
 24. 30 INCH X 36 INCH REPAIR CLAMPS
 25. 2 INCH X 12 INCH REPAIR CLAMPS WITH 3/4 INCH CC THREAD
 26. 2 INCH X 12 INCH REPAIR CLAMPS WITH 1 INCH CC THREAD
 27. 4 INCH X 12 INCH REPAIR CLAMPS WITH 3/4 INCH CC THREAD
 28. 4 INCH X 12 INCH REPAIR CLAMPS WITH 1 INCH CC THREAD
 29. 6 INCH X 15 INCH REPAIR CLAMPS WITH 3/4 INCH CC THREAD
 30. 6 INCH X 15 INCH REPAIR CLAMPS WITH 1 INCH CC THREAD
 31. 8 INCH X 15 INCH REPAIR CLAMPS WITH 3/4 INCH CC THREAD
 32. 8 INCH X 15 INCH REPAIR CLAMPS WITH 1 INCH CC THREAD
 33. 12 INCH X 15 INCH REPAIR CLAMPS WITH 3/4 INCH CC THREAD
 34. 12 INCH X 15 INCH REPAIR CLAMPS WITH 1 INCH CC THREAD

Acting as the Norman Utilities Authority, Trustee Quinn moved that all bids meeting specifications on Section I be accepted and the bid in the amount of \$72.40 each be awarded to Gillis Acquisition, L.L.C. d/b/a Pioneer Supply, L.L.C., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Kovach;

Item 10 continued:

Items submitted for the record

1. Memorandum dated August 25, 2008, from David Hager, Utilities Superintendent, to Mayor and City Council
2. Bid tabulation for Section I, copper meter yokes for water meters

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

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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Section I accepted; and the bid in the amount of \$72.40 each was awarded to Gillis Acquisition L.L.C., d/b/a Pioneer Supply, L.L.C., as the lowest and best bidder meeting specifications.

Thereupon, Trustee Quinn moved that all bids meeting specifications on Section II be accepted and the bid in the amount of \$33.95 each be awarded to HD Water Supply as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated August 25, 2008, from David Hager, Utilities Superintendent, to Mayor and City Council
2. Bid tabulation for Section II, HDPE meter boxes with cast iron lids

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

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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Section II accepted; and the bid in the amount of \$33.95 each was awarded to HD Water Supply as the lowest and best bidder meeting specifications.

Thereupon, Trustee Quinn moved that all bids meeting specifications on Sections III (1) and (2) be accepted and the bid be awarded to American Waterworks Supply, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated August 25, 2008, from David Hager, Utilities Superintendent, to Mayor and City Council
2. Bid tabulation for Section III, (1) 2 inch x 6 inch repair clamps and (2) 4 inch x 6 inch repair clamps

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

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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Sections III (1) and (2) accepted; and the bid was awarded to American Waterworks Supply, Inc., as the lowest and best bidder meeting specifications.

Item 10, continued:

Thereupon, Trustee Quinn moved that all bids meeting specifications on Sections III (3), (4), (5), and (7) be accepted and the bid be awarded to Water Products of Oklahoma, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated August 25, 2008, from David Hager, Utilities Superintendent, to Mayor and City Council
2. Bid tabulation for Section III, (3) 4 inch x 8 inch repair clamps; (4) 4 inch x 12 inch repair clamps; (5) 6 inch x 8 inch repair clamps; and (7) 6 inch x 15 inch repair clamps

and the question being upon accepting all bids meeting specifications on Sections III (3), (4), (5), and (7) and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Sections III (3), (4), (5), and (7) accepted; and the bid was awarded to Water Products of Oklahoma, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Trustee Quinn moved that all bids meeting specifications on Sections III (6) and (8) through (34) be accepted and the bid be awarded to OKC Winwater as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated August 25, 2008, from David Hager, Utilities Superintendent, to Mayor and City Council
2. Bid tabulation for Section III, (6) 6 inch x 12 inch repair clamps; (8) 6 inch x 20 inch repair clamps; (9) 6 inch x 24 inch repair clamps; (10) 6 inch x 30 inch repair clamps; (11) 8 inch x 8 inch repair clamps; (12) 8 inch x 12 inch repair clamps; (13) 8 inch x 15 inch repair clamps; (14) 8 inch x 20 inch repair clamps; (15) 8 inch x 30 inch repair clamps; (16) 12 inch x 15 inch repair clamps; (17) 12 inch x 20 inch repair clamps; (18) 12 inch and 24 inch repair clamps; (19) 12 inch x 30 inch repair clamps; (20) 14 inch x 20 inch repair clamps; (21) 16 inch x 20 inch repair clamps; (22) 16 inch x 30 inch repair clamps; (23) 24 inch x 24 inch repair clamps; (24) 30 inch x 36 inch repair clamps; (25) 2 inch x 12 inch repair clamps with $\frac{3}{4}$ inch CC thread; (26) 2 inch x 12 inch repair clamps with 1 inch CC thread; (27) 4 inch x 12 inch repair clamps with $\frac{3}{4}$ inch CC thread; (28) 4 inch x 12 inch repair clamps with 1 inch CC thread; (29) 6 inch x 15 inch repair clamps with $\frac{3}{4}$ inch CC thread; (30) 6 inch x 15 inch repair clamps with 1 inch CC thread; (31) 8 inch x 15 inch repair clamps with $\frac{3}{4}$ inch CC thread; (32) 8 inch x 15 inch repair clamps with 1 inch CC thread; (33) 12 inch x 15 inch repair clamps with $\frac{3}{4}$ inch CC thread; and (34) 12 inch x 15 inch repair clamps with 1 inch CC thread;

and the question being upon accepting all bids meeting specifications on Sections III (6) and (8) through (34) and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and all bids meeting specifications on Sections III (6) and (8) through (34) accepted; and the bid was awarded to OKC Winwater as the lowest and best bidder meeting specifications.

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Item 11, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-9 FOR THE PURCHASE OF A NEW TRIPLE COMBINATION PUMPER FIRE TRUCK FOR THE FIRE DEPARTMENT.

Councilmember Quinn moved that all bids meeting specifications be accepted and the bid in the amount of \$389,701.00 be awarded to Pierce Manufacturing Company as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated September 8, 2008, from James Fullingim, Fire Chief, to Mayor and City Council
- 2. Bid tabulation for a Triple Combination Pumper Fire Truck

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

YEAS:	Councilmembers 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 all bids meeting specifications accepted; and the bid in the amount of \$389.701.00 was awarded to Pierce Manufacturing Company as the lowest and best bidder meeting specifications.

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Item 12, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-10 FOR TIRE RETREADING SERVICES FOR THE FLEET MANAGEMENT DIVISION.

Councilmember Quinn moved that all bids meeting specifications be accepted and the bid be awarded to Southern Tire Mart as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated August 26, 2008, from Mike White, Fleet Management Superintendent, to Mayor and City Council
- 2. Bid tabulation dated August 25, 2008, for tire retreading services

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

YEAS:	Councilmembers 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 all bids meeting specifications accepted; and the bid was awarded to Southern Tire Mart as the lowest and best bidder meeting specifications.

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Item 13, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-11 FOR THE FOLLOWING FUEL PURCHASES FOR THE FLEET MANAGEMENT DIVISION:

- 1. UNLEADED GASOLINE
- 2. #2 DIESEL FUEL
- 3. BIODIESEL (B-20) FUEL

Councilmember Quinn moved that all bids meeting specifications on Sections 1 and 2 be accepted and the bid be awarded to Red Rock Distributing Company as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated August 26, 2008, from Mike White, Fleet Management Superintendent, to Mayor and City Council
- 2. Bid tabulation dated August 25, 2008, for Section 1, unleaded gasoline, and Section 2, Diesel
- 3. Example of Oil Price Information Services (OPIS) report

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

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

The Mayor declared the motion carried and all bids meeting specifications on Sections 1 and 2 accepted; and the bid was awarded to Red Rock Distributing Company as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Quinn moved that all bids meeting specifications on Section 3 be accepted and the bid be awarded to Petroleum Traders Corporation as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated August 26, 2008, from Mike White, Fleet Management Superintendent, to Mayor and City Council
- 2. Bid tabulation dated August 25, 2008, for Section 3, Biodiesel (B-20) fuel
- 3. Example of Oil Price Information Services (OPIS) Report

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

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

The Mayor declared the motion carried and all bids meeting specifications on Section 3 accepted; and the bid was awarded to Petroleum Traders Corporation as the lowest and best bidder meeting specifications.

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Item 14, being:

CONSIDERATION OF ACCEPTANCE OF THE FOLLOWING DONATED EASEMENTS FOR THE ROCK CREEK ROAD WIDENING PROJECT BETWEEN PORTER AVENUE AND 12TH AVENUE N.E.:

<u>EASEMENT NO.</u>	<u>GRANTOR</u>	<u>EASEMENT</u>
E-0809-7	THE DEPARTMENT OF MENTAL HEALTH	TEMPORARY
E-0809-8	AND SUBSTANCE ABUSE SERVICES REAL	CONSTRUCTION
E-0809-9	PROPERTY TRUST	
E-0809-10		

Councilmember Quinn moved that the easements be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated August 28, 2008, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Temporary Easement Nos. E-0809-7, E-0809-8, E-0809-9, and E-0809-10
3. Location map

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

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

NAYES: None

The Mayor declared the motion carried and the easements accepted; and the filing thereof with the City Clerk was directed.

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Item 15, being:

CONSIDERATION OF GRANTING A LEGAL RIGHT-OF-ENTRY TO OKLAHOMA NATURAL GAS COMPANY FOR THE INSTALLATION OF A GAS LINE THROUGH PROPERTY OWNED BY THE CITY OF NORMAN GENERALLY LOCATED NORTH OF ROBINSON STREET AND EAST OF 24TH AVENUE N.W.

Councilmember Quinn moved that the granting of a Legal Right of Entry to Oklahoma Natural Gas Company for the installation of a high pressure gas line be approved, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated September 17, 2008, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Legal Right-of-Entry with location map and legal description of City of Norman easement
3. Location map

and the question being upon approving the granting of a Legal Right of Entry to Oklahoma Natural Gas Company for the installation of a high pressure gas line, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the granting of a Legal Right of Entry to Oklahoma Natural Gas Company for the installation of a high pressure gas line was approved.

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Item 16, being:

CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS FROM THE STATE OF OKLAHOMA PUBLIC ASSISTANCE PROGRAM FOR WINTER ICE STORMS FROM JANUARY 12 THROUGH 26, 2007.

Councilmember Quinn moved that reimbursement of funds in the amount of \$2,764.80 from the State of Oklahoma Public Assistance Program for winter ice storms from January 12 through 26, 2007, be accepted and Other Agency Reimbursements (010-0000-366.12-39) be increased by \$2,764.80, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated August 25, 2008, from James Fullingim, Fire Chief, to Honorable Mayor and City Council,

and the question being upon accepting reimbursement of funds in the amount of \$2,764.80 from the State of Oklahoma Public Assistance Program for winter ice storms from January 12 through 26, 2007, and upon the subsequent increase, a vote was taken with the following result:

YEAS:	Councilmembers 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 reimbursement of in the amount of \$2,764.80 from the State of Oklahoma Public Assistance Program for winter ice storm from January 12 through 26, 2007, accepted; and Other Agency Reimbursements (010-0000-366.12-39) was increased by \$2,764.80.

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Item 17, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$9,895.00 FROM THE CITIZENS CORPS PROGRAM AND AUTHORIZATION FOR THE PURCHASE OF A FIRE EXTINGUISHER TRAINING SYSTEM FOR THE NORMAN OFFICE OF EMERGENCY MANAGEMENT.

Councilmember Quinn moved that a grant from the Citizens CORPS Program in the amount of \$9,895.00 to be used to purchase a Fire Extinguisher Training System for the Norman Office of Emergency Management be accepted; Other Revenue/Emergency Management Grant (022-0000-331.13-60) be increased by \$9,895.00; \$9,895.00 be appropriated to Miscellaneous Equipment (022-9508-422.59-94); and authorization for the purchase of a fire extinguisher training system in the amount of \$9,895.00 from BULLEX Digital Safety be approved, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated August 28, 2008, from James Fullingim, Fire Chief, to Honorable Mayor and City Council
- 2. Letter of acceptance dated August 28, 2008, from Kerry, L. Pettingill, Director, State of Oklahoma Office of Homeland Security, to Steve Lewis, City Manager
- 3. Schedule B, 2007 Sub-grantee Award Document No. 55.017 dated August 28, 2008, in the amount of \$9,895.00 from the State of Oklahoma Office of Homeland Security
- 4. Quote No. 8707 dated August 28, 2008, from BULLEX Digital Safety in the amount of \$9,895.00

and the question being upon accepting a grant from the Citizens CORPS Program in the amount of \$9,895.00 to be used to purchase a Fire Extinguisher Training System for the Norman Office of Emergency Management and upon the subsequent increase, appropriation, and approval, a vote was taken with the following result:

YEAS:	Councilmembers 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 a grant from the Citizens CORPS Program in the amount of \$9,895.00 to be used to purchase a Fire Extinguisher Training System for the Norman Office of Emergency Management accepted; Other Revenue/Emergency Management Grant (022-0000-331.13-60) was increased by \$9,895.00, \$9,895.00 was appropriated to Miscellaneous Equipment (022-9508-422.59-94), and authorization for the purchase of a fire extinguisher training system in the amount of \$9,895.00 from BULLEX Digital Safety was approved.

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Item 18, being:

LIMITED LICENSE NO. 0809-7: LIMITED LICENSE TO PLACE ONE (1) GROUND BANNER AND FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FRIENDS OF THE NORMAN LIBRARY FOR THE ANNUAL BOOK SALE TO BE HELD OCTOBER 24 THROUGH 27, 2008.

Councilmember Quinn moved that Limited License No. 0809-7 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated September 5, 2008, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
2. Application for Limited License dated September 4, 2008, for one banner and four signs from Simon H. Rudnick for the Friends of the Norman Library
3. Location map
4. Limited License No. 0809-7

and the question being upon approving Limited License No. 0809-7 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Limited License No. 0809-7 to place one (1) ground banner and four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library approved; and the issuance thereof was authorized.

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Item 19, being:

LIMITED LICENSE NO. 0809-8: LIMITED LICENSE TO PLACE THIRTY (30) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM FIRST BAPTIST CHURCH OF NORMAN FOR THE FIRST FAMILY BLOCK PARTY TO BE HELD SUNDAY, OCTOBER 26, 2008.

Councilmember Quinn moved that Limited License No. 0809-8 to place thirty (30) signs within the public rights-of-way pursuant to a request from the First Baptist Church of Norman be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated September 15, 2008, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers, Norman City Council
2. List of Limited Licenses issued since ordinance was adopted, January 14, 1997, to September 9, 2008
3. Application for Limited License dated September 8, 2008, for thirty signs from Mark Rhea, First Baptist Church of Norman
4. Description of sign
5. Location map
6. Limited License No. 0809-8

Participants in discussion

1. Mr. Mark Rhea, First Baptist Church of Norman, 211 East Comanche Street, applicant

and the question being upon approving Limited License No. 0809-8 to place thirty (30) signs within the public rights-of-way pursuant to a request from First Baptist Church of Norman and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Limited License No. 0809-8 to place thirty (30) signs within the public rights-of-way pursuant to a request from First Baptist Church of Norman was approved; and the issuance thereof was authorized.

* * * * *

Item 20, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0405-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND POE AND ASSOCIATES, INC., IN AN AMOUNT NOT-TO-EXCEED \$18,000.00 FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE LINDSEY STREET WIDENING PROJECT BETWEEN JENKINS AVENUE AND CLASSEN BOULEVARD.

Councilmember Quinn moved that Amendment No. Two to Contract No. K-0405-131 with Poe and Associates, Inc., in an amount not-to-exceed \$18,000.00 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated September 18, 2008, from Lonnie Ferguson, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Letter dated September 15, 2008, from Bill Henwood, Director, Physical Plant, the University of Oklahoma, to Mr. Lonnie Ferguson, Public Works Department
3. Amendment No. Two to Contract No. K-0405-131 with Attachment 1A, Compensation
4. Location map
5. Purchase Requisition No. 0000147998 dated September 5, 2008, in the amount of \$18,000.00 to Poe and Associates, Inc.

Participants in discussion

1. Ms. Sylvia Martin, Post Office Box 430, asked questions
2. Mr. Bob Hanger, City Engineer
3. Ms. Bette Maffucci, 752 DeBarr Avenue, asked questions

and the question being upon approving Amendment No. Two to Contract No. K-0405-131 with Poe and Associates, Inc., in an amount not-to-exceed \$18,000.00 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Amendment No. Two to Contract No. K-0405-131 with Poe and Associates, Inc., in an amount not-to-exceed \$18,000.00 approved; and the execution thereof was authorized.

* * * * *

Item 21, being:

AMENDMENT NO. THREE TO CONTRACT NO. K-0405-136: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND HDR ENGINEERING, INC., INCREASING THE CONTRACT AMOUNT BY \$117,367.00 EXTENDING DESIGN SERVICES FOR THE WASTEWATER TREATMENT PLANT SLUDGE MANAGEMENT IMPROVEMENTS PROJECT AND BUDGET APPROPRIATION.

Acting as the Norman Utilities Authority, Trustee Quinn moved that Amendment No. Three to Contract No. K-0405-136 with HDR Engineering, Inc., increasing the contract amount by \$117,367.00 be approved; the execution thereof be authorized; and \$117,367.00 be appropriated from Wastewater Fund Balance (032-0000-253.00-00) to Project No. WW0008, Digester Cover Improvements, Design (032-9363-432.62-01), which motion was duly seconded by Trustee Kovach;

Items submitted for the record

1. Memorandum dated September 2, 2008, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. Amendment No. Three to Contract No. K-0405-136 with Exhibit C-1, Basis of Compensation
3. Purchase Order No. 118929 dated April 20, 2005, in the amount of \$1,123,152.00 which includes original contract amount of \$434,589.00 and Amendment No. One in the amount of \$688,563.00, adding Amendment No. Two in the amount of \$141,359.00, and Amendment No. Three in the amount of \$117,367.00 for a total contract amount of \$1,381,878.00

Item 21, continued:

and the question being upon approving Amendment No. Three to Contract No. K-0405-136 with HDR Engineering, Inc., increasing the contract amount by \$117,367.00 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and Amendment No. Three to Contract No. K-0405-136 with HDR Engineering, Inc., increasing the contract amount by \$117,367.00 approved; the execution thereof was authorized and \$117,367.00 was appropriated from Wastewater Fund Balance (032-0000-253.00-00) to Project No. WW0008, Digester Cover Improvements, Design (032-9363-432.62-01).

* * * * *

Item 22, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0809-39: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND JACK D. JAY D/B/A COMMERCIAL CONCRETE INCREASING THE CONTRACT AMOUNT BY \$74,816.00 TO ADD CURB AND GUTTER ON HADDOCK STREET BETWEEN STUBBEMAN AVENUE AND PETERS AVENUE.

Councilmember Quinn moved that Change Order No. One to Contract No. K-0809-39 with Jack D. Jay d/b/a Commercial Concrete increasing the contract amount by \$74,816.00 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated September 8, 2008, from Greg Hall, Street Superintendent, to Honorable Mayor and Councilmembers
- 2. Change Order No. One to Contract No. K-0809-39

and the question being upon approving Change Order No. One to Contract No. K-0809-39 with Jack D. Jay d/b/a Commercial Concrete increasing the contract amount by \$74,816.00 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Change Order No. One to Contract No. K-0809-39 with Jack D. Jay d/b/a Commercial Concrete increasing the contract amount by \$74,816.00 approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

CONTRACT NO. K-0809-51: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STATE-AID PROJECT NO. SEC1702Y-114C(193)HP, STATE JOB NO. 22670(04), FOR THE RIGHT-OF-WAY, PUBLIC UTILITY, AND ENCROACHMENT AGREEMENT FOR THE ROBINSON STREET UNDERPASS AT THE BURLINGTON NORTHERN SANTA FE RAILROAD CROSSING AND ADOPTION OF RESOLUTION NO. R-0809-40.

Councilmember Quinn moved that Contract No. K-0809-51 with the Oklahoma Department of Transportation be approved, Resolution No. R-0809-40 be adopted, and the execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated September 15, 2008, from John Clink, Capital Projects Engineer, to Honorable Mayor and Councilmembers
- 2. Contract No. K-0809-51
- 3. Resolution No. R-0809-40

and the question being upon approving Contract No. K-0809-51 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-0809-51 with the Oklahoma Department of Transportation approved; Resolution No. R-0809-40 was adopted and the execution of the contract and resolution was authorized.

* * * * *

Item 24, being:

CONTRACT NO. K-0809-57: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS IN AN AMOUNT NOT-TO-EXCEED \$37,213.00 FOR PHASE I, OF THE 2008 CANADIAN RIVER WASTELOAD ALLOCATION STUDY.

Acting as the Norman Utilities Authority, Trustee Quinn moved that Contract No. K-0809-57 with the Association of Central Oklahoma Governments in an amount not-to-exceed \$37,213.00 be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Kovach;

Items submitted for the record

- 1. Memorandum dated September 3, 2008, from Charlie Thomas, Capital Projects Engineer, to Norman Utilities Authority
- 2. Contract No. K-0809-57 with Attachment 1, Second Revised Scope of Services/Fee Proposal for 2008 Canadian River Wasteload Allocation Study
- 3. Purchase Requisition No. 0000148265 dated September 15, 2008, in the amount of \$37,213.00 to Association of Central Oklahoma Governments

and the question being upon approving Contract No. K-0809-57 with the Association of Central Oklahoma Governments in an amount not-to-exceed \$37,213.00 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and Contract No. K-0809-57 with the Association of Central Oklahoma Governments in an amount not-to-exceed \$37,213.00 approved; and the execution thereof was authorized.

* * * * *

Item 25, being:

CONTRACT NO. K-0809-58: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MARY KATHLEEN RHODES, PERSONAL REPRESENTATIVE OF THE ESTATE OF HOMER CECIL RHODES IN THE AMOUNT OF \$350,000.00 TO PURCHASE REAL PROPERTY LOCATED ON THE NORTH SIDE OF ACRES STREET WHERE IT INTERSECTS THE RAILROAD TRACKS. (602 SANTA FE AVENUE)

Councilmember Quinn moved that Contract No. K-0809-58 with Mary Kathleen Rhodes, personal representative of the estate of Homer Cecil Rhodes, in the amount of \$350,000.00 be approved; the execution of the contract be authorized; the City Attorney be authorized to execute any and all documents related to the purchase and closing of the property; and \$350,000.00 be transferred from Project No. BG0003, Building Maintenance and Municipal Storage Facility, Construction (050-9365-419.61-01) to Project No. BG0162, Rhodes Granary Property, Land (050-9365-419.60-01), which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated September 15, 2008, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Contract No. K-0809-58 with Schedule "A", legal description
3. Location map

and the question being upon approving Contract No. K-0809-58 with Mary Kathleen Rhodes, personal representative of the estate of Homer Cecil Rhodes, in the amount of \$350,000.00 and upon the subsequent authorizations and transfer, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No K-0809-58 with Mary Kathleen Rhodes, personal representative of the estate of Homer Cecil Rhodes, in the amount of \$350,000.00 approved; the execution of the contract was authorized, the City Attorney was authorized to execute any and all documents related to the purchase and closing of the property, and \$350,000.00 was transferred from Project No. BG0003, Building Maintenance and Municipal Storage Facility, Construction (050-9365-419.61-01) to Project No. BG0162, Rhodes Granary Property, Land (050-9365-419.60-01).

* * * * *

Item 26, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER REGARDING MARVIN L. BARTON VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2008-02801 L.

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

Items submitted for the record

1. Memorandum dated August 29, 2008, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Workers' Compensation Court Order No. WCC 2008-02801L filed August 27, 2008
3. Purchase Requisition No. 0000148053 dated September 8, 2008, in the amount of \$11,834.55 to Marvin L. Barton and William Woodson
4. Purchase Requisition No. 0000148059 dated September 8, 2008, in the amount of \$460.96 to Workers' Compensation Administration Fund
5. Purchase Requisition No. 0000148062 dated September 8, 2008, in the amount of \$172.86 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000148063 dated September 8, 2008, in the amount of \$75.00 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000148064 dated September 8, 2008, in the amount of \$119.30 to Cleveland County Court Clerk

Item 26, continued:

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 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 City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims which will constitute judgment against the City of Norman was directed.

* * * * *

Item 27, being:

RESOLUTION NO. R-0809-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, THE NORMAN MUNICIPAL AUTHORITY, THE NORMAN UTILITIES AUTHORITY, AND THE NORMAN TAX INCREMENT FINANCE AUTHORITY REAPPROPRIATING THE UNENCUMBERED FUND BALANCES FOR THE FYE 2008 CAPITAL PROJECTS INTO FYE 2009 CAPITAL PROJECTS.

Acting as the City Council, Norman Municipal Authority, Norman Utilities Authority, and the Norman Tax Increment Finance Authority, Councilmember Quinn moved that Resolution No. R-0809-34 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Resolution No. R-0809-34 with Exhibit "A", memorandum dated August 25, 2008, from Linda Price, Revitalization Manager, to the Honorable Mayor and Councilmembers with attached Table 1, Capital Budget Reconciliation FYE 09

and the question being upon adopting Resolution No. R-0809-34, a vote was taken with the following result:

YEAS:	Councilmembers 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 Resolution No. R-0809-34 was adopted.

* * * * *

Item 28, being:

RESOLUTION NO. R-0809-42: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING JOINT PETITION SETTLEMENT OF A CLAIM FILED BY MICHAEL D. NOLEN UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF MICHAEL D. NOLEN V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2007-09763 R; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Quinn moved that Resolution No. R-0809-42 be adopted and payment of claims which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Kovach;

Item 28, continued:

Items submitted for the record

1. Memorandum dated August 29, 2008, from R. Blaine Nice, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Resolution No. R-0809-42
3. Purchase Requisition No. 0000148034 dated September 8, 2008, in the amount of \$7,500.00 to Michael D. Nolen and William Woodson
4. Purchase Requisition No. 0000148038 dated September 8, 2008, in the amount of \$1,150.00 to Workers Compensation Administrative Fund
5. Purchase Requisition No. 0000148040 dated September 8, 2008, in the amount of \$431.25 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000148041 dated September 8, 2008, in the amount of \$75.00 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000148042 dated September 8, 2008, in the amount of \$119.30 to Cleveland County District Court Clerk

and the question being upon adopting Resolution No. R-0809-42 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers 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 Resolution No. R-0809-42 adopted; and payment of claims which will constitute judgment against the City of Norman was directed.

* * * * *

Item 29, being:

RESOLUTION NO. R-0809-44: A RESOLUTION FIXING THE AMOUNT OF 2008A BONDS TO MATURE EACH YEAR; FIXING THE DATE, TIME, AND PLACE THE BONDS ARE TO BE SOLD AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW; DESIGNATING PAYING AGENT AND AUTHORIZING PAYING AGENT AGREEMENT; DEEMING PRELIMINARY OFFICIAL STATEMENT "NEAR FINAL" AND AUTHORIZING DISTRIBUTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Councilmember Quinn moved that Resolution No. R-0809-44 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated September 11, 2008, from Anthony Francisco, Director of Finance, to Honorable Mayor and City Councilmembers
2. Resolution No. R-0809-44

and the question being upon adopting Resolution No. R-0809-44, a vote was taken with the following result:

YEAS:	Councilmembers 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 Resolution No. R-0809-44 was adopted.

* * * * *

Item 30, being:

RESOLUTION NO. R-0809-45: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, FIXING THE AMOUNT OF 2008B BONDS TO MATURE EACH YEAR; FIXING THE DATE, TIME, AND PLACE THE BONDS ARE TO BE SOLD AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW; DESIGNATING PAYING AGENT AND AUTHORIZING PAYING AGENT AGREEMENT; DEEMING PRELIMINARY OFFICIAL STATEMENT "NEAR FINAL" AND AUTHORIZING DISTRIBUTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Councilmember Quinn moved that Resolution No. R-0809-45 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated September 11, 2008, from Anthony Francisco, Director of Finance, to Honorable Mayor and City Councilmembers
- 2. Resolution No. R-0809-45

and the question being upon adopting Resolution No. R-0809-45, a vote was taken with the following result:

YEAS:	Councilmembers 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 Resolution No. R-0809-45 was adopted.

* * * * *

Item 31, being:

RESOLUTION NO. R-0809-46: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE STATE HIGHWAY 9 MULTIMODAL PATH AND THE DOWNTOWN MAIN STREET IMPROVEMENT (WEST END) PROJECTS FOR FEDERAL SURFACE TRANSPORTATION ENHANCEMENT PROGRAM FUNDS AND PRIORITIZING THESE PROJECTS.

Councilmember Quinn moved that Resolution No. R-0809-46 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated September 8, 2008, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
- 2. Resolution No. R-0809-46

and the question being upon adopting Resolution No. R-0809-46, a vote was taken with the following result:

YEAS:	Councilmembers 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 Resolution No. R-0809-46 was adopted.

* * * * *

Item 32, being:

RESOLUTION NO. R-0809-47: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, COMMENDING AND EXTENDING APPRECIATION TO THE CLEVELAND COUNTY WORKFORCE DEVELOPMENT BOARD FOR 25 YEARS OF SERVICE TO THE CITY OF NORMAN AND CLEVELAND COUNTY.

Councilmember Quinn moved that Resolution No. R-0809-47 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Resolution No. R-0809-47

Participants in discussion

- 1. Ms. Joan Barker, Cleveland County Workforce Development Board Member, accepted the resolution and thanked the Council

and the question being upon adopting Resolution No. R-0809-47, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0809-47 was adopted.

* * * * *

Item 33, being:

RESOLUTION NO. R-0809-50: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE OKLAHOMA DEPARTMENT OF TRANSPORTATION PLAN TO RECONSTRUCT AND WIDEN STATE HIGHWAY 9 FROM THE EXISTING FOUR-LANE DIVIDED SECTION JUST EAST OF THE JUNCTION OF STATE HIGHWAY 9 AND U.S. HIGHWAY 77 IN NORMAN, CLEVELAND COUNTY, TO THE JUNCTION OF STATE HIGHWAY 9 AND U.S. HIGHWAY 177 IN TECUMSEH, POTTAWATOMIE COUNTY, AND REQUESTING DESIGN MODIFICATIONS FOR THE PROJECT.

Councilmember Quinn moved that Resolution No. R-0809-50 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

- 1. Memorandum dated September 15, 2008, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
- 2. Resolution No. R-0809-50

and the question being upon adopting Resolution No. R-0809-50, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0809-50 was adopted.

* * * * *

Item 34, being:

PROCLAMATION NO. P-0809-7: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING WEDNESDAY, OCTOBER 8, 2008, AS INTERNATIONAL WALK AND BIKE TO SCHOOL DAY IN THE CITY OF NORMAN.

Councilmember Quinn moved that receipt of Proclamation No. P-0809-7 proclaiming Wednesday, October 8, 2008, as International Walk and Bike to School Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Proclamation No. P-0809-7

Participants in discussion

1. Ms. Sonya Smith, Director of Elementary Education for Norman Public Schools, and Ms. Amber Browning, Manager of Health Promotion for Norman Regional Hospital and Director of Healthy Community Coalition, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-7 proclaiming Wednesday, October 8, 2008, as International Walk and Bike to School Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No P-0809-7 proclaiming Wednesday, October 8, 2008, as International Walk and Bike to School Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 35, being:

RESOLUTION NO. R-0809-33: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, REQUESTING THE GOVERNOR OF THE STATE OF OKLAHOMA TO APPOINT A SPECIAL COMMISSION TO CONSIDER FUTURE RAIL TRANSIT OPTIONS IN THE OKLAHOMA CITY METROPOLITAN AREA; FUTURE USES OF UNION STATION AND ITS ASSOCIATED RAIL LINES TO ENHANCE FUTURE RAIL TRANSIT FOR THE STATE OF OKLAHOMA; AND ALTERNATE ROUTES FOR THE INTERSTATE 40 CROSSTOWN EXPRESSWAY.

Councilmember Kovach moved that Resolution No. R-0809-33 be adopted, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated September 11, 2008, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-33
3. Transportation Committee minutes of July 31 and August 21, 2008
4. Petition of support containing 394 signatures

Participants in discussion

1. Mr. Marion Hutchison, 5220 Montrose Circle, representing OnTrac
2. Mr. Richard Stawicki, 2614 South Berry Road, proponent
3. Mr. Gene Perry, 314 East Duffy Street, proponent
4. Mr. Isaiah McCaslin, 816 East Hayes Street, proponent
5. Mr. Ty Hardiman, 630 Miller Avenue, proponent
6. Ms. Mary Carter, 824 24th Avenue S.W., proponent
7. Mr. Jim Stanley, 3922 Pine Tree Circle, proponent
8. Ms. Angela Chase, 816 South Lahoma Avenue, proponent

Item 35, continued:

and the question being upon adopting Resolution No. R-0809-33, a vote was taken with the following result:

YEAS:	Councilmembers 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 Resolution No. R-0809-33 was adopted.

* * * * *

Mayor Rosenthal left the meeting at 7:55 p.m.

* * * * *

Item 36, being:

PUBLIC HEARING REGARDING A PROPOSAL FOR THE REAPPORTIONMENT OF THE CITY OF NORMAN RECOMMENDED BY THE REAPPORTIONMENT COMMISSION AND ADOPTION OF THE FOLLOWING ORDINANCE:

ORDINANCE NO. O-0809-13: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION NOS. 2-112, 2-113, 2-114, 2-115, 2-117, AND 2-119 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN SO AS TO REVISE THE DESCRIPTION OF WARD BOUNDARY LINES FOR WARDS ONE, TWO, THREE, FOUR, SIX, AND EIGHT OF THE CITY OF NORMAN SO AS TO PROVIDE FOR THE REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING THE SEVERABILITY THEREOF; AND DECLARING AN EMERGENCY.

Councilmember Ezzell moved that a public hearing be conducted, which motion was duly seconded by Councilmember Quinn; and the question being upon conducting a public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Mr. Mark Morton, Chairman of the Reapportionment Commission
2. Mr. Jeff Bryant, City Attorney
3. Ms. Joyce Green, Manager of GIS Services Division

Thereupon, Councilmember Dillingham moved that the public hearing be closed, which motion was duly seconded by Councilmember Kovach; and the question being upon closing the public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
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NAYES:	None
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The Mayor Pro Tem declared the motion carried and the public hearing was closed.

Item 36, continued:

Thereupon, Councilmember Ezzell moved that Ordinance No. O-0809-13 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated September 5, 2008, from Joyce J. Green, Manager of GIS Services Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-13
3. Legislatively notated copy of Ordinance No. O-0809-13
4. Location maps with current and proposed ward boundaries
5. Reapportionment Commission minutes of July 14, July 23, August 19, and September 3, 2008

and the question being upon the Introduction and adoption Ordinance No. O-0809-13 upon First Reading by title, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-13 was Introduced, read, and adopted upon First Reading by title.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-13 be adopted upon Second Reading section by section and be modified to reflect no changes, which motion was duly seconded by Councilmember Quinn;

Participants in discussion

1. Mr. Jeanette Coker, 620 East Main Street, asked questions
2. Mr. Mark Campbell, 2821 Dewey Avenue, asked questions
3. Ms. Brenda Hall, City Clerk

and the question being upon adopting Ordinance No. O-0809-13 upon Second Reading section by section and upon the subsequent modification, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-13 was adopted upon Second Reading section by section and modified to reflect no changes.

Thereupon, Councilmember Dillingham moved that Emergency Section No. 11 be approved, which motion was duly seconded by Councilmember Quinn; and the question being upon approved Emergency Section No. 11, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Emergency Section No. 11 was approved.

Item 36, continued:

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-13, as modified, be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-0809-13, as modified, upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-13, as modified, was adopted upon Final Reading as a whole.

* * * * *

Item 37, being:

CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR SUMMIT VALLEY ADDITION.

Councilmember Ezzell moved that the revised preliminary plat for Summit Valley Addition be approved, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated September 2, 2008, from Angelo Lombardo, City Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Revised preliminary plats
4. Staff Report dated August 14, 2008, recommending approval
5. Traffic Impact Study of Summit Valley Addition, State Highway Nine and 36th Avenue S.E., dated September 10, 2003, prepared by Todd E. Butler, P.E., PTOE, Oklahoma P.E. #15864, Traffic Engineering Consultants, Inc.
6. Pertinent excerpts from Planning Commission minutes of August 14, 2008

Participants in discussion

1. Mr. David Hargis, Clour Engineering of Oklahoma, Inc., 1827 Atchison Drive, engineer representing the applicant
2. Mr. Doug Koscinski, Manager, Current Planning Division
3. Mr. Bobby Stevens, 3801 108th Avenue S.E., asked questions

and the question being upon approving the revised preliminary plat for Summit Valley Addition, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and the revised preliminary plat for Summit Valley Addition was approved.

* * * * *

Item 38, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR VECTOR ROCK CREEK ADDITION AND WAIVER OF ALLEY REQUIREMENTS.

Councilmember Quinn moved that the preliminary plat and waiver of alley requirements for Vector Rock Creek Addition be approved, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Memorandum dated September 2, 2008, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Staff Report dated August 14, 2008, recommending approval
5. Traffic Impact Study for Rock Creek Road between Porter Avenue and 12th Avenue N.E. dated June 30, 2005, prepared by Wayne Russell, P.E., PTOE, Oklahoma P.E. #16030, CA #1260, Traffic Engineering Consultants, Inc.
6. Letter dated August 4, 2008, requesting waiver of alley requirements from Malek Elkhoury, P.E., Project Manager, Khoury Engineering, Inc., to Mr. Edward Adwon, Chairman, Planning Commission
7. Norman Predevelopment Summary for Case No. PD 08-31 for property located at the northeast corner of Rock Creek Road and 12th Avenue N.E., dated June 26, 2008
8. Pertinent excerpts from Planning Commission minutes of August 14, 2008

Participants in discussion

1. Mr. Malek Elkhoury, Khoury Engineering, Inc., 1435 East 41st Street, Tulsa, Oklahoma, engineer representing the applicant

and the question being upon approving the preliminary plat and waiver of alley requirements for Vector Rock Creek Addition, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and the preliminary plat and waiver of alley requirements for Vector Rock Creek Addition was approved.

* * * * *

Item 39, being:

ORDINANCE NO. O-0809-4: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF THE PUBLIC UTILITY EASEMENT LYING WITHIN LOT 4A, BLOCK 14, HALL PARK THIRD ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1811 CREIGHTON COURT)

Ordinance No. O-0809-4 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 9, 2008, Councilmember Ezzell moved that Ordinance No. O-0809-4 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated September 8, 2008, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-4
3. Location map
4. Memorandum dated August 14, 2008, from Doug Kosciński, AICP, Manager of Current Planning Division, and Ken Danner, Development Coordinator, to Chairman and Members, Norman Planning Commission
5. Pertinent excerpts from Planning Commission minutes of August 14, 2008

Participants in discussion

1. Mr. Lindsey Bailey, Bailey Law Offices, 303 East Eufaula Street, attorney representing the applicant

Item 39, continued:

and the question being upon adopting Ordinance No. O-0809-4 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-4 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-4 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Ezzell; and the question being upon adopting Ordinance No. O-0809-4 upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-4 was adopted upon Final Reading as a whole.

* * * * *

Item 40, being:

RESOLUTION NO. R-0809-16: 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-0809-2, SO AS TO PLACE A TRACT OF LAND LYING WITHIN LOT ONE (1) AND THE NORTH FIFTY-SEVEN (57) FEET OF LOT TWO (2), BLOCK ONE (1), MARIAN ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION, OF SAID CITY. (1770 WEST MAIN STREET)

Councilmember Ezzell moved that Resolution No. R-0809-16, Land Use Plan Amendment No. LUP-0809-2, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated September 8, 2008, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-16, Land Use Plan Amendment No. LUP-0809-2
3. Location map
4. Staff Report dated August 14, 2008, recommending approval
5. Application for Amendment to the Norman 2025 Plan submitted July 14, 2008, by Marty G. Cain and Tamara Beam Cain
6. Pertinent excerpts from Planning Commission minutes of August 14, 2008

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicants
2. Ms. Bertha Brier, 102 South Westchester Drive, protestant
3. Ms. Marla Parish, 2014 Timbercrest Place, protestant
4. Mr. Mike Johnston, 13021 Cloverleaf Lane, Oklahoma City, protestant
5. Mr. Doug Kosciński, Manager, Current Planning Division
6. Mr. Randy McHughes, 3116 Greenwood Court, proponent
7. Ms. Diana Hartley, 3208 Walnut Road, proponent
8. Mr. Mark Campbell, 2821 Dewey Avenue, made comments

Item 40, continued:

and the question being upon adopting Resolution No. R-0809-16, Land Use Plan Amendment No. LUP-0809-2, and upon the subsequent amendment, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-0809-16, Land Use Plan Amendment No. LUP-0809-2, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 41, being:

ORDINANCE NO. O-0809-5: 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, OKLAHOMA, SO AS TO PLACE A TRACT OF LAND LYING WITHIN LOT ONE (1) AND THE NORTH FIFTY-SEVEN (57) FEET OF LOT TWO (2), BLOCK ONE (1), MARIAN ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND TO REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1770 WEST MAIN STREET)

Ordinance No. O-0809-5 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 9, 2008, Councilmember Ezzell moved that Ordinance No. O-0809-5 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated September 8, 2008, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-5 with Exhibit A, site development plan
3. Location map
4. Staff Report dated August 14, 2008, recommending approval
5. Norman Predevelopment Summary for Case No. PD 08-28, dated June 26, 2008, for property located at 1770 West Main
6. Letter of protest dated July 24, 2008, from Mary Jo Tinsley, to Brenda Hall, City Clerk
7. Petition of protest filed August 4, 2008, from Bertha Brier containing 35 signatures
8. Letter of protest dated July 30, 2008, from Debra McDaniel to Norman Planning Commission
9. Letter of protest dated July 30, 2008, from Julie Watson to Norman Planning Commission
10. Letter of protest dated July 30, 2008, from Elaine and Chester V. Warner to Norman Planning Commission
11. Letter of protest dated July 30, 2008, from Thomas W. Blakey to Norman Planning Commission
12. Letter of protest dated August 7, 2008, from Alec Lee to Norman Planning Commission
13. Letter of protest dated July 28, 2008, from Bertha Brier to Norman Planning Commission
14. Letter of protest dated July 30, 2008, from Sheryl Johnson to Norman Planning Commission
15. Letter of protest dated August 4, 2008, from Laurie Johnston Foor to Norman Planning Commission
16. Letter of protest dated August 7, 2008, from Dr. Aleisha Karjala to Norman Planning Commission
17. Letter of protest dated July 30, 2008, from Pauline G. Roby to Norman Planning Commission

Item 41, continued:

18. Letter of protest dated August 5, 2008, from Judy Belden to Norman Planning Commission
19. Letter of protest dated July 30, 2008, from Cornelius and Susan Annoh to Norman Planning Commission
20. Letter of protest dated July 30, 2008, from Samuel R. Laird to Norman Planning Commission
21. Letter of protest dated August 8, 2008, from Don and Ruth Wyckoff to Norman Planning Commission
22. Letter of protest dated August 10, 2008, from Stephen C. Wagner to Norman Planning Commission
23. Letter of protest dated August 5, 2008, from Laurie Box to Norman Planning Commission
24. Computerized rendering of proposed changes to property
25. Petition of protest filed August 28, 2008, from Bertha Brier containing 13 signatures
26. Protest area map dated September 8, 2008
27. Protest area map dated September 23, 2008
28. Protest and Support map dated September 23, 2008
29. Letter of support dated September 17, 2008, from Sue Brantley, Vice President and Trust Officer, Client Advisor Trust Specialist, Arvest Asset Management, to Sean Paul Rieger, Attorney at Law
30. Letter of support dated September 17, 2008, from Billie J. Spector to the Honorable City Council
31. Letter of Support dated September 17, 2008, from Bruce Morain, INOK Investments, L.L.C., to Norman City Council, City of Norman Planning Commission and Planning Department
32. Letter of support dated September 15, 2008, from Pamela G. Ferguson to Norman City Council
33. Letter of support dated September 15, 2008, from James A. McHughes, Trustee, James A McHughes Living Trust, to Norman City Council
34. Letter dated September 22, 2008, from Sean Paul Rieger, Attorney at Law – Architect, to the Honorable City Councilmembers, outlining conditions agreed to by applicant
35. Email dated September 22, 2008, from Sean Paul Rieger, Attorney at Law – Architect, to Councilmembers
36. Letter of concerns dated September 17, 2008, from John Michael Johnston, Attorney at Law, to the Honorable Tom Kovach, Councilmember, Ward Two
37. Picture showing trees before they were taken out at 1770 West Main Street

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Jeff Bryant, City Attorney

Thereupon, Councilmember Kovach moved that Ordinance No. O-0809-5 be amended to include three conditions outlined in a letter dated September 22, 2008, from Sean Paul Rieger, Attorney at Law – Architect, to the Honorable City Councilmembers, which motion was duly seconded by Councilmember Dillingham; and the question being upon amending Ordinance No. O-0809-5 as stated above; a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, and Quinn

NAYES: Mayor Pro Tem Cubberley

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-5 was amended as stated above,

Item 41, continued:

and the question being upon adopting Ordinance No. O-0809-5, as amended, upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, and Quinn,

NAYES: Mayor Pro Tem Cubberley

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-5, as amended, was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-5, as amended, be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-0809-5, as amended, upon Final Reading as a whole, the roll was called with the following result:

YEAS: Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, and Quinn

NAYES: Mayor Pro Tem Cubberley

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-5, as amended, was adopted upon Final Reading as a whole.

* * * * *

Item 42, being:

RESOLUTION NO. R-0809-17: 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-0809-3, SO AS TO PLACE A TRACT OF LAND LYING WITHIN LOTS 13, 14, 15, 16, AND 17, BLOCK 23, CLASSEN-MILLER ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE HIGH DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION, OF SAID CITY. (401 EAST BOYD STREET)

Councilmember Dillingham moved that Resolution No. R-0809-17, Land Use Plan Amendment No. LUP-0809-3, 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. Memorandum dated September 8, 2008, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-17, Land Use Plan Amendment No. LUP-0809-3
3. Location map
4. Staff Report dated August 14, 2008, recommending approval
5. Pertinent excerpts from Planning Commission minutes of August 14, 2008

Participants in discussion

1. Mr. Mark Risser, 10999 Petal Street, Dallas, Texas, applicant
2. Ms. Ann Gallagher, 1522 East Boyd Street, asked questions
3. Mr. Ty Hardiman, 630 Miller Avenue, made comments
4. Ms. Jeanette Coker, 630 East Main Street, made comments
5. Mr. Mark Campbell, 2821 Dewey Avenue, made comments
6. Ms. Jayne Crumpley, 423 Elm Avenue, made comments
7. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments
8. Mr. Glenn Brown, 516 Chautauqua Avenue, made comments
9. Ms. Mary Francis, 850C Cardinal Creek Condos, made comments
10. Mr. Steven Tyler, 783 DeBarr Avenue, proponent

Item 42, continued:

and the question being upon adopting Resolution No. R-0809-17, Land Use Plan Amendment No. LUP-0809-3, and upon the subsequent amendment, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham,
Ezzell, Griffith, Kovach, Quinn, Mayor
Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Resolution No. R-0809-17, Land Use Plan Amendment No. LUP-0809-3, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 43, being:

ORDINANCE NO. O-0809-6: 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, OKLAHOMA, SO AS TO PLACE A TRACT OF LAND LYING WITHIN LOTS 13, 14, 15, 16, AND 17, BLOCK 23, CLASSEN-MILLER ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND TO REMOVE THE SAME FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (401 EAST BOYD STREET)

Ordinance No. O-0809-6 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 9, 2008, Councilmember Ezzell moved that Ordinance No. O-0809-6 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated September 8, 2008, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-6 with Exhibit A, site development plan
3. Location map
4. Staff Report dated August 14, 2008, recommending approval
5. Norman Predevelopment Summary Case No. PD 08-30, dated June 26, 2008, for property located on the northeast corner of Classen and Boyd
6. Property Rezoning Application dated July, 2008, with Exhibit "A", site plan
7. Survey No. 20014197 dated July 9, 2001, and revised August 3, 2001, from Curtis Lee Hale, Hale and Associates Surveying Company

and the question being upon adopting Ordinance No. O-0809-6 upon Second Reading section by section, a vote was taken with the following result:

YEAS: Councilmembers Butler, Dillingham,
Ezzell, Griffith, Kovach, Quinn, Mayor
Pro Tem Cubberley

NAYES: None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-6 was adopted upon Second Reading section by section.

Item 43, continued:

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-6 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Butler; and the question being upon adopting Ordinance No. O-0809-6 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-6 was adopted upon Final Reading as a whole.

* * * * *

Item 44, being:

RESOLUTION NO. R-0809-18: 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-0809-4, SO AS TO PLACE A TRACT OF LAND LYING WITHIN LOTS 2A AND 1A, BLOCK 1, SPRING BROOK 9, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION, OF SAID CITY. (770 COPPERFIELD AND 840 COPPERFIELD DRIVE)

Councilmember Quinn moved that Resolution No. R-0809-18, Land Use Plan Amendment No. LUP-0809-4, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Memorandum dated September 8, 2008, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-18, Land Use Plan Amendment No. LUP-0809-4
3. Location map
4. Staff Report dated August 14, 2008, recommending approval
5. Application for Amendment to the Norman 2025 Plan submitted July 14, 2008, by Sean Rieger, attorney for the applicant
6. Pertinent excerpts from Planning Commission minutes of August 14, 2008

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant

and the question being upon adopting Resolution No. R-0809-18, Land Use Plan Amendment No. LUP-0809-4, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and Resolution No. R-0809-18, Land Use Plan Amendment No. LUP-0809-4, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 45, being:

ORDINANCE NO. O-0809-7: 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, OKLAHOMA, SO AS TO PLACE A TRACT OF LAND LYING WITHIN LOTS 2A AND 1A, BLOCK 1, SPRING BROOK 9, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND TO REMOVE THE SAME FROM THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (770 COPPERFIELD AND 840 COPPERFIELD DRIVE)

Ordinance No. O-0809-7 having been Introduced and adopted upon First Reading by title in City Council's meeting of September 9, 2008, Councilmember Kovach moved that Ordinance No. O-0809-7 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated September 8, 2008, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-7 with Exhibit A, site development plans
3. Location map
4. Staff Report dated August 14, 2008, recommending approval
5. Norman Predevelopment Summary Case No. PD 08-29 dated June 26, 2008 for property located at 770 and 840 Copperfield Drive
6. Application for rezoning request dated July 14, 2008, from Sean Paul Rieger, Attorney at Law – Architect, to the City of Norman Planning Department

and the question being upon adopting Ordinance No. O-0809-7 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-7 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0809-7 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-0809-7 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and Ordinance No. O-0809-7 was adopted upon Final Reading as a whole.

* * * * *

Item 46, being:

CONSIDERATION OF AN AMENDMENT TO THE CERTIFICATE OF APPROPRIATENESS TO CONSTRUCT A 2,400 SQUARE FOOT ADDITION TO THE EXISTING HOME LOCATED AT 516 CHAUTAUQUA AVENUE.

Councilmember Ezzell moved that an amendment to the Certificate of Appropriateness for property located at 516 Chautauqua Avenue be approved, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated September 19, 2008, from Kathryn L. Walker, Assistant City Attorney II, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers
2. Memorandum dated September 22, 2008, from Patrick Copeland, Manager, Development Services Division, to Honorable Mayor and Councilmembers
3. Email dated September 23, 2008, from Cheri Callahan to Brenda Hall
4. Original plan dated March 14, 2008, of second floor, roof, and first floor plans
5. Original plan dated March 14, 2008, of south, east, north, and west elevations
6. Proposed revisions dated September 22, 2008, of second floor, roof, and first floor plans
7. Proposed revisions dated September 22, 2008, of south, east, north, and west elevations

Participants in discussion

1. Mr. Glenn Brown, 516 Chautauqua Avenue, applicant
2. Mr. Bob Christian, Permit Manager
3. Ms. Kathryn Walker, Assistant City Attorney
4. Mr. Ty Hardiman, 630 Miller Avenue, made comments
5. Ms. Mary Francis, 850C Cardinal Creek Condos, made comments

and the question being upon approving an amendment to the Certificate of Appropriateness for property located at 516 Chautauqua Avenue, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
NAYES	None

The Mayor declared the motion carried and an amendment to the Certificate of Appropriateness for property located at 516 Chautauqua Avenue was approved.

* * * * *

MISCELLANEOUS DISCUSSION

Building and Drainage Problems. Mr. Steven Tyler, 783 DeBarr Avenue, said the building he rents is next to two commercial properties and a parking lot and when it rains, the parking lot floods the building's basement and drains onto DeBarr Avenue creating standing water that is ankle deep. He said the building had not received proper care throughout the years. He said he had been unable to get much historical data about the building but was interested in restoring it. He asked if anyone could offer advice from the City.

Mayor Pro Tem Cubberley suggested that he meet with Ms. Linda Price, Revitalization Manager.

*

Light Rail. Mr. Mark Campbell, 2821 Dewey Avenue, said light rail was vital to serve and sustain Norman but its purpose was not to bring growth to downtown. He said light rail in Dallas did not save space or air quality but created large parking lots for Park and Ride customers.

Councilmember Kovach said the audience supporting light rail was so large this evening that chairs were placed in the overflow area. He said this spoke volumes about Norman's citizens when they supported an issue. He encouraged everyone's continued support.

*

Miscellaneous Discussion, continued:

Proposed Highway Construction. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he recently had attended the Oklahoma Department of Transportation (ODOT) meeting regarding construction on Interstate 35, Highway Nine, and Highway 77. He expressed many concerns about widening these roads when the bridges were still too narrow to accommodate the traffic flow. He said he felt the widening of Highway Nine needed to be a priority

Councilmember Cubberley said a resolution was adopted this evening supporting ODOT’s plan to reconstruct and widen State Highway Nine from Highway 77 to U.S. Highway 177 in Tecumseh. He said when cities are sharing money for a large area, the project usually gets put on the back burner several times. He said ODOT does not have the funding to widen Highway Nine to 180th at this time but this resolution will start the process.

Councilmember Ezzell said he had looked at the designs for Interstate 35 widening and all of the designs, except one, included adding additional lanes to the bridges.

*

Deer Crossing Signs. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he had requested Deer Crossing Signs on Highway Nine several months ago and nothing had been done. He said there are many fatalities on Highway Nine and there had been several collisions with deer. He said traffic on Highway Nine was increasing due to new businesses and no Deer Crossing Signs were located on Highway Nine from Interstate 35 to the Norman City limits.

*

Tree Limbs. Mr. Bobby Stevens, 3801 108th Avenue S.E., said the trees had been trimmed that covered up the historical marker on Highway Nine at 48th Avenue S.E., but the limbs had never been picked up.

*

North Porter Charate. Councilmember Dillingham announced an opportunity for critical involvement that would also be fun. She said on October 2 and 3, 2008, at Saint Joseph’s Catholic Church, from 8:30 a.m. to 1:00 p.m. and between 5:30 and 6:00 p.m., the North Porter Corridor Charate would take place to allow North Porter specialists to bring in an artist with the team. Citizens will be encouraged to express their views about what North Porter Avenue should look like.

*

Norman North High School. Councilmember Quinn congratulated Norman North High School for receiving national recognition as being one of the few high schools in Oklahoma to be named a Blue Ribbon School. He said Norman citizens should be very proud and congratulated Jerry Winkler, Principal, and the staff and students.

*

Library Meetings. Councilmember Quinn announced that there would be three meetings to discuss the future of Norman Public Library. The first will be held at Roosevelt School on October 6 at 6:30 p.m.; the second October 7 at City Hall at 6:30 p.m.; and the third on October 9 at Washington School at 6:30 p.m.

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ADJOURNMENT

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

YEAS:	Councilmembers Butler, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Pro Tem Cubberley
NAYES:	None

The Mayor Pro Tem declared the motion carried and the meeting was adjourned at 11:40 p.m.

ATTEST:

