

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

May 12, 2009

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 12th day of May, 2009, 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, Thompson, 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 25 excluding Item 12 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 25 excluding Item 12, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 25 excluding Item 12 were placed on the consent docket by unanimous vote.

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Item 5, being:

CITY COUNCIL STUDY SESSION MINUTES OF APRIL 21, 2009
CITY COUNCIL STUDY SESSION MINUTES OF APRIL 28, 2009
CITY COUNCIL MINUTES OF APRIL 28, 2009
NORMAN UTILITIES AUTHORITY MINUTES OF APRIL 28, 2009
NORMAN MUNICIPAL AUTHORITY MINUTES OF APRIL 28, 2009
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF APRIL 28, 2009

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 Butler;

Items submitted for the record

1. City Council Study Session minutes of April 21, 2009
2. City Council Study Session minutes of April 28, 2009
3. City Council minutes of April 28, 2009
4. Norman Utilities Authority minutes of April 28, 2009
5. Norman Municipal Authority minutes of April 28, 2009
6. Norman Tax Increment Finance Authority minutes of April 28, 2009

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, Thompson, 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 ORDINANCES UPON FIRST READING BY TITLE:

ORDINANCE NO. O-0809-40: 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 TO PLACE A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (500 ALAMEDA STREET)

ORDINANCE NO. O-0809-41: 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 TO GRANT SPECIAL USE FOR A PRIVATE SCHOOL FOR PROPERTY CURRENTLY ZONED I-1, LIGHT INDUSTRIAL DISTRICT, SAID PROPERTY LYING WITHIN LOT 2, BLOCK 1, ADBAR ADDITION, SECTION 2, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1037 NORTH UNIVERSITY BOULEVARD)

ORDINANCE NO. O-0809-42: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 424.1(3) OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO ADD HIGH IMPACT INSTITUTIONAL USE AS A SPECIAL USE IN THE C-2, GENERAL COMMERCIAL DISTRICT; AMENDING THE DEFINITION THEREOF; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ORDINANCE NO. O-0809-43: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN TO COMBINE ALL BUS BENCH AND BUS SHELTER REGULATIONS INTO SECTION 18-307; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

Items submitted for the record

1. Memorandum dated April 27, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0809-40 with Exhibit A, Landscaping Plan
3. Location map
4. Staff Report dated April 9, 2009, recommending approval
5. Pertinent excerpts from Planning Commission minutes of April 9, 2009
6. Memorandum dated April 27, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
7. Ordinance No. O-0809-41 with Exhibit A, Site Plan
8. Location map
9. Staff Report dated April 9, 2009, recommending approval
10. Letter of request dated March 9, 2009, from Sean Paul Rieger, Attorney at Law – Architect, S.P. Rieger, PLLC, to City of Norman City Council, City of Norman Planning Commission, and City of Norman Planning Department
11. Norman Predevelopment Summary Case No. PD 09-09 dated March 26, 2009
12. Pertinent excerpts from Planning Commission minutes of April 9, 2009
13. Memorandum dated April 27, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
14. Ordinance No. O-0809-42
15. Legislatively notated copy of Ordinance No. O-0809-42
16. Memorandum dated April 9, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Chairman and Members, Norman Planning Commission
17. Pertinent excerpts from Planning Commission minutes of April 9, 2009
18. Memorandum dated April 27, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
19. Ordinance No. O-0809-43
20. Legislatively notated copy of Ordinance No. O-0809-43
21. Pertinent excerpts from Planning Commission minutes of April 9, 2009
22. Pertinent excerpts from City Council Transportation Committee minutes of January 22, 2009

Item 5, continued:

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

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

NAYES: None

The Mayor declared the motion carried and the ordinances were Introduced, read, and adopted upon First Reading by title.

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Item 6, being:

SUBMISSION OF THE ANNUAL STATUS REPORT ON DEVELOPMENT AND THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FOR CALENDAR YEAR 2008.

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

Items submitted for the record

1. Annual Status Report on Development and the Norman 2025 Plan for Calendar Year, 2008
2. Pertinent excerpts from Planning Commission minutes of April 9, 2009

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, Thompson, Mayor Rosenthal

NAYES: None

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

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Item 7, being:

CONSIDERATION AND AWARDING OF BID NO. 0809-43 FOR THE PURCHASE OF VALVE ACTUATORS FOR THE WATER TREATMENT PLANT:

1. TWENTY (20) FILTER VALVE ACTUATORS
2. THREE (3) CLARIFIER VALVE ACTUATORS
3. ADDITIONAL SERVICE

Acting as the Norman Utilities Authority, Trustee Kovach moved that the bid as meeting specifications on Sections 1 and 2 be accepted and the bid in the amount of \$55,348.23 be awarded to Haynes Equipment Company, L.L.C., as the lowest and best bidder meeting specifications, which motion was duly seconded by Trustee Butler;

Items submitted for the record

1. Memorandum dated April 27, 2009, from Bryan Hapke, Supervisor, Water Treatment Division, to Norman Utilities Authority
2. Bid tabulation dated February 5, 2009, for valve actuators for the Water Treatment Plant

Item 7, continued:

and the question being upon accepting the bid as meeting specifications 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, Thompson, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and the bid on Sections 1 and 2 as meeting specifications accepted; and the bid in the amount of \$55,348.23 was awarded to Haynes Equipment Company, L.L.C., as the lowest and best bidder meeting specifications.

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Item 8, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF TEN (10) RUGGEDIZED NOTEBOOK COMPUTERS FOR THE POLICE DEPARTMENT.

Councilmember Kovach moved that authorization for the purchase of ten (10) ruggedized notebook computers in the amount of \$45,395.90 from CDW-Government, Inc., for the Police Department be approved, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated April 29, 2009, from Gary Lowe, Information Systems Manager, through Anthony Francisco, Finance Director, and Phil Cotten, Chief of Police, to Honorable Mayor and City Council
2. Written quote tabulation for ruggedized mobile notebook computers
3. Purchase Requisition No. 0000156105 dated April 24, 2009, in the amount of \$45,395.90 to CDW-Government, Inc.

and the question being upon approving authorization for the purchase of ten (10) ruggedized notebook computers in the amount of \$45,395.90 from CDW-Government, Inc., for the Police Department, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and authorization for the purchase of ten (10) ruggedized notebook computers in the amount of \$45,395.90 from CDW-Government, Inc., for the Police Department was approved.

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Item 9, being:

CONSIDERATION OF THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$4,000 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED TOWARDS THE COST OF A SPEED TRAILER USED BY THE POLICE DEPARTMENT AND THE TRAFFIC DIVISION FOR A TRAFFIC CALMING PROJECT.

Councilmember Kovach moved that funds in the amount of \$4,000 from the Oklahoma Highway Safety Office to be used towards the cost of a speed trailer used by the Police Department and Traffic Division for a Traffic Calming Project be accepted, Capital Fund, Organization Contributions (050-0000-365.13-73) be increased by \$4,000, and \$4,000 be appropriated to Project No. TC0230, Traffic Calming, Construction (050-9073-431.61-01), which motion was duly seconded by Councilmember Butler;

Item 9, continued:

Items submitted for the record

- 1. Memorandum dated April 23, 2009, from Phil Cotten, Chief of Police, to Honorable Mayor and City Councilmembers
- 2. Photograph of speed trailer
- 3. Purchase Order No. 168959 dated February 3, 2009, in the amount of \$8,862.30 to Roadsafe Traffic Systems, Inc.

and the question being upon accepting funds in the amount of \$4,000 from the Oklahoma Highway Safety Office to be used towards the cost of a speed trailer used by the Police Department and Traffic Division for a Traffic Calming Project and upon the subsequent increase and appropriation, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and funds in the amount of \$4,000 from the Oklahoma Highway Safety Office to be used towards the cost of a speed trailer used by the Police Department and Traffic Division for a Traffic Calming Project accepted; Capital Fund, Organization Contributions (050-0000-365.13-73) was increased by \$4,000 and \$4,000 was appropriated to Project No. TC0230, Traffic Calming, Construction (050-9073-431.61-01).

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Item 10, being:

SUBMISSION OF THE FOLLOWING PERMIT ISSUED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR THE FOLLOWING PROJECT:

<u>ODEQ PERMIT NO.</u> WL-000014090063	<u>LOCATION</u> 48-INCH RAW WATER LINE PROJECT, PHASE I (48TH AVENUE N.E. TO WATER TREATMENT PLANT)
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Councilmember Kovach moved that the permit be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Memorandum dated May 4, 2009, from Chris Mattingly, Utilities Superintendent, to Norman Utilities Authority
- 2. Letter of transmittal dated January 23, 2009, from Eddie Rhandour, Construction Permit Section, Water Quality Division, Oklahoma Department of Environmental Quality, to Mr. Mark Daniels, Utilities Engineer
- 3. State of Oklahoma Department of Environmental Quality Permit No. WL000014090063 dated January 23, 2009, Water Lines, PWSID No. 1020801

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

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

NAYES: None

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

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Item 11, being:

SUBMISSION OF THE FOLLOWING PERMIT ISSUED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR THE FOLLOWING PROJECT:

<u>ODEQ PERMIT NO.</u>	<u>LOCATION</u>
SL-000014090276	LIFT STATION D REHABILITATION PROJECT

Councilmember Kovach moved that the permit be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated April 16, 2009, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
2. State of Oklahoma Department of Environmental Quality Permit No. SL000014090276 dated April 2, 2009, Sewer Lines, S-20616

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

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

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Item 12, being:

CONSIDERATION OF SUBMISSION OF THE CERTIFIED LOCAL GOVERNMENTS PROGRAM 2009 APPLICATION FOR FUNDING IN THE AMOUNT OF \$15,200 TO BE SUBMITTED TO THE OKLAHOMA STATE HISTORIC PRESERVATION OFFICE.

Councilmember Dillingham moved that the proposed Certified Local Governments 2009 Application for Funding in the amount of \$15,200 be approved and the submission thereof to the Oklahoma State Historic Preservation Office be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated April 23, 2009, from Susan Owen Atkinson, Historic Preservation Officer, to the Honorable Mayor Cindy Rosenthal and Councilmembers
2. Certified Local Governments Fund Application and Instructions, Fiscal Year 2009
3. Location map

Participants in discussion

1. Ms. Linda Price, Revitalization Manager

and the question being upon approving the proposed Certified Local Governments 2009 Application for Funding in the amount of \$15,200 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the proposed Certified Local Governments 2009 Application for Funding in the amount of \$15,200 approved; and the submission thereof to the Oklahoma State Historic Preservation Office was directed.

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Item 13, being:

CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS TOTALING \$500,415.05 FROM THE OFFICE OF EMERGENCY MANAGEMENT FOR WINTER ICE STORM DAMAGE DURING DECEMBER 2007, AND JANUARY 2008.

Councilmember Kovach moved that reimbursement of funds in the amount of \$500,415.05 from the Office of Emergency Management for winter ice storm damage during December 2007, and January 2008, be accepted, Other Revenue/FEMA Reimbursements (010-0000-334.13-28) be increased by \$500,415.05, and \$500,415.05 be appropriated to Reimbursements/Other Agency (010-0000-366.12-39), which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated April 29, 2009, from James Fullingim, Fire Chief, to Honorable Mayor and City Council

and the question being upon accepting reimbursement of funds in the amount of \$500,415.05 from the Office of Emergency Management for winter ice storm damage during December 2007, and January 2008, and upon the subsequent increase and appropriation, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and reimbursement of funds in the amount of \$500,415.05 from the Office of Emergency Management for winter ice storm damage during December 2007, and January 2008, accepted; Other Revenue/FEMA Reimbursements (010-0000-334.13-28) was increased by \$500,415.05 and \$500,415.05 was appropriated to Reimbursements/Other Agency (010-0000-366.12-39).

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Item 14, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0607-96: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND GARVER ENGINEERS, L.L.C., INCREASING THE CONTRACT AMOUNT BY \$42,800 TO PROVIDE CONSTRUCTION OVERSIGHT SERVICES FOR THE 48-INCH RAW WATER LINE PROJECT, PHASE I, AND BUDGET TRANSFER.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. Two to Contract No. K-0607-96 with Garver Engineers, L.L.C., increasing the contract amount by \$42,800 be approved, the execution thereof be authorized, and \$2,630 be transferred from Project No. WB0051, 48-inch Raw Water Line, 48th to Water Treatment Plant, Construction (031-9356-462.61-01) to Design (031-9356-462.62-01), which motion was duly seconded by Trustee Butler;

Items submitted for the record

1. Memorandum dated April 27, 2009, from Chris Mattingly, Utilities Superintendent, to Norman Utilities Authority
2. Amendment No. Two to Contract No. K-0607-96 with Appendix A, Scope of Services, and Appendix B, Compensation
3. Purchase Order No. 140410 dated November 16, 2006, in the amount of \$129,000 adding Amendment No. One in the amount of \$180,600 and Amendment No. Two in the amount of \$42,800 for a total contract price of \$352,400

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
2. Mr. Chris Mattingly, Utilities Superintendent

Item 14, continued:

and the question being upon approving Amendment No. Two to Contract No. K-0607-96 with Garver Engineers, L.L.C., increasing the contract amount by \$42,800 and upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS:	Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. Two to Contract No. K-0607-96 with Garver Engineers, L.L.C., increasing the contract amount by \$42,800 approved; the execution thereof was authorized and \$2,630 was transferred from Project No. WB0051, 48-inch Raw Water Line, 48th to Water Treatment Plant, Construction (031-9356-462.61-01) to Design (031-9356-462.62-01).

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Item 15, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0708-114: BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE BOARD OF COUNTY COMMISSIONERS FOR CLEVELAND COUNTY EXTENDING THE TERM OF THE CONTRACT UNTIL APRIL 22, 2010, FOR THE LEASE OF PROPERTY LOCATED AT THE WEST ENTRANCE OF THE CLEVELAND COUNTY FAIRGROUNDS ON PORTER AVENUE NORTH OF ROBINSON STREET TO BE USED AS A DROP OFF RECYCLING CENTER.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Amendment No. One to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2010, be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Butler;

Items submitted for the record

1. Memorandum dated April 22, 2009, from Scottie Williams, Sanitation Superintendent, to Norman Municipal Authority
2. Amendment No. One to Contract No. K-0708-114

and the question being upon approving Amendment No. One to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2010, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. One to Contract No. K-0708-114 with the Board of County Commissioners for Cleveland County extending the contract to April 22, 2010, approved; and the execution thereof was authorized.

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Item 16, being:

CONTRACT NO. K-0809-137: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ARCHITECTS IN PARTNERSHIP, P.C., IN AN AMOUNT NOT-TO-EXCEED \$25,000 TO PROVIDE ARCHITECTURAL SERVICES FOR THE PROPERTY AND BUILDING ASSESSMENTS OF THE JOE A. SMALLEY ARMY RESERVE CENTER.

Councilmember Kovach moved that Contract No. K-0809-137 with Architects in Partnership, P.C., in an amount not-to-exceed \$25,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Butler;

Item 16, continued:

Items submitted for the record

- 1. Memorandum dated April 23, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
- 2. Contract No. K-0809-137 with Attachment A, Scope of Services
- 3. Purchase Requisition No. 0000156495 dated May 6, 2009, in the amount of \$25,000 to Architects in Partnership, P.C.

and the question being upon approving Contract No. K-0809-137 with Architects in Partnership, P.C., in an amount not-to-exceed \$25,000 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-0809-137 with Architects in Partnership, P.C., in an amount not-to-exceed \$25,000 approved; and the execution thereof was authorized.

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Item 17, being:

CONTRACT NO. K-0809-145: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MIDWEST WRECKING COMPANY IN THE AMOUNT OF \$31,790 TO PROVIDE FOR THE REMOVAL OF THE STRUCTURE LOCATED AT 300 EAST ROBINSON STREET IN CONNECTION WITH THE ROBINSON STREET GRADE SEPARATION PROJECT.

Councilmember Kovach moved that Contract No. K-0809-145 with Midwest Wrecking Company in the amount of \$31,790 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Memorandum dated April 27, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and City Council
- 2. Contract No. K-0809-145
- 3. Purchase Requisition No. 0000156471 dated May 6, 2009, in the amount of \$31,790 to Midwest Wrecking Company

and the question being upon approving Contract No. K-0809-145 with Midwest Wrecking Company in the amount of \$31,790 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-0809-145 with Midwest Wrecking Company in the amount of \$31,790 approved; and the execution thereof was authorized.

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Item 18, being:

CONTRACT NO. K-0809-146: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) TO PROVIDE FUNDING IN THE AMOUNT OF \$8,000 AS A PART OF THE UNIFIED PLANNING WORKS PROGRAM (UPWP) FOR THE COLLECTION OF TRAFFIC DATA AND THE PREPARATION OF TRAVEL TIME/DELAY STUDIES FOR THE TRAFFIC CONTROL DIVISION OF THE PUBLIC WORKS DEPARTMENT AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-0809-146 with ACOG to provide funding in the amount of \$8,000 as part of the UPWP Program be approved; the execution thereof be authorized; and upon reimbursement of the funds, the Special Revenue Fund Balance (022-0000-253.20-00) be increased by \$8,000; and \$8,000 be appropriated to Maintenance Supplies/Traffic Signal Parts (022-5023-429.32-12), which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated April 21, 2009, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
2. Contract No. K-0809-146 with Exhibit A, Federal-Aid Eligibility Certification; Exhibit B, Addendum to Form FHWA-1273, Required Contract Provisions; Exhibit C, Nondiscrimination of Employees; Exhibit D, Disadvantaged Business/Women's Business Enterprises Policy Statement and Contracting with Small and Minority Firms, Women's Business Enterprise and Labor Surplus Area Firms; and Exhibit E, Certification for Federal-Aid Contracts

and the question being upon approving Contract No. K-0809-146 with ACOG to provide funding in the amount of \$8,000 as part of the UPWP Program and upon the subsequent authorization, increase, and appropriation, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No. K-0809-146 with ACOG to provide funding in the amount of \$8,000 as part of the UPWP Program approved; the execution thereof was authorized; and upon reimbursement of the funds, the Special Revenue Fund Balance (022-0000-253-20-00) will be increased by \$8,000, and \$8,000 will be appropriated to Maintenance Supplies/Traffic Signal Parts (022-5023-429.32-12).

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Item 19, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR ASHTON GROVE ADDITION, A PLANNED UNIT DEVELOPMENT.

Councilmember Kovach moved that the preliminary plat for Ashton Grove Addition, a Planned Unit Development, be approved as directed in the Court of Civil Appeals Order and subsequent District Court Journal Entry submitted with this item, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated May 6, 2009, from Shawn O'Leary, Director of Public Works, to the Honorable Mayor and Councilmembers
2. Court of Civil Appeals of the State of Oklahoma, Division III, Decision, Case No. 103,834 filed April 4, 2008, Ashton Grove, LC., an Oklahoma Limited Liability Company, and Ashton Grove Master Association, Inc., an Oklahoma Not for Profit Corporation, vs. the City of Norman, a political subdivision of the State of Oklahoma, et al
3. Cleveland County District Court Journal Entry and Order, Case No. CJ-2006-935, Ashton Grove, L.C. vs. the City of Norman, filed April 8, 2009
4. Memorandum dated November 4, 2005, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
5. Staff Report dated October 13, 2005, recommending approval
6. Location map
7. Preliminary plat
8. Site plan

Item 19, continued:

Items submitted for the record, continued:

- 9. Memorandum dated October 10, 2005, from Doug Kosciński, AICP, Manager, Current Planning Division, and Ken Danner, Development Coordinator, to Chairman and Members, Norman Planning Commission
- 10. Letter dated September 16, 2005, from John D. Hastie, Phillips, McFall, McCaffrey, McVay, and Murrah, P.C., to Richard Massie, Director of Planning and Community Development
- 11. Letter dated September 27, 2005, from Richard Massie, AICP, Director of Planning and Community Development, to John D. Hastie
- 12. Letter dated October 27, 2005, from John D. Hastie, Phillips, McFall, McCaffrey, McVay, and Murrah, P.C., to Richard Massie, AICP, Director of Planning and Community Development
- 13. Pertinent excerpts from Norman Board of Parks Commissioners minutes of November 6, 1997
- 14. Pertinent excerpts from Planning Commission minutes of October 13, 2005

and the question being upon approving the preliminary plat for Ashton Grove Addition, a Planned Unit Development, as directed in the Court of Civil Appeals Order and subsequent District Court Journal Entry submitted with this item, a vote was taken with the following result:

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

The Mayor declared the motion carried and the preliminary plat for Ashton Grove Addition, a Planned Unit Development, was approved as directed in the Court of Civil Appeals Order and subsequent District Court Journal Entry submitted with this item.

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Item 20, being:

RESOLUTION NO. R-0809-142: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AND CONFIRMING FINAL COSTS ASSOCIATED WITH TECUMSEH ROAD, AN ARTERIAL ROAD, FROM 821.45 FEET EAST OF 12TH AVENUE N.W. TO 12TH AVENUE N.E. AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO RELEASE PROPERTIES AS ASSESSMENTS ARE PAID.

Councilmember Kovach moved that Resolution No. R-0809-142 be postponed until May 26, 2009, which motion was duly seconded by Councilmember Butler; and the question being upon postponing Resolution No. R-0809-142 until May 26, 2009, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0809-142 was postponed until May 26, 2009.

* * * * *

Item 21, being:

PROCLAMATION NO. P-0809-20: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 17 THROUGH 23, 2009, AS EMERGENCY MEDICAL SERVICES WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-20 proclaiming the week of May 17 through 23, 2009, as Emergency Medical Services Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Proclamation No. P-0809-20

Participants in discussion

- 1. Mr. Eddie Simms, Chief/Manager of EMSTAT, Norman Regional Hospital, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-20 proclaiming the week of May 17 through 23, 2009, as Emergency Medical Services Week 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, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0809-20 proclaiming the week of May 17 through 23, 2009, as Emergency Medical Services Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 22, being:

PROCLAMATION NO. P-0809-29: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, MAY 23, 2009, AS KATE BARNARD DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-29 proclaiming Saturday, May 23, 2009, as Kate Barnard Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Proclamation No. P-0809-29

Participants in discussion

- 1. Mr. Dale Wares, Children’s Rights Coordinating Commission Chair, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-29 proclaiming Saturday, May 23, 2009, as Kate Barnard 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, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0809-29 proclaiming Saturday, May 23, 2009, as Kate Barnard Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 23, being:

PROCLAMATION NO. P-0809-30: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 17 THROUGH 23, 2009, AS PUBLIC WORKS WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-30 proclaiming the week of May 17 through 23, 2009, as Public Works Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Proclamation No. P-0809-30

Participants in discussion

- 1. Mr. Mike White, Fleet Superintendent, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-30 proclaiming the week of May 17 through 23, 2009, as Public Works Week 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, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0809-30 proclaiming the week of May 17 through 23, 2009, as Public Works Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 24, being:

PROCLAMATION NO. P-0809-31: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING MAY 25 THROUGH 29, 2009, AS FULL CIRCLE SENIOR ADULT DAY CARE CENTER'S HOMECOMING WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-31 proclaiming May 25 through 29, 2009, as Full Circle Senior Adult Day Care Center's Homecoming Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Proclamation No. P-0809-31

Participants in discussion

- 1. Ms. Tammy Vaughn, Executive Director of Full Circle Senior Adult Day Care Center, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-31 proclaiming May 25 through 29, 2009, as Full Circle Senior Adult Day Care Center's Homecoming Week 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, Thompson, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0809-31 proclaiming May 25 through 29, 2009, as Full Circle Senior Adult Day Care Center's Homecoming Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 25, being:

PROCLAMATION NO. P-0809-32: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF MAY, 2009, AS FOSTER CARE MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0809-32 proclaiming the month of May, 2009, as Foster Care Month in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Proclamation No. P-0809-32

Participants in discussion

1. Ms. Janet Keller, Department of Human Services (DHS) Supervisor of Foster Care, and Ms. Sue Durrett, DHS Director for Cleveland County, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0809-32 proclaiming the month of May, 2009, as Foster Care Month 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, Thompson, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-0809-32 proclaiming the month of May, 2009, as Foster Care Month in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 26, being:

RESOLUTION NO. R-0809-117: 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-0809-12, SO AS TO PLACE A 1.78 ACRE TRACT OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION, AND PLACE A 0.5 ACRE TRACT OF LAND IN THE SAME SECTION IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE COMMERCIAL DESIGNATION, FOR THE HEREINAFTER DESCRIBED PROPERTY. (LOCATED ON THE NORTH SIDE OF LINDSEY STREET APPROXIMATELY 140 FEET WEST OF ED NOBLE PARKWAY)

Councilmember Kovach moved that Resolution No. R-0809-117, Land Use Plan Amendment No. LUP-0809-12, be rejected, which motion was duly seconded by Councilmember Thompson;

Items submitted for the record

1. Memorandum dated April 22, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Resolution No. R-0809-117, Land Use Plan Amendment No. LUP-0809-12
3. Location map
4. Staff Report dated March 12, 2009, recommending approval
5. Norman Predevelopment Summary Case No. PD 09-05 dated January 22, 2009
6. Pertinent excerpts from Planning Commission minutes of March 12, 2009

Participants in discussion

1. Mr. Harold Heiple, 218 East Eufaula Street, attorney representing the applicant
2. Mr. Shawn O'Leary, Director of Public Works
3. Mr. Tom McCaleb, SMC Consulting Services, P.C., 815 W. Main, Oklahoma City, engineer representing the applicant
4. Mr. Todd Butler, Traffic Engineering Consultants, 6000 S. Western, Oklahoma City, traffic engineer representing the applicant
5. Mr. James Fullingim, Fire Chief
6. Ms. Ann Gallagher, 1522 East Boyd Street, made comments
7. Mr. Steven Tyler, 783 DeBarr Avenue, made comments
8. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments
9. Mr. Bobby Stevens, 2801 108th Avenue S.E., made comments
10. Mr. Jeff Bryant, City Attorney

Item 26, continued:

and the question being upon rejecting Resolution No. R-0809-117, Land Use Plan Amendment No. LUP-0809-12, a vote was taken with the following result:

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

The Mayor declared the motion failed and Resolution No. R-0809-117, Land Use Plan Amendment No. LUP-0809-12, was not rejected.

Thereupon, Councilmember Cubberley moved that Resolution No. R-0809-117, Land Use Plan Amendment No. LUP-0809-12, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Resolution No. R-0809-117, Land Use Plan Amendment No. LUP-0809-12, and upon the subsequent amendment, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0809-117, Land Use Plan Amendment No. LUP-0809-117, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 27, being:

ORDINANCE NO. O-0809-38: 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 TO PLACE A TRACT OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT (TRACT 1), AND PLACE A TRACT OF LAND IN THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND REMOVE THE SAME FROM THE C-2, GENERAL COMMERCIAL DISTRICT (TRACT 2), OF SAID CITY; AND SO AS TO GRANT SPECIAL USE FOR OFFICES WITHIN THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF LINDSEY STREET APPROXIMATELY 140 FEET WEST OF ED NOBLE PARKWAY)

Ordinance No. O-0809-38 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 28, 2009, Councilmember Cubberley moved that Ordinance No. O-0809-38 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Ordinance No. O-0809-38 with Exhibit A, site development plan
2. Location map
3. Staff Report dated March 12, 2009, recommending approval with a condition

and the question being upon adopting Ordinance No. O-0809-38 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0809-38 was adopted upon Second Reading section by section.

Item 27, continued:

Thereupon, Councilmember Cubberley moved that Ordinance No. O-0809-38 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-0809-38 upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: Councilmembers Kovach and Thompson

The Mayor declared the motion carried and Ordinance No. O-0809-38 was adopted upon Final Reading as a whole.

* * * * *

Item 28, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR ASPEN PLACE ADDITION AND WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL PROPERTY.

Councilmember Cubberley moved that the preliminary plat and waiver of alley requirements for the commercial property for Aspen Place Addition be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated April 28, 2009, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary site plan considered by Planning Commission on March 12, 2009
4. Preliminary plat considered by Planning Commission on March 12, 2009
5. Preliminary site plan revised after Planning Commission meeting of March 12, 2009
6. Preliminary plat revised after Planning Commission meeting of March 12, 2009
7. Staff Report dated March 12, 2009, recommending approval
8. Greenbelt/Trail Assessment Form for Proposed Plats for Proposed Development dated February 16, 2009, submitted by SMC Consulting Engineers, P.C., and Sassan Moghadam, Owner/Developer
9. Letter dated February 6, 2009, requesting waiver of alley requirements for all commercial, industrial, and office areas from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Mr. Jim Gasaway, Chairman, Planning Commission
10. Letter dated April 13, 2009, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Mr. Ken Danner, City of Norman
11. Transportation Impacts Development Review Form dated March 3, 2009, for Aspen Place Addition
12. Pertinent excerpts from Board of Parks Commissioners minutes of March 5, 2009
13. Traffic Impact Study dated April 7, 2009, for Aspen Place Commercial Development prepared by Todd E. Butler, P.E., PTOE, Oklahoma P.E. No. 15864, CA No. 1160, Traffic Engineering Consultants, Inc.

Participants in discussion

1. Mr. Jeff Bryant, City Attorney
2. Mr. Harold Heiple, 218 East Eufaula Street, attorney representing the applicant

and the question being upon approving the preliminary plat and waiver of alley requirements for the commercial property for Aspen Place Addition, a vote was taken with the following result:

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

NAYES: Councilmembers Kovach and Thompson

The Mayor declared the motion carried and the preliminary plat and waiver of alley requirements for the commercial property for Aspen Place Addition were approved.

* * * * *

MISCELLANEOUS DISCUSSION

Sign and Historical Marker. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he previously reported a historical marker sign located on Highway 9 and 36th Avenue S.E. and a “No Parking On Shoulder” sign on Highway 9 at 108th Avenue S.E. that had been knocked down and were both laying in the bar ditches. He asked how to get these items taken care of.

Mayor Rosenthal said the Oklahoma Department of Transportation (ODOT) were responsible for signs on State Highways and Staff would contact them.

Mr. Steve Lewis, City Manager, said he and Shawn O’Leary, Director of Public Works, would follow up with ODOT to see if the problems were being addressed.

*

Tree Limbs on Cedar Lane. Mr. Bobby Stevens, 3801 108th Avenue S.E., said a tree limb had been hanging over Cedar Lane between 36th Avenue S.E. and 48th Avenue S.E. and he had called the City Action Center and the problem was solved within thirty minutes. He felt as City vehicles drive by and identify these issues, they should report them.

*

Speak Into the Microphone. Ms. Ann Gallagher, 1522 East Boyd Street, asked Mr. Jeff Bryant, City Attorney, to please speak into the microphone. She said the audience had been unable to hear him this evening.

*

Aspen Place Addition. Ms. Ann Gallagher, 1522 East Boyd Street, said she was an educator and as an educator, an “F” is not acceptable. She said Level “F” should not be acceptable to any of the City Council or the community regarding traffic patterns. She said the developer of Aspen Place was willing to accept the risks with the safety issues regarding the traffic pattern and she asked if Council was willing to accept the possibility of a fatal accident because of the unsafe traffic pattern.

Mr. Roger Gallagher, 1522 East Boyd Street, voiced concerns over approval of the preliminary plat based on conditions made on plans that hadn’t been decided yet. He said approval should be based upon the developer following through with what has been promised before it goes to Council.

*

East Side Post Office. Mr. Roger Gallagher, 1522 East Boyd Street, said last year the idea had surfaced regarding placing a post office on the east side of town and asked Councilmember Butler if this was possibly going to be done in the future.

Councilmember Butler said she had not given up on the idea of having a post office at the East Side Municipal Center but her first priority was the construction of a fire station and her second priority was an east side drop-off recycling center.

*

Recycling Cardboard. Mr. Roger Gallagher, 1522 East Boyd Street, said the Curbside Recycling Program had been very successful but he would like to see cardboard included and requested Council and Staff to look at doing this. He ask what progress had been made on this issue.

Mayor Rosenthal said the City of Norman is bound by what the contractor will pick up and at this time, cardboard is not included. However, she said more businesses have been added that are recycling cardboard than in previous years, which provides additional locations. She said the City would continue to advocate for curbside pickup of cardboard.

*

Miscellaneous Discussion, continued:

Street and Code Enforcement Issues. Ms. Jeanette Coker, 620 East Main Street, read a statement to Council asking for less Proactive Code Enforcement in her neighborhood and more street improvements. She suggested using some of the funding designated for Code Enforcement to repair the streets in the core area. She asked Council to consider funding for more street improvements in next year's budget.

Mayor Rosenthal encouraged Ms. Coker to identify potholes in her neighborhood and report them to the City.

Councilmember Cubberley said he had received numerous complaints about streets when he became a City Councilmember in 2001 but does not receive many complaints now. He said every spring there is a problem with potholes caused by weather changes and wet conditions. He said he reports the problems to the City and they are taken care of. He said the Street Department works very hard to address these issues quickly. He said the Pavement Management Study provides guidance in managing the road system by identifying work that needs to be done. He said in 2005, voters approved funding for repairs to "Minor" streets which amounts to one to two million dollars per year and this is the fifth year of that program. He said there is never enough money and he hoped next year the Minor Street Projects will be authorized to repair residential streets.

*

New Street Projects. Mr. Steven Tyler, 783 DeBarr Avenue, said he was pleased to see the Tecumseh Road Widening Project and the Main Street and Carter Avenue Project being completed. He said he had read what road projects would be constructed with Stimulus Program funds and asked if reconstruction of curbs and sidewalks would be included in any of these projects. He said DeBarr Avenue as well as many streets in the core area needed attention, but he was pleased with the work being done to arterial roads which lessened traffic in neighborhoods. He commended City Council for being more interactive with citizens about these issues.

Mayor Rosenthal asked Mr. Tyler to contact Mr. Shawn O'Leary, Director of Public Works, about details of the street projects included in the Stimulus Projects.

*

Household Hazardous Waste Collection Event. Councilmember Butler said the Household Hazardous Waste Collection Event was held May 2, 2009, at Lloyd Noble Center. She thanked all the volunteers that helped out that day. She said over 1,100 vehicles brought items to the event which was lower than the average turnout of over 1,300 vehicles. She reported 6,400 pounds of chemical waste; 5,200 pounds of oil; 830 pounds of antifreeze; 412 tires; and 25,000 pounds of electronic waste had been brought to the event for disposal.

*

Storm Water Runoff Ideas. Councilmember Butler said she had gone with members of Council and the Greenbelt Commission and City Staff on Saturday, May 2, 2009, to look at different stormwater runoff solutions for areas in the northwest area of town. She said they also studied how stormwater issues were handled in different parts of the country with different climates and that was very enlightening.

*

Staff Presentations. Councilmember Cubberley said in the past Staff had conducted full presentations on zoning items and procedures had been changed to allow the applicant to make the presentation. He said a full presentation to explain all the details was needed for the audience and the community since they are not provided an agenda packet explaining all the circumstances involving a zoning issue. He said this created misunderstandings and the purpose of the presentation was not just to discuss the issue but to educate the community about the project.

*

Deferred Maintenance. Councilmember Cubberley said Public Works Week was proclaimed this evening and he said Mr. Mike White, Fleet Superintendent, emphasized the City's commitment to revitalization and maintenance during his presentation when accepting the proclamation. He said it should be Council's priority to do a better job of funding deferred maintenance in this year's budget because it was clearly inadequate.

Miscellaneous Discussion, continued:

Shop Norman. Councilmember Quinn urged citizens to “Shop Norman.”

*

Porter Corridor Study. Councilmember Dillingham said that the Porter Corridor Study was almost completed and announced the Porter Corridor Open House to be held in Council Chambers at 4:30 p.m. on May 20, 2009. She said this would allow citizens the opportunity to view displays of land use ideas, a transportation scheme, and the potential theme for branding the corridor to keep the Art Deco lines of some of the existing buildings. She invited citizens in the core area of Norman to attend.

*

Reimbursements by the Office of Emergency Management. Mr. Steve Lewis, City Manager, said \$500,415.05 had been reimbursed for winter ice storms of December 2007, and January 2008, this evening. He said 75% is reimbursed by the Federal Emergency Management Agency (FEMA) and 12.5% is reimbursed by the Oklahoma Office of Emergency Management. He provided an update to Council and citizens as to what still had not been received. He said no funds were due to the City from the State or Federal government for the winter ice storm of January 2007, or the storm of August 2007. He said approximately \$18,000 is still due from the State and approximately \$108,000 from the Federal government for the winter ice storms of December 2007, and January 2008, but the City of Norman had received reimbursements in a timely manner.

*

Storm Water Master Plan Public Meeting. Mayor Rosenthal said a Storm Water Master Plan Public Meeting would be held at 5:30 p.m. Tuesday, May 19, 2009, in lieu of the City Council Study Session to provide citizens with an understanding of this very important policy document. She said the meeting would focus on issues in the core area and west side. A meeting would be scheduled for the east side at Washington Elementary School in the future. She encouraged citizens to examine the plan.

*

The Green Wave. Mayor Rosenthal urged citizens to view an art installation on display at the Firehouse Art Center called “The Green Wave.” She said the display was a cooperative project between the Firehouse Art Center and Norman Public Schools combining an art opportunity with educating students about issues related to stormwater, water pollution, and runoff. She said she and Councilmember Ezzell had both participated and the art would be auctioned off as part of a fundraiser with proceeds being used for Art in Education.

* * * * *

Item 30, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(3) IN ORDER TO DISCUSS THE ACQUISITION OF REAL PROPERTY ASSOCIATED WITH THE NORTHWEST FIRE STATION PROJECT AND RIGHT-OF-WAY ACQUISITION FOR THE ROCK CREEK ROAD OVERPASS PROJECT.

Councilmember Kovach moved that the City Council meeting be adjourned out of and an Executive Session be convened into in order to discuss the acquisition of real property associated with the Northwest Fire Station Project and the right-of-way acquisition for the Rock Creek Road Overpass Project, which motion was duly seconded by Councilmember Cubberley; and the question being upon adjourning out of the City Council meeting and convening into an Executive Session in order to discuss the acquisition of real property associated with the Northwest Fire Station Project and the right-of-way acquisition for the Rock Creek Road Overpass Project, a vote was taken with the following result:

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

Item 30, continued:

The Mayor declared the motion carried and the City Council meeting adjourned out of; and an Executive Session was convened into in order to discuss the acquisition of real property associated with the Northwest Fire Station Project and the right-of-way acquisition for the Rock Creek Road Overpass Project.

The City Council adjourned into Executive Session at 9:15 p.m. Mr. Jeff Bryant, City Attorney, Mr. Steve Lewis, City Manager, and Mr. Alan Atkins, Councilmember-Elect, were in attendance at the Executive Session.

Thereupon, Councilmember Cubberley moved that Executive Session be adjourned out of and the City Council meeting be reconvened, which motion was duly seconded by Councilmember Butler; and the question being upon adjourning out of Executive Session and upon the subsequent reconvening, a vote was taken with the following result:

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

The Mayor declared the motion carried and Executive Session adjourned out of; and the City Council meeting was reconvened at 10:14 p.m.

The Mayor said the acquisition of real property associated with the Northwest Fire Station Project and the right-of-way acquisition for the Rock Creek Road Overpass Project were discussed in Executive Session. No action was taken and no votes were cast.

* * * * *

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 10:15 p.m.

ATTEST:

City Clerk

Mayor