

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

April 27, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 27th day of April, 2010, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

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

ABSENT: None

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

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Item 3, being:

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

Mayor Rosenthal and Councilmember Dillingham presented Citizenship Awards to students Rebecca Cline, Lizzie Edwards, Alex Elmore, Marco Fisher, Jonathon Kynel, Tate McDonald, Jake Markman-Fox, and Leah Thompson. Mr. Terry Hopper, Principal of McKinley Elementary School, said the students were selected as representatives of good citizens of McKinley Elementary School and are members of an organization called "Operation Hero."

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Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 27 excluding Items 9 and 16 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 5 through Item 27 excluding Items 9 and 16, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 5 through Item 27 excluding Items 9 and 16 were placed on the consent docket by unanimous vote.

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Item 5, being:

- CITY COUNCIL FINANCE COMMITTEE MINUTES OF MARCH 24, 2010
- CITY COUNCIL CONFERENCE MINUTES OF APRIL 13, 2010
- CITY COUNCIL MINUTES OF APRIL 13, 2010
- NORMAN UTILITIES AUTHORITY MINUTES OF APRIL 13, 2010
- NORMAN MUNICIPAL AUTHORITY MINUTES OF APRIL 13, 2010
- NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF APRIL 13, 2010

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

Item 5, continued:

Items submitted for the record

- 1. City Council Finance Committee meeting minutes of March 24, 2010
- 2. City Council Conference minutes of April 13, 2010
- 3. City Council minutes of April 13, 2010
- 4. Norman Utilities Authority minutes of April 13, 2010
- 5. Norman Municipal Authority minutes of April 13, 2010
- 6. Norman Tax Increment Finance Authority minutes of April 13, 2010

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

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

NAYES: None

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

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Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-0910-28 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1051 12TH AVENUE N.E.)

Councilmember Kovach moved that Ordinance No. O-0910-28 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 12, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
- 2. Ordinance No. O-0910-28 and Exhibit A, site development plan
- 3. Location map
- 4. Staff Report dated April 8, 2010, recommending approval
- 5. Pertinent excerpts from Planning Commission minutes of April 8, 2010

and the question being upon the Introduction and adoption of Ordinance No. O-0910-28 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-0910-28 was Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS OF LESLIE HARRISON AND ANDREA RATKOVIC TO THE BICYCLE ADVISORY COMMITTEE, ELIZABETH LONDON TO THE BOARD OF PARKS COMMISSIONERS, AND ASIA SCUDDER AND YVES BADAROUX TO THE ENVIRONMENTAL CONTROL ADVISORY BOARD.

BICYCLE ADVISORY COMMITTEE

TERM: 04-27-10 TO 02-13-12: LESLIE HARRISON, 1125 SPARROW HAWK DRIVE

TERM: 04-27-10 TO 02-13-11: ANDREA RATKOVIC, 717 EAST JOHNSON STREET

BOARD OF PARKS COMMISSIONERS

TERM: 04-27-10 TO 01-01-13: ELIZABETH LONDON, 801 CAREY DRIVE

ENVIRONMENTAL CONTROL ADVISORY BOARD

TERM: 04-27-10 TO 10-27-13: ASIA SCUDDER, 430 WEST COMANCHE STREET

TERM 04-27-10 TO 10-27-13: YVES BADAROUX, 604 STURTZ CIRCLE

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

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

NAYES: None

The Mayor declared the motion carried and the appointments were confirmed.

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MARCH 31, 2010, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

- 1. Finance Director's Investment Report of March 31, 2010

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

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

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 9, being:

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

Item 9 was withdrawn at the request of Staff.

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Item 10, being:

CONSIDERATION OF THE NORMAN CONVENTION AND VISITORS BUREAU, INC., SEMI-ANNUAL REPORT ENDING DECEMBER 31, 2009.

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. Norman Convention and Visitors Bureau, Semi-Annual Report, ending December 31, 2009

Participants in discussion

- 1. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau, Inc.

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

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

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Item 11, being:

CONSIDERATION OF BID NO. 0910-55, CONTRACT NO. K-0910-147 WITH MILLER LAGOON SERVICE IN THE AMOUNT OF \$43,600; PERFORMANCE BOND NO. B-0910-55; AND STATUTORY BOND NO. B-0910-56 FOR THE REMOVAL AND LAND APPLICATION OF EXCESS BIOSOLIDS FOR THE WASTEWATER TREATMENT FACILITY.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$43,600 be awarded to Miller Lagoon Service as the lowest and best bidder meeting specifications; Contract No. K-0910-147 and the performance and statutory bonds be approved; filing of the bonds be directed; and execution of the contract be authorized be adopted, which motion was duly seconded by Trustee Butler;

Items submitted for the record

- 1. Memorandum dated April 5, 2010, from Ralph Arnett, Utilities Superintendent, to Norman Utilities Authority
- 2. Tabulation of bids for the removal and land application of approximately 2,000,000 gallons of liquid biosolids for the Wastewater Treatment Division of the Utilities Department
- 3. Contract No. K-0910-147
- 4. Performance Bond No. B-0910-55
- 5. Statutory Bond No. B-0910-56
- 6. Purchase Requisition No. 0000169861 dated April 12, 2010, in the amount of \$43,600 to Miller Lagoon Service

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

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$43,600 was awarded to Miller Lagoon Service as the lowest and best bidder meeting specifications; Contract No. K-0910-147 and the performance and statutory bonds were approved; the filing of the bonds was directed; and execution of the contract was authorized.

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Item 12, being:

CONSIDERATION OF ACCEPTANCE OF WATER LINE EASEMENT NO. E-0910-50 AT A COST OF \$1,600 BY MICHAEL R. AND ELIZABETH ANN BERRY AND UTILITY EASEMENT NO. E-0910-53 DONATED BY RED ROCK LAND FUND, L.L.C., IN CONNECTION WITH THE LIFT STATION D REHABILITATION PROJECT.

Acting as the City Council and Norman Utilities Authority, Councilmember Kovach moved that the easements be accepted, the filing thereof with the Cleveland County Clerk be directed, and payment for Easement No. E-0910-50 be authorized, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Memorandum dated April 9, 2010, from Mark Daniels, Utilities Engineer, to Honorable Mayor and Councilmembers
- 2. Easement No. E-0910-50
- 3. Location map for Easement No. E-0910-50
- 4. Easement No. E-0910-53 with Exhibit A, legal description
- 5. Location map for Easement No. E-0910-53

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the easements accepted; the filing thereof with the Cleveland County Clerk was directed and payment for Easement No. E-0910-50 was authorized.

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Item 13, being:

CONSIDERATION OF ACCEPTANCE OF SIDEWALK EASEMENT NOS. E-0910-54 AND E-0910-55 DONATED BY JOSEPH LEE RODGERS, JR., FOR CONSTRUCTION OF A SIDEWALK ON THE NORTH SIDE OF BOYD STREET FROM WEST OF MERRYWOOD LANE TO FLOOD AVENUE FUNDED THROUGH THE NEIGHBORHOOD PLAN IMPLEMENTATION PROJECT.

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

Items submitted for the record

- 1. Memorandum dated April 14, 2010, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
- 2. Easement Nos. E-0910-54 and E-0910-55 with Exhibit "A," legal descriptions and location maps

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the easements accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 14, being:

CONSIDERATION OF RELINQUISHMENT OF ACCESS RIGHTS BY THE BOARD OF COUNTY COMMISSIONERS OF CLEVELAND COUNTY FOR PROPERTY LOCATED AT 523 EAST ROBINSON STREET FOR THE NEW FREEDOM BUS STOP AND SIDEWALK IMPROVEMENTS.

Councilmember Kovach moved that the relinquishment of access rights for 523 East Robinson Street from the Board of County Commissioners of Cleveland County be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Memorandum dated April 9, 2010, from Jack Burdett, Engineering Assistant, to Honorable Mayor and City Councilmembers
- 2. Relinquishment of Access Rights, FYE 2010 Accessibility Project, 523 East Robinson
- 3. Location map

and the question being upon accepting the relinquishment of access rights for 523 East Robinson Street from the Board of County Commissioners of Cleveland County and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the relinquishment of access rights for 523 East Robinson Street from the Board of County Commissioners of Cleveland County accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 15, being:

CONSIDERATION OF CONVEYANCE BY TITLE BY WARRANTY DEED FROM WIDGEON, INC., FOR LOT A, NORMAN AUTOMOTIVE BUSINESS PARK ADDITION, LOCATED SOUTH OF WEST LINDSEY STREET AND WEST OF ED NOBLE PARKWAY.

Councilmember Kovach moved that the conveyance of title by warranty deed be approved, and the execution and the filing and transmittal thereof be authorized, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Memorandum dated April 5, 2010, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
- 2. General Warranty Deed executed December 21, 2009, by Larry W. Houchins, Manager, Widgeon, L.L.C., with Exhibit "A", legal description and location map
- 3. Location maps
- 4. Letter of request dated September 4, 2009, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.C., to Shawn O'Leary, Director of Public Works

and the question being upon approving the conveyance of title by warranty deed and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, and Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the conveyance of title by warranty deed approved; and execution and the filing and transmittal thereof were authorized.

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Item 16, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 0910-7 FOR LOTS 30, 31, 32, 33, AND 34, BLOCK 1, CASCADE ESTATES ADDITION, SECTION 4. (3000, 3002, 3004, 3006, AND 3008 CARNOUSTIE DRIVE)

Item 16 was withdrawn at the request of the applicant.

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Item 17, being:

LIMITED LICENSE NO. 0910-10: LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FIREHOUSE ART CENTER, FRED JONES, JR., MUSEUM, AND JACOBSON HOUSE FOR "LUNCHEON ON THE GRASS" TO BE HELD AT LIONS PARK ON JUNE 6, 2010.

Councilmember Kovach moved that Limited License No. 0910-10 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum, and Jacobson House be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated April 14, 2010, from Wayne Stenis, AICP, Planner II, to Honorable Mayor and Councilmembers, Norman City Council
2. Application for Limited License for four banners dated February 22, 2010, from the Firehouse Art Center, Fred Jones, Jr., Museum, and Jacobson House
3. Location maps
4. Limited License No. 0910-10

and the question being upon approving Limited License No. 0910-10 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum, and Jacobson House and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Limited License No. 0910-10 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center, Fred Jones, Jr., Museum, and Jacobson House approved; and the issuance thereof was authorized.

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Item 18, being:

LIMITED LICENSE NO. 0910-11: LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM FRIENDS OF THE NORMAN LIBRARY FOR THE BETTER BOOKS SALE TO BE HELD APRIL 30 THROUGH MAY 2, 2010.

Councilmember Kovach moved that Limited License No. 0910-11 to place 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 Butler;

Items submitted for the record

1. Memorandum dated April 14, 2010, from Wayne Stenis, AICP, Planner II, to Honorable Mayor and Councilmembers, Norman City Council
2. Letter of request dated March 30, 2010, from Simon H. Rudnick, 2010 Friends of the Norman Library Book Sale Co-Chair, to Brenda Hall, City Clerk
3. Application for Limited License for four signs dated March 30, 2010, from the Friends of the Norman library
4. Location map
5. Limited License No. 0910-11

Item 18, continued:

and the question being upon approving Limited License No. 0910-11 to place 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 Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Limited License No. 0910-11 to place 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:

SPECIAL CLAIM NO. 0910-5: A CLAIM IN THE AMOUNT OF \$3,041.36 FROM SOUTHWESTERN BELL TELEPHONE COMPANY D/B/A AT&T OKLAHOMA FOR DAMAGES INCURRED TO A TELEPHONE CABLE AT 2101 EAST LINDSEY STREET BY A STREET MAINTENANCE MOWING CREW.

Councilmember Kovach moved that Special Claim No. 0910-5 be approved and payment in the amount of \$3,041.36 be directed contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated March 25, 2010, from Jeanne Snider, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Special Claim No. 0910-5 dated November 16, 2009, submitted by Southwestern Bell Telephone Company d/b/a AT&T Oklahoma with Claim for Damages dated November 18, 2009, in the amount of \$3,041.36
3. Memoranda dated November 19 and November 23, 2009, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney
4. Memorandum dated December 16, 2009, from Greg Hall, Public Works Superintendent, to Shawn O’Leary, Director of Public Works

and the question being upon approving Special Claim No. 0910-5 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Special Claim No. 0910-5 approved; and payment in the amount of \$3,041.36 be directed contingent upon obtaining a Release and Covenant Not to Sue from Southwestern Bell Telephone Company d/b/a AT&T Oklahoma.

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Item 20, being:

CONSIDERATION OF SUBMISSION OF THE CERTIFIED LOCAL GOVERNMENTS PROGRAM 2010 APPLICATION FOR FUNDING IN THE AMOUNT OF \$15,000 TO BE SUBMITTED TO THE OKLAHOMA STATE HISTORIC PRESERVATION OFFICE.

Councilmember Kovach moved that the proposed Certified Local Governments 2010 Application for Funding in the amount of \$15,000 be approved and the submission thereof to the Oklahoma State Historic Preservation Office be directed, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Memorandum dated April 14, 2010, 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 2010 with Attachment A, location map

Participants in discussion

- 1. Ms. Linda Price, Revitalization Manager

and the question being upon approving the proposed Certified Local Governments 2010 Application for Funding in the amount of \$15,000 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the proposed Certified Local Governments 2010 Application for Funding in the amount of \$15,000 approved; and the submission thereof to the Oklahoma State Historic Preservation Office was directed.

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Item 21, being:

AMENDMENT NO. FOUR TO CONTRACT NO. K-0304-149: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE ENVIRONMENTAL PROTECTION AGENCY (EPA) FOR THE WASTEWATER TREATMENT PLANT SLUDGE HANDLING IMPROVEMENTS PROJECT EXTENDING THE CONTRACT THROUGH JUNE 30, 2010.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. Four to Contract No. K-0304-149 with EPA extending the contract through June 30, 2010, be approved and the execution thereof and the Chairman to sign future documents related to the grant management including requests for EPA reimbursements be authorized, which motion was duly seconded by Trustee Butler;

Items submitted for the record

- 1. Memorandum dated April 12, 2010, from Mark Daniels, Utilities Engineer, to Norman Utilities Authority
- 2. Amendment No. Four to Contract No. K-0304-149

and the question being upon approving Amendment No. Four to Contract No. K-0304-149 with EPA extending the contract through June 30, 2010, and upon the subsequent authorizations, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Chairman Rosenthal
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NAYES:	None
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The Chairman declared the motion carried and Amendment No. Four to Contract No. K-0304-149 with EPA extending the contract through June 30, 2010, approved; and the execution thereof and the Chairman to sign future documents related to the grant management including requests for EPA reimbursements were authorized.

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Item 22, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0809-59: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ENGINEERING SERVICES AND TESTING (EST), INC., INCREASING THE CONTRACT AMOUNT BY \$32,000 FOR THE DESIGN OF WATER AND SEWER RELOCATIONS ASSOCIATED WITH 12TH AVENUE N.E. AND ROBINSON STREET INTERSECTION IMPROVEMENTS.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0809-59 with EST, Inc., increasing the contract amount by \$32,000 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 1, 2010, from Lonnie Ferguson, Capital Projects Manager, and Mark Daniels, Utilities Engineer, to Honorable Mayor and Councilmembers
2. Amendment No. One to Contract No. K-0809-59 with Attachment B, Water Line Contract Cost Proposal
3. Location map
4. Purchase Requisition No. 0000170256 dated April 22, 2010, in the amount of \$32,000 to Engineering Services and Testing, Inc.

and the question being upon approving Amendment No. One to Contract No. K-0809-59 with EST, Inc., increasing the contract amount by \$32,000 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-0809-59 with EST, Inc., increasing the contract amount by \$32,000 approved; and the execution thereof was authorized.

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Item 23, being:

CONTRACT NO. K-0910-171: 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 \$10,560 AS A PART OF THE UNIFIED PLANNING WORKS PROGRAM (UPWP) FOR THE COLLECTION OF TRAFFIC DATA AND THE PREPARATION OF TRAVEL TIME/DELAY STUDIES AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-0910-171 with ACOG to provide funding in the amount of \$10,560 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 \$10,560 and \$10,560 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 5, 2010, from Angelo A. Lombardo, City Traffic Engineer, to Honorable Mayor and City Council
2. Contract No. K-0910-171 with Exhibit A, Federal-Air Eligibility Requirements; Exhibit B, Addendum to Form FHWA-1273, Required Contract Provisions; Exhibit C, Nondiscrimination of Employees; Exhibit D, Oklahoma Department of Transportation Disadvantaged Business/Women's Business Enterprises Policy Statement; and Exhibit E, Certification for Federal-Aid Contracts

and the question being upon approving Contract No. K-0910-171 with ACOG to provide funding in the amount of \$10,560 as part of the UPWP Program and upon the subsequent authorization, increase and appropriation, a vote was taken with the following result:

Item 23, continued:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Contract No. K-0809-46 K-0910-171 with ACOG to provide funding in the amount of \$10,560 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 \$10,560 and \$10,560 will be appropriated to Maintenance Supplies/Traffic Signal Parts (022-5023-429.32-12).

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Item 24, being:

RESOLUTION NO. R-0910-115: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, COMMENDING THE CENSUS COMPLETE COUNT COMMITTEE FOR THEIR SERVICE TO THE COMMUNITY BY DEVELOPING AND IMPLEMENTING THE 2010 CENSUS PLAN OF ACTION FOR THE CITY OF NORMAN.

Councilmember Kovach moved that Resolution No. R-0910-115 be adopted, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

- 1. Resolution No. R-0910-115

Participants in discussion

- 1. Ms. Judi Knapp, Co-Chair of the Complete Census Count Committee, accepted the resolution and thanked the Council

and the question being upon adopting Resolution No. R-0910-115, a vote was taken with the following result:

YEAS:	Councilmember Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Resolution No. R-0910-115 was adopted.

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Item 25, being:

PROCLAMATION NO. P-0910-23: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THURSDAY, MAY 6, 2010, AS NATIONAL CHILDREN’S MENTAL HEALTH AWARENESS DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-23 proclaiming Thursday, May 6, 2010, as National Children’s Mental Health Awareness 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-0910-23

Participants in discussion

- 1. Ms. Teresa Capps, Director of Child and Family Services, Central Oklahoma Community Mental Health Center, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. Proclamation No. P-0910-23 proclaiming Thursday, May 6, 2010, as National Children’s Mental Health Awareness Day, and upon the subsequent directive, a vote was taken with the following result:

Item 25, continued:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0910-23 proclaiming Proclamation No. P-0910-23 proclaiming Thursday, May 6, 2010, as National Children’s Mental Health Awareness Day acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 26, being:

PROCLAMATION NO. P-0910-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 25 THROUGH 30, 2010, AS COMMUNITY DEVELOPMENT WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-24 proclaiming the week of April 25 through 30, 2010, as Community Development 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-0910-24

Participants in discussion

- 1. Ms. Linda Price, Revitalization Manager, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0910-24 proclaiming the week of April 25 through 30, 2010, as Community Development Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-0910-24 proclaiming the week of April 25 through 30, 2010, as Community Development Week in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 27, being:

PROCLAMATION NO. P-0910-25: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF APRIL, 2010, AS FAIR HOUSING MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-25 proclaiming the month of April, 2010, as Fair Housing 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-0910-25

Participants in discussion

- 1. Ms. Virginia Gadsden, President of the Metropolitan Fair Housing Board, accepted the proclamation and thanked the Council

Item 27, continued:

and the question being upon acknowledging receipt of Proclamation No. P-0910-25 proclaiming the month of April, 2010, as Fair Housing Month in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-0910-25 proclaiming the month of April, 2010, as Fair Housing Month in the City of Norman acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 28, being:

PUBLIC HEARING REGARDING THE PROPOSED FIVE YEAR CONSOLIDATED PLAN FOR 2010 THROUGH 2014 AND THE THIRTY-SIXTH YEAR NORMAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION WHICH INCLUDES THE 2010 HOME PROGRAM TOTALING \$1,528,748 TO BE SUBMITTED TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Councilmember Kovach moved that a public hearing be conducted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Memorandum dated April 8, 2010, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
2. City of Norman, Oklahoma, Community Development Block Grant Program, 2010-2014 Consolidate Plan
3. 2010-2011 CDBG Budget
4. 2010 HOME Investment Partnerships Budget

and the question being upon conducting a public hearing, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

1. Ms. Linda Price, Revitalization Manager
2. Mr. Kyle Langford, CDBG Policy Committee Chair
3. Ms. Katherine Frazier, Board President of Cleveland County Habitat for Humanity, proponent
4. Mr. Ronnie Baker, 620 East Apache Street, Habitat for Humanity recipient, proponent
5. Ms. Annie Baker, 620 East Apache Street, Habitat for Humanity recipient, proponent

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

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

NAYES: None

The Mayor declared the motion carried and the public hearing was closed.

Item 28, continued:

Thereupon, Councilmember Kovach moved that recommendations regarding the proposed Five Year Consolidated Plan for 2010 through 2014 and the Thirty-Sixth Year CDBG Application which includes the 2010 HOME Program totaling \$1,528,748 be approved and the submission thereof be directed to the United States Department of Housing and Urban Development, which motion was duly seconded by Councilmember Dillingham; and the question being upon approving recommendations regarding the proposed Five Year Consolidated Plan for 2010 through 2014 and the Thirty-Sixth Year CDBG Application which includes the 2010 HOME Program totaling \$1,528,748 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and recommendations regarding the proposed Five Year Consolidated Plan for 2010 through 2014 and the Thirty-Sixth Year CDBG Application which includes the 2010 HOME Program totaling \$1,528,748 approved; and the submission thereof was directed to the United States Department of Housing and Urban Development.

\* \* \* \* \*

Councilmember Quinn asked that he be allowed to abstain from voting on Item 29 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Quinn be allowed to abstain from voting on Item 29 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Quinn to abstain from voting on Item 29 due to a conflict of interest, a vote was taken with the following result:

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

NAYES: None

ABSTAIN: Councilmember Quinn

The Mayor declared the motion carried and Councilmember Quinn was allowed to abstain from voting on Item 29 due to a conflict of interest.

\* \* \* \* \*

Item 29, being:

RESOLUTION NO. R-0910-111: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AND CONFIRMING FINAL COSTS ASSOCIATED WITH IMPROVEMENTS TO ROBINSON STREET, AN ARTERIAL ROAD, FROM 400 FEET WEST OF 48TH AVENUE N.W. TO 935 FEET EAST OF BROOKDALE DRIVE AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO RELEASE PROPERTIES AS ASSESSMENTS ARE PAID.

Councilmember Kovach moved that Resolution No. R-0910-111 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated December 10, 2009, from John Clink, Capital Projects Engineer, to Honorable Mayor and City Councilmembers
2. Resolution No. R-0910-111 with Exhibit A, Location Map, and Exhibit B, List of Properties Included in Robinson Street Widening Recoupment Project, 48th Avenue N.W. to Brookhaven Boulevard

Participants in discussion

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

Item 29, continued:

Thereupon Councilmember Cubberley moved that Resolution No. R-0910-111 be postponed until May 11, 2010; which motion was duly seconded by Councilmember Kovach; and the question being upon postponing Resolution No. R-0910-111 until May 11, 2010, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0910-115 was postponed until May 11, 2010.

\* \* \* \* \*

Councilmember Quinn asked that he be allowed to abstain from voting on Item 30 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Quinn be allowed to abstain from voting on Item 30 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Quinn to abstain from voting on Item 30 due to a conflict of interest, a vote was taken with the following result:

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

The Mayor declared the motion carried and Councilmember Quinn was allowed to abstain from voting on Item 30 due to a conflict of interest.

\* \* \* \* \*

Item 30, being:

CONSIDERATION OF APPROVAL OF A FINAL PLAT FOR BROOKHAVEN NO. 42 ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN.

Councilmember Cubberley moved that the final plat be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of \$28,807.76 to fulfill the recoupment requirements; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Memorandum dated March 23, 2010, from Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Memorandum dated April 16, 2010, from James Briggs, Park Planner II, to Ken Danner, Development Manager
3. Location map
4. Preliminary plat
5. Final plat
6. Staff Report dated February 11, 2010, recommending approval
7. Pertinent excerpts of Planning Commission minutes of February 11, 2010

Participants in discussion

1. Mr. Jeff Bryant, City Attorney
2. Mr. David Hargis, Clour Engineering of Oklahoma, Inc., 408 Bannister Court, engineer representing the applicant

Item 30, continued:

and the question being upon approving the final plat and upon the subsequent acceptance, authorization and directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the final plat approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of \$28,807.76 to fulfill the recoupment requirements, and the filing of the final plat was directed.

\* \* \* \* \*

Item 31, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR HALLBROOKE ADDITION.  
(RE-APPROVAL)

Councilmember Quinn moved that the preliminary plat for Hallbrooke Addition be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated April 5, 2010, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Staff Report dated March 11, 2010, recommending approval
5. Pertinent excerpts from Board of Parks Commissioners dated February 5, 2004
6. Pertinent excerpts from Planning Commission minutes of March 11, 2010

Participants in discussion

1. Mr. Tom McCaleb, SMC Consulting Engineers, P.C., 815 West Main Street, Oklahoma City, engineer representing the applicant

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

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

NAYES: None

The Mayor declared the motion carried and the preliminary plat for Hallbrooke Addition was approved.

\* \* \* \* \*

Item 32, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR MURDOCK VILLAGE ADDITION AND WAIVER OF ALLEY REQUIREMENTS FOR LOTS 1 AND 6, BLOCK 1. (REPLATS OF PART OF LOT 1, BLOCK 3, AND LOT 1A, BLOCK 3, NORMAN ACRES FIRST ADDITION)

Councilmember Kovach moved that the preliminary plat for Murdock Village Addition and waiver of alley requirements for Lots 1 and 6, Block 1, be approved, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Memorandum dated April 5, 2010, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Location map

Item 32, continued:

Items submitted for the record, continued

3. Preliminary plat
4. Preliminary site plan
5. Staff Report dated March 11, 2010, recommending approval
6. City of Norman Development Review Form, Transportation Impacts, dated March 1, 2010, for Murdock on Main Addition
7. Letter requesting alley waiver dated February 25, 2010, from Brian Hallett, Cardinal Engineering, Inc., to Mr. Zev Trachtenberg, Chairman, Planning Commission
8. Pertinent excerpts from Planning Commission minutes of March 11, 2010

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Shawn O’Leary, Director of Public Works
3. Mr. Angelo Lombardo, Traffic Engineer

and the question being upon approving the preliminary plat for Murdock Village Addition and waiver of alley requirements for Lots 1 and 6, Block 1, a vote was taken with the following result:

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

The Mayor declared the motion carried and the preliminary plat for Murdock Village Addition and waiver of alley requirements for Lots 1 and 6, Block 1, was approved.

\* \* \* \* \*

Item 33, being:

**CONSIDERATION OF A PRELIMINARY PLAT AND VARIANCE IN CUL-DE-SAC LENGTH FROM 600 FEET TO 620 FEET FOR “Q” STREET AND “R” COURT FOR SUMMIT LAKES ADDITION. (RE-APPROVAL)**

Councilmember Atkins moved that the preliminary plat and variance in cul-de-sac length from 600 feet to 620 feet for “Q” Street and “R” Court for Summit Lakes Addition be approved, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Memorandum dated March 29, 2010, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
2. Location map
3. Preliminary plat
4. Staff Report dated March 11, 2010, recommending approval
5. Letter requesting variance dated March 4, 2010, from Phil Clour, P.E., L.S., Engineering, Inc., to Mr. Zev Trachtenberg, Chairman, Planning Commission
6. Pertinent excerpts from Norman Board of Parks Commissioners minutes of July 3, 2003
7. Pertinent excerpts from Planning Commission minutes of March 11, 2010

Participants in discussion

1. Mr. David Hargis, Clour Engineering of Oklahoma, Inc., 408 Bannister Court, engineer representing the applicant

and the question being upon the preliminary plat and variance in cul-de-sac length from 600 feet to 620 feet for “Q” Street and “R” Court for Summit Lakes Addition, a vote was taken with the following result:

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

The Mayor declared the motion carried the preliminary plat and variance in cul-de-sac length from 600 feet to 620 feet for “Q” Street and “R” Court for Summit Lakes Addition was approved.

\* \* \* \* \*

Item 34, being:

ORDINANCE NO. O-0910-26: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO ADD A SECTION CREATING A MUD, MIXED USE DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-0910-26 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 13, 2010, Councilmember Kovach moved that Ordinance No. O-0910-26 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Butler;

Items submitted for the record

1. Memorandum dated March 29, 2010, from Doug Kosciński, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0910-26
3. Memorandum dated March 5, 2010, from Doug Kosciński, AICP, Manager, Current Planning Division, to Chairman and Members, Norman Planning Commission
4. Planning Commission Study Session minutes of April 23, 2009
5. Joint City Council/Planning Commission Study Session minutes of June 2, 2009
6. Planning Commission Study Session minutes of July 30, August 13, August 27, September 24, October 8, and October 22, 2009
7. City Council Study Session minutes of December 1, 2009
8. Pertinent excerpts from Norman Planning Commission Public Meeting minutes of February 9, 2010
9. Pertinent excerpts from Planning Commission minutes of March 11, 2010
10. Pertinent excerpts from City Council Planning and Community Development minutes of February 12, 2010

and the question being upon adopting Ordinance No. O-0910-26 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0910-26 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-0910-26 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-0910-26 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-0910-26 was adopted upon Final Reading as a whole.

\* \* \* \* \*

Item 35, being:

RESOLUTION NO. R-0910-95: 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-0910-7, SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION, OF SAID CITY. (2525 EAST LINDSEY STREET)

Councilmember Atkins moved that Resolution No. R-0910-95 Land Use Plan Amendment No. LUP-0910-7, be postponed until May 11, 2010, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Email dated April 14, 2010, requesting postponement until May 11, 2010, from Sean Rieger to Brenda Hall, Doug Koscinski, Ken Danner, and Ellen Usry
2. Memorandum dated March 29, 2010, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
3. Resolution No. R-0910-95
4. Location map
5. Staff Report dated March 11, 2010
6. Pertinent excerpts from Planning Commission minutes of March 11, 2010

and the question being upon postponing Resolution No. R-0910-95 Land Use Plan Amendment No. LUP-0910-7, be postponed until May 11, 2010, a vote was taken with following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-0910-95, Land Use Plan Amendment No. LUP-0910-7, was postponed until May 11, 2010.

\* \* \* \* \*

Item 36, being:

ORDINANCE NO. O-0910-24: 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 SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2525 EAST LINDSEY STREET)

Ordinance No. O-0910-24 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 13, 2010, Councilmember Atkins moved that Ordinance No. O-0910-24 be postponed until May 11, 2010, which motion was duly seconded by Councilmember Quinn

Items submitted for the record

1. Email dated April 14, 2010, requesting postponement until May 11, 2010, from Sean Rieger to Brenda Hall, Doug Koscinski, Ken Danner, and Ellen Usry
2. Ordinance No. O-0910-24 with Exhibit A, site development plan
3. Location map
4. Staff Report dated March 11, 2010
5. Project description from Gene Barnes, Mission Norman, to Sean Rieger
6. Planned Unit Development Narrative dated February 8, 2010, for Mission Norman Addition
7. Preliminary plat
8. Renderings of site
9. Protest area map with 0.33% filed protest within notification area

Item 36, continued:

Items submitted for the record, continued

10. Letter of protest dated March 3, 2010, from Walter H. Knoepfli and Isobel L. Knoepfli to Members of the Planning Commission
11. Letter of support dated March 25, 2010, from David O. Hess to City Councilmembers
12. Letter of support dated March 19, 2010, from H. Harvey Hill, III, to Whom It May Concern
13. Letter of support dated March 23, 2010, from Dr. Ed Sasnett, Pastor, Northeast Baptist Church, to Whom It May Concern
14. Email of support dated March 24, 2010, from Dana L. Jackson, University MHR Graduate Student, to Whom It May Concern
15. Email of support dated March 24, 2010, from Pastor Robert L. Jackson, President and Founder of CPM Ministries International, to Whom It May Concern
16. Letter of support dated March 25, 2010, from Cindy Honeycutt, L.P.C., L.A.D.C., to Whom It May Concern
17. Letter of support dated March 25, 2010, from Russell Morris to Whom It May Concern
18. Letter of support dated March 26, 2010, from Rick Anthony, Senior Pastor, Grace Fellowship, to Whom It May Concern
19. Email of support dated March 26, 2010, from Sandy Duncan to Whom It May Concern
20. Letter of support dated March 26, 2010, from Jason L. Garner, Minister of Music and Education, Brookhaven Baptist Church, to Whom It May Concern
21. Email of support dated March 26, 2010, from Michael L. Hatcher to Whom It May Concern
22. Letter of support dated March 26, 2010, from Steven Walls to Whom It May Concern
23. Email of support dated March 27, 2010, from Steve Miller to Whom It May Concern
24. Letter of support dated March 27, 2010, from Jessica Reynolds to Whom It May Concern
25. Letter of support dated March 27, 2010, from Jerry A. Wright, Treasurer, Southpark Baptist Church, to Whom It May Concern
26. Letter of support dated March 28, 2010, from John and Jolene Lyles to Whom It May Concern
27. Letter of support dated March 29, 2010, from Randi Byers to Whom It May Concern
28. Email of support dated March 29, 2010, from Reverend Keith Jacobs, Pastor, Regency Park Baptist Church, to Whom It May Concern
29. Email of support dated March 29, 2010, from Larry and Ruby Leighton to Whom It May Concern
30. Letter of support dated March 29, 2010, from Albert Porterfield to Whom It May Concern
31. Email of support dated March 29, 2010, from Gerald Turner to Whom It May Concern
32. Email of support dated March 30, 2010, from Richard Boyanton, Pastor, Town and Country Church, to Whom It May Concern
33. Letter of support dated March 30, 2010, from Larry Gardner to Whom It May Concern
34. Letter of support dated March 30, 2010, from Pamela N. Greening to Whom It May Concern
35. Letter of support dated March 30, 2010, from Dale E. Ross, Dale E. Ross Consulting, to Whom It May Concern
36. Letter of support dated March 30, 2010, from Ray Sims, Sharon Baptist Church, to Whom It May Concern
37. Letter of support received April 15, 2010, from David S. Edwards, River Church, to Whom It May Concern
38. Letter of support received April 15, 2010, from Fred M. Greening, Pastor, Goldsby Baptist Church, to Whom It May Concern
39. Letter of support received April 15, 2010, from Pastor Joshua Gutteridge, New Life Bible Church, to Whom It May Concern
40. Letter of support received April 15, 2010, from Pastor Greg Mack, Slaughterville Baptist Church, to Whom It May Concern
41. Letter of support dated April 19, 2010, from Bill Nations, Oklahoma State Representative, District 44, to the Mayor and Council of Norman
42. Norman Predevelopment Summary for Case No. PD 09-28, dated December 17, 2009, for Mission Norman

Item 36, continued:

and the question being upon postponing Ordinance No. O-0910-24 until May 11, 2010, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Quinn, Kovach, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-0910-24 was postponed until May 11, 2010.

\* \* \* \* \*

Item 37, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR MISSION NORMAN ADDITION, A PLANNED UNIT DEVELOPMENT.

Councilmember Atkins moved that the preliminary plat for Mission Norman Addition, a Planned Unit Development, be postponed until May 11, 2010, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Email dated April 14, 2010, requesting postponement until May 11, 2010, from Sean Rieger to Brenda Hall, Doug Kosciński, Ken Danner, and Ellen Usry
2. Memorandum dated March 30, 2010, from Angelo Lombardo, Traffic Engineer, and Ken Danner, Development Manager, to Honorable Mayor and Councilmembers
3. Location map
4. Master Development Plan
5. Preliminary plat
6. Staff Report dated March 11, 2010

and the question being upon postponing the preliminary plat for Mission Norman Addition, a Planned Unit Development, until May 11, 2010, a vote was taken with the following result;

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Quinn, Kovach, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the preliminary plat for Mission Norman Addition, a Planned Unit Development, was postponed until May 11, 2010.

\* \* \* \* \*

Item 38, being:

PRESENTATION BY SUSAN CONNORS, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT, FOR A PROGRESS REPORT ON THE PORTER CORRIDOR PLAN, SCHEMATIC DESIGN, OVERLAY DISTRICT, AND DESIGN GUIDELINES.

RESOLUTION NO. R-0910-116: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, LIFTING THE TEMPORARY ADMINISTRATIVE DELAY ON THE ACCEPTANCE OF ALL APPLICATIONS FOR BUILDING DEMOLITION, PAVING, PLATTING AND REZONING ACTIVITIES IN THE PORTER AVENUE CORRIDOR PROJECT AREA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved to allow a presentation by Susan Connors, Director of Planning and Community Development, for a progress report on the Porter Corridor Plan, Schematic Design; Overlay District, and Design Guidelines, which motion was duly seconded by Councilmember Griffith;

Item 38, continued:

Items submitted for the record

1. Memorandum dated April 22, 2010, from Susan F. Connors, Director of Planning and Community Development, to the Honorable Mayor Cindy Rosenthal and Councilmembers with Attachment A, letter dated April 15, 2010, regarding Financial Recommendations – Porter Avenue Corridor Study, from Dan Batchelor, President, Center for Economic Development Law, to Mr. Jeff Bryant, City Attorney; Attachment B, Porter Avenue Funding Alternatives dated March 19, 2010; Attachment C, Porter Avenue Corridor Study Roadway Cost Estimate; Attachment D, Alternative No. 1, Do Nothing - Alternative No. 2, Three Lane - Alternative No. 3, Four Lane Improved, and Alternative No. 4, Five Lane; Attachment E, History of Building Permit Activity for Porter Corridor During Temporary Administrative Delay; Attachment F, Resolution No. R-0910-116; and Attachment G, Sample Ordinance Creating a Zoning Overlay District; with Exhibit “A,” Map of Zoning Overlay District Boundaries

Participants in discussion

1. Ms. Susan Connors, Director of Planning and Community Development
2. Mr. Ken Boone, Director of Design, Oschner, Hare, and Hare
3. Mr. Shawn O’Leary, Director of Public Works
4. Mr. Jim Gasaway, 4509 Hunters Hill Circle, Chairman of the Porter Corridor Steering Committee and Chairman of the Planning Commission, made comments
5. Mr. Anthony Francisco, Finance Director

and the question being upon allowing a presentation by Susan Connors, Director of Planning and Community Development, for a progress report on the Porter Corridor Plan, Schematic Design; Overlay District, and Design Guidelines, a vote was taken with the following result:

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

The Mayor declared the motion carried and a presentation by Susan Connors, Director of Planning and Community Development, was allowed for a progress report on the Porter Corridor Plan, Schematic Design; Overlay District, and Design Guidelines.

Thereupon, Councilmember Dillingham moved that Resolution No. R-0910-116 be rejected, which motion was duly seconded by Councilmember Butler;

Participants in discussion

1. Mr. Jim Adair, 101 East Gray Street, Porter Corridor Steering Committee member, made comments
2. Mr. Harold Heiple, 218 East Eufaula Street, made comments
3. Mr. Ty Hardiman, 630 Miller Avenue, Porter Corridor Steering Committee member, proponent
4. Mr. Mark Campbell, 2821 Dewey Avenue, made comments
5. Mr. Bobby Stevens, 3801 108th Avenue S.E., made comments
6. Mr. Sean Rieger, 136 Thompson Drive, Vice-President of the Chamber of Commerce, made comments
7. Ms. Jeanette Coker, 620 East Main Street, proponent
8. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments
9. Ms. Charlene Bushee, 602 Classen Boulevard, protestant
10. Mr. Roger Gallagher, 1522 East Boyd Street, made comments
11. Ms. Sherylann Densow, 2925 Redwood Drive, property owner in the affected area, protestant

and the question being upon rejecting Resolution No. R-0910-116, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-0910-116 was rejected.

## MISCELLANEOUS DISCUSSION

City Employee Layoffs. Mr. Stephen Tyler Holman, 1021 Idaho Street, said he appreciates and supports all the City employees in the audience this evening to discuss layoffs. He said he hopes something can be worked out to keep as many jobs as possible and citizens should buy in Norman which contributes to sales tax. He felt there should be others sources of revenue and the City should not have to rely solely on sales tax.

Mr. Henry Baskeyfield, 4701 Mistletoe Road, President of the American Federation of State, County and Municipal Employees (AFSCME), said he was at Council this evening to encourage City Council to find ways to retain employees. He said the union had asked for the assistance of a budget analyst in Washington, D.C., and would be forwarding recommendations from the analyst to Council. He said he had looked at the budget and suggested taking out some items such as \$125,000 paid to a lobbyist, \$73,000 paid to Oklahoma Municipal League, \$8,000 to the National League of Cities which might save four or five jobs. He said toward the end of a budget year, there was "panic spending" in departments and this should be stopped now with someone to oversee spending to create a surplus. He said he had heard that the layoffs would save the City \$1.7 million but didn't know if unemployment costs were figured into this. He believed Council could still save these jobs.

Mr. Phillip Brooks, 2504 Leeds Lane, said Councilmembers knew about these budget issues last December but employees did not know anything about it. He said he knew nothing until he was told his job was eliminated and losing his job would affect his family and reduce he and his wife's income. He said he worked around the clock digging cars out of the snow during the December blizzard and missed Christmas Eve with his family and was recognized by City Council for this and felt Council should show their appreciation by finding a way to save the jobs.

Mr. Gary Griffiths, 316 West Himes Street, said he was a Maintenance Worker I in the Parks and Recreation Department and had been with the City for eleven years. He said he had not been one of the employees laid off but felt the threat of possibly being "bumped out" of his job. He said he liked what he did and enjoyed his job and did not understand why money was being spent on the Porter Corridor Study when it might not happen. He said there has to be a way to save these jobs.

Mr. W. T. Farrow, 112 Owens Street, Lexington, said he had been with the City for thirteen years and his father began employment at the City in 1972. He said the Sanitation Department is a brotherhood. He said during the ice storm in December, five employees actually spent the night at the Sanitation office and their supervisor called to check on them. He said citizens appreciate what they do and during the hot summer days, would bring the Sanitation employees cool drinks and ask how they are. He said City workers look out for one another and are very dedicated. He said cutting jobs hurts and asked Council to please find another way.

Mr. Ben Shockley, 800 Lexington, said times are hard but he was willing to take furlough days to save someone's job.

Mr. Chris Wilson, 800 Lexington, said he had been with the City for ten years and does not understand why the City is having financial problems. He said he has a wife and three kids and his job has been cut. He said major changes will have to be made and hoped something can be done.

Mr. Mark Mitchell, 9210 Barnell, said the recession started at the end of 2007 and read that the City assumed that they would get more money every year but now there is not enough money. He said management controls the money and the employees do the work and management positions should be cut.

Mr. Bobby Joe Green, Route 2, Purcell, said he had been employed by the City for 28 years and was here this evening to support the City employees. He said he also operated his own cattle and hay hauling business and has people who work for him. He said he takes money out of his own pocket to pay his employees and sometimes people have to do without when they don't have the money.

Mr. Bobby Stevens, 3801 108th Avenue S.E., said the City should not spend money for projects if there is no money.

Mayor Rosenthal said Council values the City employees' comments and their service to the City of Norman. She said this had been a very tough budget year and there is not a single Councilmember that takes the challenge the City is facing lightly. She said Oklahoma was slow to go into a recession and is slow to come out and the downturn hit Norman this year. She said Council is reviewing the budget now and a public hearing is scheduled for May 25th. Council is considering all manner of options available and will be very thoughtful about the choices they have to make.

Miscellaneous Discussion, continued:

City Employee Layoffs, Continued. Mr. Steve Lewis, City Manager, said the City is currently in negotiations with AFSCME and their bargaining representatives as the contract expires this summer to reach some solutions. He said he had recently met with the AFSCME representatives and some management team members to discuss the financial condition of the City and discussed different ideas and will continue to look at all the options.

Councilmember Kovach said everyone on Council takes the loss of jobs very seriously. He said having trained Staff was an incredible asset and the citizen survey came back with high rankings for City workers. He said Council should focus on employees being an asset, not a liability. Norman puts people first and that's what makes the City as special community. He said every possible option should be examined and people cannot be reinstated as easily as a program. He said the Public Safety Sales Tax contains provisions with great foresight to address emergency situations and asked Council to consider seriously looking at this option. He said Council to reflect on their true priorities.

Councilmember Ezzell said he agreed with Councilmember Kovach and read the language of the Public Safety Sales Tax Ordinance and felt if Council had the will, the choice is available. He said he was asked about the furlough policy recently by an employee and there was some confusion whether management employees would be treated any differently with the furlough policy and the answer to that was no – there was no distinction or difference in treatment. He said he asked the City Manager why termination would be June 3rd for those who were being laid off when the fiscal year end was June 30th. He said the manager said there was a process that needed to be followed that took time. He said the grievance process would need to play out and a “bumping” procedure that would occur. He said this took an average of two months. He encouraged Council to not make any permanent decisions prior to June 30. He said he agreed with Councilmember Quinn and Mr. Holman that sales tax dollars needed to be spent in Norman.

Councilmember Dillingham said she appreciated the employees for coming this evening. He said she is taking part in furloughs at her employment as well. She said she had spoken to the City Manager about the possibility of using Public Safety Sale Tax and urged employees to bring forth any suggestions they might have.

Councilmember Quinn echoed the other Councilmembers' thoughts and concerns about job cuts. He said there was no way of knowing if the problem can be solved, but Council will continue to work on it. He urged everyone to “Shop Norman.”

Councilmember Cubberley said there is never a good time to announce furloughs or job cuts. He said the City's budget challenges should not have been news and that Council had been discussing this with the City Manager since last fall. He said the media did not get interested until things got serious.

Councilmember Griffith said the reality is that we are in tough times, sales tax had declined dramatically. He said he hoped that some of the positions could be retained and he deeply appreciates the service the City employees provide.

Councilmember Butler said Council will do their best to find other ways.

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Signs Knocked Down. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he thought the Oklahoma Department of Transportation was responsible for signs on Highway 9, but the City still maintained signs on 36th Avenue and 48th Avenue. He said there was sign that had been knocked down and needed to be put back up.

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Year of the Vietnam Veteran – Operation Oklahoma. Mayor Rosenthal commended Councilmember Atkins who is co-chairing a committee with former City Manager Brad Gambill to help put together a celebration on 4th of July that celebrates “Year of the Vietnam Veteran” sponsored by the Army National Guard.

Councilmember Atkins said this was a state-wide recognition for Vietnam veterans and is a two-week celebration that will begin in the Tulsa area and culminate in Norman. He said Norman's participation will include hosting the Dignity Memorial Vietnam Wall for one week, which will be escorted in through the Patriot Guards among other things. He said there will be a Public Meeting at 6:30 p.m., Monday, May 3rd at City Hall for those who were interested in volunteering to help out. He urged citizens to find out more and volunteer to help the Vietnam veterans.

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Miscellaneous Discussion, continued:

Student Officers. Councilmember Quinn commended students for running for offices in school such as student council.

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Household Hazardous Event. Councilmember Butler thanked everyone who participated in the Household Hazardous Event last Saturday, April 24th.

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ADJOURNMENT

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

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 11:25 p.m.

ATTEST:

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City Clerk

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Mayor