

CITY COUNCIL SPECIAL SESSION MEETING MINUTES

June 8, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session meeting at 5:30 p.m. in the Municipal Building Conference Room on the 8th day of June, 2010, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and 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

Item 1, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-103: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DIVERSIFIED CONSTRUCTION OF OKLAHOMA, INC., INCREASING THE CONTRACT AMOUNT BY \$36,298.90 FOR THE RELOCATION OF AN ELECTRICAL TRANSMISSION LINE UTILITY POLE ASSOCIATED WITH THE FIRE STATION NO. EIGHT CONSTRUCTION PROJECT LOCATED ON 36TH AVENUE N.W. 1/4 MILE NORTH OF TECUMSEH ROAD.

Council approved Contract No. K-0910-103 with Diversified Construction of Oklahoma, Inc., in the amount of \$2,064,000 for construction of Fire Station No. 8 on December 22, 2009. Mr. James Fullingim, Fire Chief, said In the design plans, an electrical transmission line utility pole was located in the center of the future driveway and its relocation was omitted from the original bid specifications as preliminary construction estimates indicated the bid would go over budget. Staff planned to relocate the pole at a later date when money was available. Mr. Fullingim said after the bid was awarded, it was determined the project could remain within budget including the utility pole relocation. Change Order No. One in the amount of \$36,298.90 allows for the relocation of the pole and transmission lines. If Change Order No. One is approved, work will begin immediately with no delay to the construction schedule.

Items submitted for the record

1. Memorandum dated June 1, 2010, from James Fullingim, Fire Chief, to Honorable Mayor and City Council
2. Letter dated May 27, 2010, from David M. Robinson, AIA, LEED AP, Kirkpatrick Architecture Studio, to Mr. Jim Bailey, Deputy Fire Chief
3. Change Order No. One to Contract No. K-0910-103
4. Request for Pricing to relocation electrical transmission lines

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Item 2, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(4) IN ORDER TO DISCUSS WORKERS' COMPENSATION COURT CASE NO. WCC 2009-09560 J, HOMER "PAUL" HARVEY, JR., VS. THE CITY OF NORMAN; JEWELL VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2009-1763L; AND REYNOLDS VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2010-512BH.

Councilmember Quinn moved that the Special Session be adjourned out of and an Executive Session be convened into in order to discuss Workers' Compensation Court Case No. WCC 2009-09560 J, Homer "Paul" Harvey, Jr., vs. the City of Norman; Jewell vs. the City of Norman, Cleveland County District Court Case No. CJ-2009-1763L; and Reynolds vs. the City of Norman, Cleveland County Court Case No. CJ-2010-512BH, which motion was duly seconded by Councilmember Atkins; and the question being upon adjourning out of the Special Session and convening into an Executive Session in order to discuss Workers' Compensation Court Case No. WCC 2009-09560 J, Homer "Paul" Harvey, Jr., vs. the City of Norman; Jewell vs. the City of Norman, Cleveland County District Court Case No. CJ-2009-1763L; and Reynolds vs. the City of Norman, Cleveland County Court Case No. CJ-2010-512BH, 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 Special Session adjourned out of; and an Executive Session was convened into in order to discuss Workers' Compensation Court Case No. WCC 2009-09560 J, Homer "Paul" Harvey, Jr., vs. the City of Norman; Jewell vs. the City of Norman, Cleveland County District Court Case No. CJ-2009-1763L; and Reynolds vs. the City of Norman, Cleveland County Court Case No. CJ-2010-512BH.

The City Council adjourned into Executive Session at 5:35 p.m. Mr. Steve Lewis, City Manager, Mr. Jeff Bryant, City Attorney; Mr. Blaine Nice, Assistant City Attorney, and Ms. Rebecca Frazier, Assistant City Attorney, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Thereupon, Councilmember Quinn moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Cubberley; and the question being upon reconvening the Special Session, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the Special Session was reconvened at 6:16 p.m.

The Mayor said Workers' Compensation Court Case No. WCC 2009-09560 J, Homer "Paul" Harvey, Jr., vs. the City of Norman; Jewell vs. the City of Norman, Cleveland County District Court Case No. CJ-2009-1763L; and Reynolds vs. the City of Norman, Cleveland County Court Case No. CJ-2010-512BH, were discussed in Executive Session. No action was taken and no votes were cast.

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ADJOURNMENT

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

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

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 6:26 p.m.

ATTEST:

City Clerk

Mayor