

CITY COUNCIL SPECIAL SESSION MINUTES

January 25, 2011

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 25th day of January, 2011, 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 48 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-1011-86 WITH RDNJ, INC., D/B/A A-TECH PAVING INCREASING THE CONTRACT AMOUNT BY \$103,742.50 FOR THE 2010 URBAN CONCRETE PAVEMENT REHABILITATION BOND PROJECTS.

Mr. Greg Hall, Superintendent of Streets, said the original budget for the Urban Concrete Pavement Rehabilitation Bond Projects is \$864,153 and the lowest bid from A-Tech Paving in the amount of \$550,410.50, is 36% under the total budget. He said Change Order No. One will allow additional concrete panel work on existing streets in the program that were not previously specified as well as additional joint and crack sealing. He said the change order will also allow maintenance of an entire street, end to end, and unfriendly bike grates will be changed out as well.

Items submitted for the record

1. PowerPoint presentation entitled, "Urban Concrete Pavement Rehabilitation Change Order Number 1"

Item 2, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1011-126 WITH TRAFFIC SIGNALS, INC., DECREASING THE CONTRACT AMOUNT BY \$900 FOR THE FYE 2011 SOLAR POWERED RADAR SPEED FEEDBACK UNITS TO BE PLACED ON WALNUT ROAD, CHERRY CREEK DRIVE, WESTERN VIEW DRIVE, AND NORTHCLIFF AVENUE.

Mr. Angelo Lombardo, Traffic Engineer, said the City Council Oversight Committee directed Staff to use surplus funds from FYE 2010 Traffic Calming Program to develop a pilot project that would apply a different approach to traffic calming using permanently installed solar powered radar speed feedback units. He said locations chosen for the pilot program were neighborhoods that did not meet the petition support requirements of 60% for the installation of speed humps or traffic circles, but the neighborhoods do have speeding problems. He said the Committee wanted some type of relief for the neighborhoods and, at the same time, test the long term effects of using radar speed feedback units as an alternative calming device. He said if the pilot program helped slow speeding, the City could use the units as a tool in other neighborhoods that did not want speed humps. He said the pilot locations were Walnut Road, Cherrycreek Drive, Western View Drive, and Northcliff Avenue. He said Change Order No. One will allow for the use of a different footing design. He said the original bid specifications called for a reinforced concrete footing but during the bid process, Staff became aware of a product that is a direct burial type system. He said Staff was able to inspect this type of footing that is being used in Moore and Oklahoma City. He said there is a savings of \$900 over the bid amount of \$40,972.50 and the unit can be easily removed and relocated.

Councilmember Ezzell said Cherry Creek residents did not get the 60% petition signature requirements because the traffic calming project is so controversial and they did not want speed humps or traffic circles and had gone as far as circulating a petition to stop traffic calming in their neighborhood. He said residents were angry about the radar units and asked why Cherry Creek was chosen when they did not want calming devices. Mr. Lombardo said residents had contacted the City for relief of speeding issues and had met the criteria to qualify for the program. He said the Oversight Committee wanted to address those residents concerns where speeding was an issue, but the petition support fell short of the requirements. He said the radar units are less intrusive and will hopefully have a long lasting effect in reducing speed. Councilmember Kovach said in the Walnut neighborhood there had been a consensus that residents wanted some type of traffic calming and the overall majority are happy with the alternative. He said the Oversight Committee felt the radar units were less intrusive as they are easily removable if the project fails or sufficient complaints are received to remove them. Chairman Dillingham said all the pilot locations met traffic calming criteria, but residents did not want speed humps so the Committee decided these neighborhoods would benefit from the pilot program. She said if

Cherry Creek is shown not to have a speeding problem, Staff can remove the radar units, but they originally met criteria for traffic calming, which includes Staff confirmation of a speeding problem.

Councilmember Ezzell asked how the neighborhood could start the process to remove the radar units. Mr. Lombardo said the radar units could replace the existing speed limit signs in the neighborhood and the only difference is the units make drivers more aware of their speed. Mayor Rosenthal said, historically, there has been a speeding problem in that neighborhood and asked if the units are being placed by petition or if they are placed as an intervention for a public safety initiative without citizen input. Mr. Lombardo said Staff intends to monitor the units effectiveness and if the units reduce speeding they could be added to the toolbox of traffic calming devices presented as a choice to neighborhoods at meetings held as part of the traffic calming program process. Mr. Shawn O'Leary, Director of Public Works, said, as part of the pilot project process, criteria could be added to provide for removal of the units by petition.

Items submitted for the record

1. PowerPoint presentation entitled, "City of Norman Solar Powered Radar Speed Feedback Units, Contract No. K-1011-126 Change Order No. 1," presentation to City Council dated January 25, 2011

Item 3, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 § 307(B)(4) IN ORDER TO DISCUSS THREATENED LITIGATION ASSOCIATED WITH FREDERICK SPITZ VS. THE CITY OF NORMAN, CLEVELAND COUNTY COURT CASE NO. CJ-88-58BH.

Councilmember Quinn moved that the Special Session be adjourned out of and an Executive Session be convened into as authorized by Oklahoma Statutes Title 25 § 307(B)(4) in order to discuss threatened litigation associated with Frederick Spitz vs. the City of Norman, Cleveland County Case No. CJ-88-58BH, which motion was duly seconded by Councilmember Kovach; and the question being upon adjourning out of the Special Session and convening into an Executive Session as authorized by Oklahoma Statutes Title 25 § 307(B)(4) in order to discuss threatened litigation associated with Frederick Spitz vs. the City of Norman, Cleveland County Case No. CJ-88-58BH, 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 as authorized by Oklahoma Statutes Title 25 § 307(B)(4) in order to discuss threatened litigation associated with Frederick Spitz vs. the City of Norman, Cleveland County Case No. CJ-88-58BH.

The City Council adjourned into Executive Session at 5:50 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Mr. Blaine Nice, Assistant City Attorney; and Mr. Shawn O'Leary, Director of Public Works, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Thereupon, Councilmember Dillingham moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Griffith; 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, Quinn,
Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the Special Session was reconvened at 6:17 p.m.

The Mayor said a threatened litigation associated with Frederick Spitz vs. the City of Norman, Cleveland County Case No. CJ-88-58BH, was discussed in Executive Session. No action was taken and no votes were cast.

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ADJOURNMENT

There being no further business, Councilmember Quinn moved that the meeting be adjourned, which motion was duly seconded by Councilmember Dillingham; 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 6:18 p.m.

ATTEST:

City Clerk

Mayor