

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

March 22, 2011

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 22nd day of March, 2011, 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 Mayor Rosenthal.

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AWARDS AND PRESENTATIONS

Item 3, being:

PROCLAMATION NO. P-1011-11: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING A SISTER CITY RELATIONSHIP BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AREZZO, ITALY.

Councilmember Kovach moved that receipt of Proclamation No. P-1011-11 establishing a Sister City relationship between the City of Norman, Oklahoma, and Arezzo, Italy, be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. P-1011-11 dated March 2, 2011
2. Proclamation No. P-1011-11

Participants in discussion

1. Ms. Marles Bradley, 421 Daybreak Drive, member of the Passports Sister City Committee, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-11 establishing a Sister City relationship between the City of Norman, Oklahoma, and Arezzo, Italy, 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-1011-11 establishing a Sister City relationship between the City of Norman, Oklahoma, and Arezzo, Italy, acknowledged; and the filing thereof was directed.

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Item 4, being:

PROCLAMATION NO. P-1011-12: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 25 THROUGH 29, 2011, AS OU STAFF WEEK IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-1011-12 proclaiming the week of April 25 through 29, 2011, as OU Staff Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Atkins;

Items submitted for the record

1. Text File No. P-1011-12 dated March 2, 2011
2. Proclamation No. P-1011-12
3. 2011 University of Oklahoma Community Impact Report

Participants in discussion

1. Ms. Terri Smith, OU Staff Week Chair, accepted the proclamation, thanked the Council, and provided a summary of the 2011 University of Oklahoma Community Impact Report

and the question being upon acknowledging receipt of Proclamation No. P-1011-12 proclaiming the week of April 25 through 29, 2011, as OU Staff 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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1011-12 proclaiming the week of April 25 through 29, 2011, as OU Staff Week in the City of Norman acknowledged; and the filing thereof was directed.

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Item 5, being:

PROCLAMATION NO. P-1011-13: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, APRIL 2, 2011, AS ARBOR DAY IN THE CITY OF NORMAN.

Councilmember Griffith moved that receipt of Proclamation No. P-1011-13 proclaiming Saturday, April 2, 2011, as Arbor Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Text File No. P-1011-13 dated March 2, 2011
2. Proclamation No. P-1011-13

Participants in discussion

1. Mr. Darrell Janaway, Chairman of the Tree Board, 5012 Deerhurst Drive, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-13 proclaiming Saturday, April 2, 2011, as Arbor Day 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-1011-13 proclaiming Saturday, April 2, 2011, as Arbor Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 6, being:

PROCLAMATION NO. P-1011-15: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA. PROCLAIMING SUNDAY, APRIL 10, 2011, AS "STOP THE STIGMA" DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1011-15 proclaiming Sunday, April 10, 2011, as "Stop the Stigma" Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. P-1011-15 dated March 15, 2011
2. Proclamation No. P-1011-15

Participants in discussion

1. Mr. Ed Kearns, 127 West Acres Street, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-15 proclaiming Sunday, April 10, 2011, as "Stop the Stigma" Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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| 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-1011-15 proclaiming Sunday, April 10, 2011, as "Stop the Stigma" Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 7, being:

PROCLAMATION NO. P-1011-16: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, EXPRESSING DEEPEST SYMPATHY, CONCERN, AND PRAYERS FOR THE PEOPLE OF JAPAN AFTER EXPERIENCING AN EARTHQUAKE AND SUBSEQUENT TSUNAMI ON MARCH 10, 2011.

Councilmember Kovach moved that receipt of Proclamation No. P-1011-16 expressing deepest sympathy, concern, and prayers for the people of Japan after experiencing an earthquake and subsequent tsunami on March 10, 2011, be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. P-1011-16 dated March 15, 2011
2. Proclamation No. P-1011-16

Participants in discussion

1. Dr. Yoshi and Mrs. Koko Sasaki, 906 Timberdell Road, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1011-16 expressing deepest sympathy, concern, and prayers for the people of Japan after experiencing an earthquake and subsequent tsunami on March 10, 2011, and upon the subsequent directive, a vote was taken with the following result:

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| 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-1011-16 expressing deepest sympathy, concern, and prayers for the people of Japan after experiencing an earthquake and subsequent tsunami on March 10, 2011, acknowledged; and the filing thereof was directed.

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Item 8, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 9 through Item 42 excluding Item 14 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Atkins; and the question being upon the placement on the consent docket by unanimous vote of Item 9 through Item 42 excluding Item 14, 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 9 through Item 42 excluding Item 14 were placed on the consent docket by unanimous vote.

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Item 9, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF MARCH 1, 2011
CITY COUNCIL CONFERENCE MINUTES OF MARCH 8, 2011
CITY COUNCIL MINUTES OF MARCH 8, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF MARCH 8, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF MARCH 8, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MARCH 8, 2011

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 Quinn;

Items submitted for the record

1. City Council Study Session minutes of March 1, 2011
2. City Council Conference minutes of March 8, 2011
3. City Council minutes of March 8, 2011
4. Norman Utilities Authority minutes of March 8, 2011
5. Norman Municipal Authority minutes of March 8, 2011
6. Norman Tax Increment Finance Authority minutes of March 8, 2011

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 10, being:

CONSIDERATION OF ORDINANCE NO. O-1011-18 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE VIII, SECTIONS 13-809 THROUGH 13-814; AND ARTICLE XXVIII, SECTION 13-2804, 13-2806 AND 13-2809 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN BY ADDING PROVISIONS AND AMENDING THE APPLICATION AND PERMIT ISSUANCE PROCEDURES AND FEES FOR TEMPORARY FOOD ESTABLISHMENTS AND SOLICITORS AND PEDDLERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-18 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. O-1011-18 dated March 7, 2011, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1011-18
3. Legislatively notated copy of Ordinance No. O-1011-18
4. City Council Oversight Committee minutes of May 12 and August 4, 2011
5. Pertinent excerpts from City Council Oversight Committee minutes of November 3 and December 1, 2010, and January 5, 2011
6. Pertinent excerpts from City Council Conference minutes of February 22, 2011

and the question being upon the Introduction and adoption of Ordinance No. O-1011-18 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-1011-18 was Introduced, read, and adopted upon First Reading by title.

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Item 11, being:

CONSIDERATION OF ORDINANCE NO. O-1011-44 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING SECTION 431.6 (COMMERCIAL OUTDOOR LIGHTING STANDARDS) AND AMENDING SECTION 431.7 (DEVELOPMENT AND MAINTENANCE OF OFF STREET PARKING FACILITIES), AND SECTION 450 (DEFINITIONS) OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO CREATE COMMERCIAL OUTDOOR LIGHTING STANDARDS AND ADDING RELATED DEFINITIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1011-44 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. O-1011-44 dated January 19, 2011, by Susan Connors, Director of Planning and Community Development
2. Ordinance No. O-1011-44
3. Legislatively notated copy of Ordinance No. O-1011-44
4. Staff Report dated February 10, 2011, from Doug Kosciński, AICP, Manager, Current Planning Manager, to Chairman and Members, Norman Planning Commission
5. Pertinent excerpts from Planning Commission minutes of February 10, 2011
6. Pertinent excerpts from City Council Conference minutes of September 28, 2010
7. Pertinent excerpts from City Council Planning and Community Development Committee minutes of November 12, 2010

Item 11, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1011-44 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-1011-44 was Introduced, read, and adopted upon First Reading by title.

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Item 12, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF FEBRUARY 28, 2011, 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 Quinn;

Items submitted for the record

1. Text File No. RPT-1011-33 dated March 4, 2011, by Anthony Francisco, Finance Director
2. Finance Director's Investment Report of February 28, 2011

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

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 13, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF FEBRUARY, 2011, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File No. RPT-1011-34 dated February 11, 2011, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of February, 2011

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

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

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

NAYES: None

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

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Item 14, being:

CONSIDERATION OF THE NORMAN CONVENTION AND VISITORS BUREAU, INC., SEMI-ANNUAL REPORT ENDING DECEMBER 31, 2010.

Item 14 was withdrawn at the request of staff.

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Item 15, being:

SUBMISSION OF THE MUNICIPAL ELECTION REPORT FROM THE ENFORCEMENT AUTHORITY.

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

Items submitted for the record

1. Text File No. RPT-1011-37 dated March 14, 2011, by Brenda Hall, City Clerk
2. Enforcement Authority Report dated March 11, 2011, submitted by Mary Francis, Chair; Dr. Richard Hilbert, Vice-Chair; and Nina Flannery, Ty Hardiman, and Dorinda Harvey, members, Enforcement Authority
3. Enforcement Authority minutes of January 20, February 25 and 28, and March 4, 2011

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 16, being:

CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-1011-62 FROM GRISSOM LANDSCAPE NURSERY, L.L.C., IN THE AMOUNT OF \$8,710.50 FOR THE HIGH MEADOWS PARK TREE PLANTING PROJECT, APPROVAL OF CONTRACT NO. K-1011-160, AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1011-103.

Councilmember Kovach moved that Request for Proposal No. RFP-1011-62 from Grissom's Landscape Nursery, L.L.C., in the amount of \$8,710.50 be accepted; Contract No. K-1011-160 be approved; the execution thereof be authorized; and Resolution No. R-1011-103 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-1011-160 dated March 9, 2011, by James Briggs, Park Planner
2. Tabulation of Proposals dated March 5, 2011, for the High Meadows Park Tree Planting Project
3. Contract No. K-1011-160
4. Resolution No. R-1011-103
5. Purchase Requisition No. 0000184039 dated March 17, 2011, in the amount of \$8,710.50 to Grissom's Landscape Nursery, L.L.C.

Item 16, continued:

and the question being upon accepting Request for Proposal No. RFP-1011-62 from Grissom's Landscape Nursery, L.L.C., in the amount of \$8,710.50 and upon the subsequent approval, authorization, and adoption, 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 Request for Proposal No. RFP-1011-62 from Grissom's Landscape Nursery, L.L.C., in the amount of \$8,710.50 accepted; Contract No. K-1011-160 was approved, the execution thereof was authorized, and Resolution No. R-1011-103 was adopted.

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Item 17, being:

TEMPORARY EASEMENT NO. E-1011-49: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT DONATED BY NORMAN LODGE NO. 1799, LOYAL ORDER OF MOOSE, FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1011-49 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-49 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Temporary Easement No. E-1011-49
3. Location map

and the question being upon accepting Temporary Easement No. E-1011-49 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 Temporary Easement No. E-1011-49 accepted; and the filing thereof with the City Clerk was directed.

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Item 18, being:

EASEMENT NO. E-1011-50: CONSIDERATION OF ACCEPTANCE OF A UTILITY EASEMENT DONATED BY NORMAN LODGE NO. 1799, LOYAL ORDER OF MOOSE, FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Easement No. E-1011-50 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-50 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Easement No. E-1011-50
3. Location map

Item 18, continued:

and the question being upon accepting Easement No. E-1011-50 and upon the subsequent directive, a vote was taken with the following result:

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| 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 Easement No. E-1011-50 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 19, being:

TEMPORARY EASEMENT NO. E-1011-51: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT DONATED BY NORMAN COMMERCIAL RENTALS, INC., FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1011-51 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-51 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Temporary Easement No. E-1011-51
3. Location map

and the question being upon accepting Temporary Easement No. E-1011-51 and upon the subsequent directive, a vote was taken with the following result:

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| 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 Temporary Easement No. E-1011-51 accepted; and the filing thereof with the City Clerk was directed.

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Item 20, being:

EASEMENT NO. E-1011-52: CONSIDERATION OF ACCEPTANCE OF A UTILITY EASEMENT DONATED BY NORMAN COMMERCIAL RENTALS, INC., FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Easement No. E-1011-52 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-52 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Easement No. E-1011-52
3. Location map

and the question being upon accepting Easement No. E-1011-52 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 Easement No. E-1011-52 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 21, being:

TEMPORARY EASEMENT NO. E-1011-53: CONSIDERATION OF ACCEPTANCE OF A TEMPORARY CONSTRUCTION EASEMENT DONATED BY BOBBY C. AND ELSIE A. GOWENS FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1011-53 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-53 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Temporary Easement No. E-1011-53
3. Location map

and the question being upon accepting Temporary Easement No. E-1011-53 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 Temporary Easement No. E-1011-53 accepted; and the filing thereof with the City Clerk was directed.

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Item 22, being:

EASEMENT NO. E-1011-54: CONSIDERATION OF ACCEPTANCE OF A UTILITY EASEMENT FROM CHRISTINE MARIE KANE AND WHITNEY LEE BOUTIN, JR., IN THE AMOUNT OF \$4,680 FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Easement No. E-1011-54 be accepted, the filing thereof with the Cleveland County Clerk be directed, and payment for the easement be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-54 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Easement No. E-1011-54
3. Location map

and the question being upon accepting Easement No. E-1011-54 and upon the subsequent directive and authorization, a vote was taken with the following result:

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| 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 Easement No. E-1011-54 accepted; the filing thereof with the Cleveland County Clerk was directed and payment for the easement be authorized.

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Item 23, being:

EASEMENT NO. E-1011-55: CONSIDERATION OF ACCEPTANCE OF A UTILITY EASEMENT FROM HAROLD AND ANITA SMART IN THE AMOUNT OF \$9,536 FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Easement No. E-1011-55 be accepted, the filing thereof with the Cleveland County Clerk be directed, and payment for the easement be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-55 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Easement No. E-1011-55
3. Location map

and the question being upon accepting Easement No. E-1011-55 and upon the subsequent directive and authorization, a vote was taken with the following result:

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| 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 Easement No. E-1011-55 accepted; the filing thereof with the Cleveland County Clerk was directed, and payment for the easement be authorized.

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Item 24, being:

EASEMENT NO. E-1011-56: CONSIDERATION OF ACCEPTANCE OF A UTILITY EASEMENT DONATED BY THOMAS J. AND CAROL L. CLEARY D/B/A C.T. INVESTMENTS, A GENERAL PARTNERSHIP, FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Easement No. E-1011-56 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-56 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Easement No. E-1011-56
3. Location map

and the question being upon accepting Easement No. E-1011-56 and upon the subsequent directive, a vote was taken with the following result:

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| 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 Easement No. E-1011-56 accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 25, being:

EASEMENT NO. E-1011-57: CONSIDERATION OF ACCEPTANCE OF A PERMANENT UTILITY EASEMENT DONATED BY NORMAN LODGE NO. 1799, LOYAL ORDER OF MOOSE, FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Easement No. E-1011-57 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-57 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Easement No. E-1011-57
3. Location map

and the question being upon accepting Easement No. E-1011-57 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 Easement No. E-1011-57 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 26, being:

EASEMENT NO. E-1011-58: CONSIDERATION OF ACCEPTANCE OF A UTILITY EASEMENT DONATED BY NORMAN LODGE NO. 1799, LOYAL ORDER OF MOOSE, FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Easement No. E-1011-58 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-58 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Easement No. E-1011-58
3. Location map

and the question being upon accepting Easement No. E-1011-58 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 Easement No. E-1011-58 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 27, being:

EASEMENT NO. E-1011-59: CONSIDERATION OF ACCEPTANCE OF A UTILITY EASEMENT DONATED BY NORMAN LODGE NO. 1799, LOYAL ORDER OF MOOSE, FOR THE US-77/CLASSEN BOULEVARD AND IMHOFF ROAD INTERSECTION PROJECT.

Councilmember Kovach moved that Easement No. E-1011-59 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. E-1011-59 dated March 7, 2011, by John Clink, Capital Projects Engineer, with Attachment 1, Easement Table, U.S. 77/Classen Boulevard and Imhoff Road Intersection
2. Easement No. E-1011-59
3. Location map

and the question being upon accepting Easement No. E-1011-59 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 Easement No. E-1011-59 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 28, being:

CONSIDERATION OF GRANTING EASEMENT NO. E-1011-62 TO OKLAHOMA GAS & ELECTRIC COMPANY LOCATED IN GRIFFIN PARK AT 1001 EAST ROBINSON STREET TO EXTEND ELECTRIC SERVICE TO OTHER AREAS OF THE PARK.

Councilmember Kovach moved that Easement No. E-1011-62 be granted to Oklahoma Gas and Electric Company and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Text File No. E-1011-62 dated March 7, 2011, by James Briggs, Park Planner
- 2. Easement No. E-1011-62 with Exhibit "A," legal description, and Exhibit "B," location map

and the question being upon granting Easement No. E-1011-62 be granted to Oklahoma Gas and Electric Company 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 Easement No. E-1011-62 be granted to Oklahoma Gas and Electric Company granted; and the execution thereof was authorized.

* * * * *

Item 29, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1011-6 FOR OAKMEADOWS WITH A VARIANCE TO THE FRONTAGE REQUIREMENT FOR TRACT 4 AND ACCEPTANCE OF EASEMENT NO. E-1011-61. (1021 120TH AVENUE S.E.)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1011-6 for Oakmeadows and a variance in the minimum acreage requirements for Tract 4 be approved, Easement No. E-1011-61 be accepted, and the filing of the certificate of survey and easement with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

- 1. Text File No. COS-1011-6 dated January 11, 2011, by Ken Danner, Development Manager
- 2. Location map
- 3. Norman Rural Certificate of Survey No. COS-1011-6
- 4. Easement No. E-1011-61
- 5. Staff Report dated February 10, 2011, recommending approval
- 6. Request for Property Access, Variance, Oakmeadows Addition, from Larry F. Bowen, Owner
- 7. City of Norman Predevelopment Case No. PD 10-26 dated December 16, 2010, from Larry Bowen for property located at 1021 108th Avenue S.E.
- 8. Greenbelt Enhancement Statement Comments dated January 24, 2011, for property located at 1021 108th Avenue S.E.
- 9. Pertinent excerpts from Planning Commission minutes of February 10, 2011

and the question being upon approving Norman Rural Certificate of Survey No. COS-1011-6 for Oakmeadows and a variance in the minimum acreage requirements for Tract 4 and upon the subsequent acceptance 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 Norman Rural Certificate of Survey No. COS-1011-6 for Oakmeadows and a variance in the minimum acreage requirements for Tract 4 approved; Easement No. E-1011-61 was accepted and the filing of the certificate of survey and easement with the Cleveland County Clerk were directed.

* * * * *

Item 30, being:

CONSIDERATION OF A FINAL PLAT FOR GREENLEAF TRAILS ADDITION, SECTION 3, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON 12TH AVENUE N.W. APPROXIMATELY ONE-QUARTER MILE SOUTH OF TECUMSEH ROAD)

Councilmember Kovach moved that the final plat for Greenleaf Trails Addition, Section 3, a Planned Unit Development, 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 the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. FP-1011-14 dated October 15, 2010, by Ken Danner, Development Manager
2. Location map
3. Final plat
4. Staff report dated November 18, 2010, recommending approval
5. Preliminary plat
6. Pertinent excerpts from Planning Commission minutes of November 18, 2010

and the question being upon approving the final plat for Greenleaf Trails Addition, Section 3, a Planned Unit Development, 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 for Greenleaf Trails Addition, Section 3, a Planned Unit Development, 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 the filing of the final site development plan and final plat was directed.

* * * * *

Councilmember Ezzell asked that he be allowed to abstain from voting on Item 31 due to a conflict of interest. Thereupon, Councilmember Dillingham moved that Councilmember Ezzell be allowed to abstain from voting on Item 31 due to a conflict of interest, which motion was duly seconded by Councilmember Kovach; and the question being upon allowing Councilmember Ezzell to abstain from voting on Item 31 due to a conflict of interest, a vote was taken with the following result:

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

The Mayor declared the motion carried and Councilmember Ezzell was allowed to abstain from voting on Item 31 due to a conflict of interest.

* * * * *

Item 31, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1011-03 FOR LOTS 12 AND 13, BLOCK 5, BROOKHAVEN NO. 33 ADDITION. (504 MANOR HILL COURT).

Councilmember Kovach moved that Consent to Encroachment No. EN-1011-03 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. EN-1011-3 dated March 7, 2011, by Blaine Nice, Assistant City Attorney
2. Consent to Encroachment No. EN-1011-03
3. Letter of request dated August 26, 2010, from Nina J. Wadley, Ezzell and Borchardt, P.L.L.C., Attorneys at Law, to Brenda Hall, City Clerk, with Exhibit A, legal description, and Exhibit B, location map
4. Site plan
5. Memorandum dated September 24, 2010, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Development Coordinator; and Ken Komiske, Director of Utilities
6. Memorandum dated November 8, 2010, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated March 2, 2011, from Ken Danner, Development Manager, to Blaine Nice, Assistant City Attorney
8. Letter dated November 4, 2010, from Terri Hayes, Manager, OSP Planning and Engineering Design, Norman/Noble Wire Centers, AT&T, to Whom It May Concern
9. E-Mail dated November 8, 2010, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner
10. Letter dated November 17, 2010, from Randy Harrel, Oklahoma Natural Gas, a Division of ONEOK, to Brenda Hall, City Clerk
11. Letter dated March 1, 2011, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Derek and Nicole Mask
12. Letter dated March 2, 2011, from Jodie Finney, Right-of-Way Agent, Cox Communications, Inc., to Derek and Nicole Mask

and the question being upon approving Consent to Encroachment No. EN-1011-03 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Consent to Encroachment No. EN-1011-03 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 32, being:

LIMITED LICENSE NO. LL-1011-11: LIMITED LICENSE TO PLACE TWELVE (12) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE ASSISTANCE LEAGUE OF NORMAN FOR THE MAY FAIR ARTS FESTIVAL TO BE HELD APRIL 29, APRIL 30, AND MAY 1, 2011.

Councilmember Kovach moved that Limited License No. LL-1011-11 to place twelve (12) ground banners within the public rights-of-way pursuant to a request from the Assistance League of Norman be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Item 32, continued:

Items submitted for the record

1. Text File No. LL-1011-11 dated February 14, 2011, by Wayne Stenis, Planner II
2. Application for Limited License dated March 1, 2011, for twelve signs from Jeri Saliba, contact person, Assistance League of Norman
3. List of locations
4. Limited License No. LL-1011-11

and the question being upon approving Limited License No. LL-1011-11 to place twelve (12) ground banners within the public rights-of-way pursuant to a request from the Assistance League of Norman 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. LL-1011-11 to place twelve (12) ground banners within the public rights-of-way pursuant to a request from the Assistance League of Norman approved; and the issuance thereof was authorized.

* * * * *

Item 33, being:

CONSIDERATION OF ALLOWING THE REVITALIZATION DIVISION TO PROCESS APPLICATIONS FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM THE RENAMED AND AMENDED EMERGENCY SHELTER GRANT PROGRAM FOR THE HOMELESS FROM QUALIFYING AGENCIES TO BE SUBMITTED TO THE OKLAHOMA DEPARTMENT OF COMMERCE.

Councilmember Kovach moved that the processing of applications from qualifying agencies by the Revitalization Division for the Emergency Solutions Grant Program for the Homeless be approved, the submission thereof be directed to the Oklahoma Department of Commerce (ODOC), and upon approval from ODOC, the Mayor be authorized to sign the subsequent contracts contingent upon the City Attorney's approval, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. GID-1011-18 dated March 7, 2011, by Lisa Krieg, Grants Planner

and the question being upon approving the processing of applications from qualifying agencies by the Revitalization Division for the Emergency Solutions Grant Program for the Homeless and upon the subsequent directive and 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 the processing of applications from qualifying agencies by the Revitalization Division for the Emergency Solutions Grant Program for the Homeless approved; the submission thereof to ODOC was directed and upon approval from ODOC, the Mayor was authorized to sign the subsequent contracts contingent upon the City Attorney's approval.

* * * * *

Item 34, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0910-161: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CHARLES GROOMS D/B/A COMPLETE LAWN MAINTENANCE EXTENDING THE CONTRACT THROUGH MARCH 31, 2012, FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE REVITALIZATION DIVISION.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0910-161 with Charles Grooms d/b/a Complete Lawn Maintenance extending the contract until March 31, 2012, and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-0910-161, Amendment No. One, dated March 2, 2011, by Linda Price, Revitalization Manager, with Attachment A, Contract Specifications
2. Amendment No. One to Contract No. K-0910-161

and the question being upon approving Amendment No. One to Contract No. K-0910-161 with Charles Grooms d/b/a Complete Lawn Maintenance extending the contract until March 31, 2012, 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-0910-161 with Charles Grooms d/b/a Complete Lawn Maintenance extending the contract until March 31, 2012, approved; and the execution thereof was authorized.

* * * * *

Item 35, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0910-162: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BEAU TEEL D/B/A E & E LAND MANAGEMENT, L.L.C., EXTENDING THE CONTRACT UNTIL MARCH 31, 2012, FOR MOWING, SECURING OF STRUCTURES, AND THE REMOVAL OF HEALTH NUISANCES FOR THE REVITALIZATION DIVISION.

Councilmember Kovach moved that Amendment No. Two to Contract No. K-0910-162 with Beau Teel d/b/a E & E Land Management extending the contract until March 31, 2012, and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-0910-162, Amendment No. One, dated March 2, 2011, by Linda Price, Revitalization Manager, with Attachment A, Contract Specifications
2. Amendment No. One to Contract No. K-0910-162

and the question being upon approving Amendment No. One to Contract No. K-0910-162 with Beau Teel d/b/a E & E Land Management extending the contract until March 31, 2012, 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-0910-162 with Beau Teel d/b/a E & E Land Management extending the contract until March 31, 2012, approved; and the execution thereof was authorized.

* * * * *

Item 36, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0910-163: TO A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND LINEBARGER GOGGAN BLAIR & SAMPSON, L.L.P., EXTENDING THE CONTRACT UNTIL MARCH 23, 2012, FOR MUNICIPAL COURT COLLECTION SERVICES.

Councilmember Kovach moved that Amendment No. One to Contract No. K-0910-163 with Linebarger Goggan Blair and Sampson, L.L.P., extending the contract until March 23, 2012, and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-0910-163, Amendment No. One, dated March 2, 2011, by Ronda Guerrero, Municipal Court Clerk
2. Amendment No. One to Contract No. K-0910-163

Participants in discussion

1. Ms. Ronda Guerrero, Municipal Court Clerk

and the question being upon approving Amendment No. One to Contract No. K-0910-163 with Linebarger Goggan Blair and Sampson, L.L.P., extending the contract until March 23, 2012, 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-0910-162 with Beau Teel d/b/a E & E Land Management extending the contract until March 31, 2012, approved; and the execution thereof was authorized.

* * * * *

Item 37, being:

CONTRACT NO. K-1011-144: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CLASSIC CONCESSION, INC., FOR THE OPERATION OF THE GRIFFIN COMMUNITY PARK YOUTH BASEBALL AND SOFTBALL CONCESSIONS FOR THE PARKS AND RECREATION DEPARTMENT.

Councilmember Kovach moved that Contract No. K-1011-144 with Classic Concession, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-1011-144 dated March 4, 2011, by Jud Foster, Director of Parks and Recreation
2. Contract No. K-1011-144

and the question being upon approving Contract No. K-1011-144 with Classic Concession, Inc., 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 Contract No. K-1011-144 with Classic Concession, Inc., approved; and the execution thereof was authorized.

* * * * *

Item 38, being:

CONTRACT NO. K-1011-154: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND NORMAN REGIONAL HOSPITAL AUTHORITY D/B/A NORMAN REGIONAL HEALTH SYSTEM TO PROVIDE CERTAIN HEALTH CARE SERVICES FOR WORKERS INJURED ON THE JOB.

Councilmember Kovach moved that Contract No. K-1011-154 with Norman Regional Hospital Authority d/b/a Norman Regional Health System be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-1011-154 dated March 3, 2011, by Blaine Nice, Assistant City Attorney
2. Contract No. K-1011-154 with Exhibit A, Reimbursement Schedule, and Exhibit B, NRHS Affiliated Entities

and the question being upon approving Contract No. K-1011-154 with Norman Regional Hospital Authority d/b/a Norman Regional Health System 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 Contract No. K-1011-154 with Norman Regional Hospital Authority d/b/a Norman Regional Health System approved; and the execution thereof was authorized.

* * * * *

Item 39, being:

CONTRACT NO. K-1011-155: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND 329 PARTNERS II - LIMITED PARTNERSHIP IN THE AMOUNT OF \$540 PER YEAR FOR THE LEASE OF CITY PROPERTY (RIGHT-OF-WAY) LOCATED AT LOTS 31, 32, AND PART OF 33, BLOCK 1, LARSH'S UNIVERSITY ADDITION TO THE CITY OF NORMAN, OKLAHOMA. (575 SOUTH UNIVERSITY BOULEVARD).

Councilmember Kovach moved that Contract No. K-1011-155 with 329 Partners II – Limited Partnership in the amount of \$540 per year be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Letter dated February 23, 2011, from H. Rainey Powell, Manager, 329 Partners-II Limited Partnership, to Brenda Hall, City Clerk
2. Text File No. K-1011-155 dated March 4, 2011, by Leah Messner, Assistant City Attorney
3. Contract No. K-1011-155 with Exhibit A, location maps

and the question being upon approving Contract No. K-1011-155 with 329 Partners II – Limited Partnership in the amount of \$540 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 Contract No. K-1011-155 with 329 Partners II – Limited Partnership in the amount of \$540 approved; and the execution thereof was authorized.

* * * * *

Item 40, being:

CONTRACT NO. K-1011-159: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND TRANS-TEL CENTRAL, INC., IN THE AMOUNT OF \$130,600 FOR THE PURCHASE AND INSTALLATION OF FIBER TO FOUR CITY OF NORMAN LOCATIONS.

Councilmember Kovach moved that Contract No. K-1011-159 with Trans-Tel Central, Inc., in the amount of \$130,600 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. K-1011-159 dated March 4, 2011, by Jennifer Gray, Telecommunications Administrator
2. Contract No. K-1011-159 with Attachment A, list of projects, and Attachment B, project costs

and the question being upon approving Contract No. K-1011-159 with Trans-Tel Central, Inc., in the amount of \$130,600 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 Contract No. K-1011-159 with Trans-Tel Central, Inc., in the amount of \$130,600 approved; and the execution thereof was authorized.

* * * * *

Item 41, being:

RESOLUTION NO. R 1011-98: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE REQUIREMENTS FOR MEMBERS APPOINTED TO THE OVERSIGHT COMMITTEE IMPLEMENTED TO END CHRONIC HOMELESSNESS (ECHO).

Councilmember Kovach moved that Resolution No. R-1011-98 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. R-1011-98 dated March 15, 2011, by Linda Price, Revitalization Manager
2. Resolution No. R-1011-98

and the question being upon adopting Resolution No. R-1011-98, 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 Resolution No. R-1011-98 was adopted.

* * * * *

Item 42, being:

RESOLUTION NO. R-1011-102: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$3,821 FROM THE ART IN PUBLIC PLACES FUND BALANCE TO BE USED BY THE NORMAN ARTS COUNCIL AS OUTLINED IN ORDINANCE NO. O-0708-5.

Councilmember Kovach moved that Resolution No. R-1011-102 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. R-1011-102 dated March 3, 2011, by Clint Mercer, Chief Accountant
2. Revenue and disbursements from the Arts and Public Places Fund from October 1, 2007, through February 28, 2011
3. Resolution No. R-1011-102

and the question being upon adopting Resolution No. R-1011-102, 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 Resolution No. R-1011-102 was adopted.

* * * * *

Item 43, being:

RESOLUTION NO. R-1011-82: 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-1011-5**, SO AS TO PLACE LOTS 1-10, BLOCK 3; LOTS 1-9, BLOCK 4; LOTS 1-10, BLOCK 5; AND LOT 1, BLOCK 6, PRESIDENTIAL NO. 4 ADDITION AND ALL OF LOTS 1-13, BLOCK 1, AND LOTS 1-6, BLOCK 2, PRESIDENTIAL NO. ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE HIGH-DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE COMMERCIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (1801 JEFFERSON COURT AND 2681 JEFFERSON DRIVE).

Councilmember Kovach moved that Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, be postponed until April 12, 2010, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. R-1011-82 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Email requesting postponement dated March 11, 2011, from Sean Rieger to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry
3. Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5
4. Location map
5. Staff Report dated February 10, 2011, recommending approval
6. City of Norman Predevelopment Case No. PD 10-28 dated December 16, 2010, submitted by 2681 Jefferson Street Holdings, L.L.C., for property south of intersection of I-35 and Highway 9 East
7. Greenbelt Enhancement Statement Comments dated January 24, 2011
8. Pertinent excerpts from City Council minutes of February 10, 2011

Item 43, being:

and the question being upon postponing Resolution No. R-1011-82, Land Use Plan Amendment No. LUP-1011-5, until April 12, 2011, 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 Resolution No. R-1011-83, Land Use Plan Amendment No. LUP-1011-5, was postponed until April 12, 2011.

* * * * *

Item 44, being:

ORDINANCE NO. O-1011-41: 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 PLACE LOTS 1-10, BLOCK 3; LOTS 1-9, BLOCK 4; LOTS 1-10, BLOCK 5; AND LOT 1, BLOCK 6, PRESIDENTIAL NO. 4 ADDITION, AND ALL OF LOTS 1-13, BLOCK 1, AND LOTS 1-6, BLOCK 2, PRESIDENTIAL NO. 3 ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND REMOVE THE SAME FROM THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1801 JEFFERSON COURT AND 2681 JEFFERSON DRIVE)

Ordinance No. O-1011-41 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 8, 2011, Councilmember Atkins moved that Ordinance No. O-1011-41 be postponed until April 12, 2011, which motion was duly been seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. O-1011-41 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Email requesting postponement dated March 11, 2011, from Sean Rieger to Susan Connors, Doug Koscinski, Brenda Hall, Cindy Rosenthal, Steve Lewis, Tom Kovach, Hal Ezzell, and Ellen Usry
3. Ordinance No. O-1011-41
4. Location map
5. Staff Report dated February 10, 2011, recommending approval
6. Pertinent excerpts from Planning Commission minutes of February 10, 2011

and the question being upon postponing Ordinance No. O-1011-41 until April 12, 2011, 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-1011-41 was postponed until April 12, 2011.

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Item 45, being:

ORDINANCE NO. O-1011-39: 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 BAR FOR PROPERTY CURRENTLY ZONED C-2, GENERAL COMMERCIAL DISTRICT, LYING WITHIN LOT 1, BLOCK 1, COLONIAL ESTATES "A" ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1317 EAST LINDSEY STREET)

Ordinance No. O-1011-39 having been Introduced and adopted upon First Reading by title in City Council's meeting of February 8, 2011, and Councilmember Atkins having moved in Council's meeting of February 22, 2011, that Ordinance No. O-1011-39 be postponed until March 22, 2011, which motion having duly been seconded by Councilmember Dillingham, Councilmember Atkins moved that Ordinance No. O-1011-39 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1011-39 dated December 14, 2010, by Doug Koscinski, Current Planning Manager
 2. Ordinance No. O-1011-39 with Exhibit A, site plan
 3. Location map
 4. Staff report dated January 13, 2011, recommending denial
 5. Service Description
 6. Norman Predevelopment Summary Case No. PD 10-24 dated October 28, 2010, for Mary and Susan Lemmond for property located at 1317 East Lindsey Street
 7. Norman Predevelopment Summary Case No. PD 10-24 dated November 18, 2010, for Mary and Susan Lemmond for property located at 1317 East Lindsey Street
 8. Protest area map containing 2.34% protest within notification area
 9. Letter of protest dated December 27, 2010, from Charles and Alice Henson to Norman Planning Commission
 10. Letter of protest dated December 27, 2010, from Dorothy Wiggins to Norman Planning Commission
 11. Letter of protest dated January 6, 2011, from John F. Otto, DVM, to Planning Commission Members
 12. Pertinent excerpts from Planning Commission minutes of January 13, 2011
 13. Letter requesting postponement filed February 22, 2011, from Susan Lemmond, CEO, Lemmco, L.L.C., and Mary Lemmond, COO, Lemmco, L.L.C., to Ms. Hall
 14. Pertinent excerpts from City Council minutes of February 22, 2011
- Participants in discussion
1. Ms. Susan Lemmond, 1808 Oakhollow Drive, applicant
 2. Ms. Susan Connors, Director of Planning and Community Development
 3. Mr. Mark Campbell, 2821 Dewey Avenue, asked questions

and the question being upon adopting Ordinance No. O-1011-39 upon Second Reading section by section, 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-1011-39 was adopted upon Second Reading section by section.

Thereupon, Councilmember Atkins moved that Ordinance No. O-1011-39 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Dillingham; and the question being upon adopting Ordinance No. O-1011-39 upon Final Reading as a whole, the roll was called 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-1011-39 was adopted upon Final Reading as a whole.

* * * * *

Item 46, being:

RESOLUTION NO. R-1011-83: 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-1011-6**, SO AS TO PLACE PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA AND TO PLACE TRACT 1 OF SAID PROPERTY IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD EAST OF 48TH AVENUE N.W.)

Councilmember Quinn moved that Resolution No. R-1011-83, Land Use Plan Amendment No. LUP-1011-6, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. R-1011-83 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Resolution No. R-1011-83, Land Use Plan Amendment No. LUP-1011-6
3. Location map
4. Staff Report dated February 10, 2011, recommending approval
5. Norman Predevelopment Summary Case No. PD 10-11 dated June 24, 2010, submitted by Sassan K. Moghadam for property located at the northeast corner of 48th Avenue N.W. and Indian Hills Road
6. Pertinent excerpts from Planning Commission minutes of February 10, 2011

Participants in discussion

1. Ms. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. Richard McKown, 3309 Cannon Drive, applicant
3. Ms. Susan Connors, Director of Planning and Community Development
4. Mr. Ken Komiske, Director of Utilities
5. Mr. Shawn O'Leary, Director of Public Works
6. Mr. Tom McCaleb, SMC Consulting Engineers, 815 West Main Street, Oklahoma City, engineer representing the applicant
7. Mr. Pat Copeland, Post Office Box 6556, protestant
8. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
9. Mr. Jeff Bryant, City Attorney

and the question being upon adopting Resolution No. R-1011-83, Land Use Plan Amendment No. LUP-1011-6, and upon the subsequent amendment, a vote was taken with the following result:

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

NAYES: Councilmembers Atkins, Cubberley, and Kovach

The Mayor declared the motion carried and Resolution No. R-1011-83, Land Use Plan Amendment No. LUP-1011-6, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 47, being:

ORDINANCE NO. O-1011-42: 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 PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND PART 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. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 48TH AVENUE N.W.)

Ordinance No. O-1011-42 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 8, 2011, Councilmember Quinn moved that Ordinance No. O-1011-42 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. O-1011-42 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-42
3. Location map
4. Staff Report dated February 10, 2011, recommending approval
5. Foxworth Addition Planned Unit Development (PUD) Narrative dated January 10, 2011, by Sassan K. Moghadam, Developer, with Exhibit A, Proposed Preliminary Plat; Exhibit B, Proposed Preliminary Conceptual Landscape Plan; Exhibit C, Proposed Open Space Diagram; and Exhibit D, Proposed Preliminary Phasing Plan
6. Site plan of Gateway Park and Trails
7. Pertinent excerpts from Planning Commission minutes of February 10, 2011

and the question being upon adopting Ordinance No. O-1011-42 upon Second Reading section by section, a vote was taken with the following result:

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| YEAS: | Councilmembers Butler, Dillingham, Ezzell, Griffith, Quinn, Mayor Rosenthal |
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| NAYES: | Councilmembers Atkins, Cubberley, and Kovach |
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The Mayor declared the motion carried and Ordinance No. O-1011-42 was adopted upon Second Reading section by section.

Thereupon, Councilmember Ezzell moved that Ordinance No. O-1011-42 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-1011-42 upon Final Reading as a whole, the roll was called with the following result:

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| YEAS: | Councilmembers Butler, Dillingham, Ezzell, Griffith, Quinn, Mayor Rosenthal |
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| NAYES: | Councilmembers Atkins, Cubberley, and Kovach |
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The Mayor declared the motion carried and Ordinance No. O-1011-42 was adopted upon Final Reading as a whole.

* * * * *

Item 48, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR FOXWORTH ADDITION, A PLANNED UNIT DEVELOPMENT, AND WAIVER OF ALLEY REQUIREMENTS FOR THE COMMERCIAL PROPERTIES.

Councilmember Quinn moved that the preliminary plat for Foxworth Addition, a Planned Unit Development, and waiver of alley requirements for the commercial properties be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. PP-1011-10 dated January 11, 2011, by Ken Danner, Development Manager with attached Traffic Impact Study and Share of Intersection Costs
2. Location map
3. Preliminary plat
4. Staff Report dated February 10, 2011, recommending approval
5. City of Norman Traffic Impacts Development Review Form dated February 7, 2011, for Foxworth Addition Preliminary Plat by David R. Riesland, P.E., Assistant City Traffic Engineer
6. Preliminary site plan
7. Phasing plan
8. Open Space Exhibit dated February 3, 2011
9. Letter dated January 27, 2011, requesting alley waiver for commercial, industrial, and office areas, from Tom L. McCaleb, SMC Consulting Engineers, P.C., to Mr. Zev Trachtenberg Chairman, Planning Commission
10. Site plan of Gateway Park and Trails
11. Greenbelt Enhancement Statement Comments dated January 24, 2011, for property located on the north side of Indian Hills Road west of 36th Avenue N.W. and just east of 48th Avenue N.W.
12. Predevelopment Summary Case No. PD 11-05 dated January 27, 2011, for Sassan Moghadam for property located at the northeast corner of 48th Avenue N.W. and Indian Hills Road
13. Pertinent excerpts from Planning Commission minutes of February 10, 2011

and the question being upon approving the preliminary plat for Foxworth Addition, ad Planned Unit Development, and waiver of alley requirements for the commercial properties, a vote was taken with the following result:

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

NAYES: Councilmembers Atkins, Cubberley, and Kovach

The Mayor declared the motion carried and the preliminary plat for Foxworth Addition, a Planned Unit Development, and waiver of alley requirements for the commercial properties were approved.

* * * * *

Item 49, being:

RESOLUTION NO. R-1011-84: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1011-7**, SO AS TO PLACE PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CURRENT URBAN SERVICE AREA AND REMOVE THE SAME FROM THE FUTURE URBAN SERVICE AREA FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD EAST OF 48TH AVENUE N.W.)

Councilmember Quinn moved that Resolution No. R-1011-84, Land Use Plan Amendment No. LUP-1011-7, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Griffith;

Item 49, continued:

Items submitted for the record

1. Text File No. R-1011-84 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Resolution No. R-1011-84, Land Use Plan Amendment No. LUP-1011-7
3. Location map
4. Staff Report dated February 10, 2011, recommending approval
5. Norman Predevelopment Summary Case No. PD 10-08 dated May 27, 2010, submitted by Shaz Investment Group, Inc., for property located at the northeast corner of 48th Avenue N.W. and Indian Hills Road
6. Pertinent excerpts from Planning Commission minutes of February 10, 2011

Participants in discussion

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

and the question being upon adopting Resolution No. R-1011-84, Land Use Plan Amendment No. LUP-1011-7, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:

Councilmembers Butler, Dillingham, Ezzell, Griffith, Quinn, Mayor Rosenthal

NAYES:

Councilmembers Atkins, Cubberley, and Kovach

The Mayor declared the motion carried and Resolution No. R-1011-84, Land Use Plan Amendment No. LUP-1011-7, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 50, being:

ORDINANCE NO. O-1011-43: 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 PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, 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. (GENERALLY LOCATED ON THE NORTH SIDE OF INDIAN HILLS ROAD AND EAST OF 48TH AVENUE N.W.)

Ordinance No. O-1011-43 having been Introduced and adopted upon First Reading by title in City Council's meeting of March 8, 2011, Councilmember Quinn moved that Ordinance No. O-1011-43 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. O-1011-43 dated January 11, 2011, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1011-43
3. Location map
4. Staff Report dated February 10, 2011, recommending approval
5. Whispering Trails Addition Planned Unit Development (PUD) Narrative dated January 10, 2011, prepared by Sean Paul Rieger, the Rieger Law Group, with Exhibit A, Proposed Preliminary Plat; Exhibit B, Typical Residential Lot Development; Exhibit C, Proposed Open Space Plan; Exhibit D, Proposed Conceptual Landscape Plan; and Exhibit E, Proposed Phasing Plan
6. Site plan of Gateway Park and Trails
7. Pertinent excerpts from Planning Commission minutes of February 10, 2011

Item 50, continued:

and the question being upon adopting Ordinance No. O-1011-43 upon Second Reading section by section, a vote was taken with the following result:

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

NAYES: Councilmembers Atkins, Cubberley,
and Kovach

The Mayor declared the motion carried and Ordinance No. O-1011-43 was adopted upon Second Reading section by section.

Thereupon, Councilmember Quinn moved that Ordinance No. O-1011-43 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-1011-43 upon Final Reading as a whole, the roll was called with the following result:

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

NAYES: Councilmembers Atkins, Cubberley,
and Kovach

The Mayor declared the motion carried and Ordinance No. O-1011-43 was adopted upon Final Reading as a whole.

* * * * *

Item 51, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR WHISPERING TRAILS ADDITION, A PLANNED UNIT DEVELOPMENT.

Councilmember Quinn moved that the preliminary plat for Whispering Trails Addition, a Planned Unit Development be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. PP-1011-11 dated January 11, 2011, by Ken Danner, Development Manager with attached Traffic Impact Study and Intersection Improvement Costs
2. Location map
3. Preliminary plat
4. Staff Report dated February 10, 2011, recommending approval
5. City of Norman Traffic Impacts Development Review Form dated February 7, 2011, for Whispering Trails Addition Preliminary Plat by David R. Riesland, P.E., Assistant City Traffic Engineer
6. Phasing plan
7. Open Space Exhibit dated February 3, 2011
8. Typical lot development
9. Site plan of Gateway Park and Trails
10. Greenbelt Enhancement Statement Comments dated January 24, 2011, for property located on the north side of Indian Hills Road west of 36th Avenue N.W. and just east of 48th Avenue N.W.
11. Predevelopment Summary Case No. PD 11-05 dated January 27, 2011, for Shaz Development for property located at the northeast corner of 48th Avenue N.W. and Indian Hills Road
12. Pertinent excerpts from Planning Commission minutes of February 10, 2011

Item 51, continued:

and the question being upon approving the preliminary plat for Whispering Trails Addition, ad Planned Unit Development, a vote was taken with the following result:

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

NAYES: Councilmembers Atkins, Cubberley,
and Kovach

The Mayor declared the motion carried and the preliminary plat for Whispering Trails Addition, a Planned Unit Development, was approved.

* * * * *

MISCELLANEOUS DISCUSSION

Thanks to Firefighters During Recent Fires. Mr. Bobby Stevens, 3801 108th Avenue S.E., thanked the firefighters for doing an amazing job last week during all of the fires and said he hoped everyone appreciated the work they do.

Mr. Roger Gallagher, 1522 East Boyd Street, said he and Councilmember Atkins had worked with property owners in Ward One during the recent fires to validate that high grass near an apartment complex had been an accelerant to the fire. He urged Code Compliance to aggressively work these types of areas to prevent this happening in the future and asked if there was a way there could be more detailed inspections of these areas during this fire season.

Mayor Rosenthal said this was something that Code Compliance should be proactive about because the City is in the midst of a very dangerous fire season and until there is some rain it will be very hazardous.

Councilmember Atkins said this also needs to be taken into consideration as Council looks forward at storm water and protection zones. He thanked firefighters for providing a rapid response to the fire in Ward One and said residents appreciated their actions.

*

Code Violations. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he spoke at City Council's meeting of March 8, 2011, about a wrecker service that was not in compliance with City codes and after that meeting he was cited by the Code Compliance Division for inoperable vehicles on his property which were 500 feet from a City street and had been given ten days to remove them from his property. He provided pictures of his property which is not visible from any City street and is on a private road. He said he is a law-abiding citizen and the vehicles will be removed. He said the wrecker service did not have a proper fence around the business and this had been an ongoing problem. He said he did not understand how the City could employ a business that did not comply with City codes. He said all of the wrecked vehicles are in plain sight from the highway and the north side is not fenced, although a fence had been installed today on the south side. He felt his report last Council meeting had resulted in retaliatory actions against his property.

Ms. Susan Connors, Director of Planning and Community Development, said the property Mr. Stevens had reported was a salvage yard. She said salvage yards are inspected once a year in January or February. She said this company was inspected in February and there were no problems at that time. After Mr. Stevens voiced his concerns, the Code Compliance Division went to the property and found cars stacked higher than the fence, part of the fence was down, and the front gate was not opaque. She said as of 5:00 p.m. those issues had been resolved. She said salvage yards are listed under Section 13 of the Municipal Code and the time limit for compliance is not the same as residential structures. She said the City received a complaint on Mr. Stevens' property about inoperable vehicles and a Code Compliance Officer was sent out based on the complaint which is listed under Section 10 of the Code requiring a specific 10 day rule for compliance. She said the Code Compliance Division kept track of the salvage yard to make sure it was in compliance because salvage yards are licensed by the City and this is per license requirements.

Mayor Rosenthal asked if both of these properties were investigated based on complaints.

Ms. Connors said this was correct.

Councilmember Dillingham asked if there was a reason for the different time periods for the salvage yard and a private residence.

Miscellaneous Discussion, continued:

Code Violations, continued.

Ms. Connors said because salvage yards are licensed, they are to be in compliance every year before a license is renewed.

Mr. Brenda Hall, City Clerk, said the code violations in Chapter 10 are remediated through a different process. The property owners are notified and have so many days to comply or the property is turned over to the person under contract to clean up the property. She said those who receive licenses under Chapter 13 are required to have an annual inspection before their license is renewed. She said that does not mean the City cannot address issues brought to their attention during the year. She said if compliance is not reached, a license review board can be scheduled to allow the review board to take appropriate action to bring the business in to compliance including revocation of the license.

Councilmember Ezzell said he understood Mr. Stevens' concerns about this issue which did seem very coincidental. He asked if Code Compliance complaints were public record.

Mr. Jeff Bryant, City Attorney, said it would be public record if charges were filed; however, the investigative process was not.

Councilmember Ezzell asked if Mr. Stevens has the right to serve an Open Records Act request and see the actual complaint that was made against him to verify its authenticity.

Mr. Bryant said he would double check this but he believed a complaint could be received on an anonymous basis. He said the Code Compliance Officer would go out and confirm if there was a violation and that would be the basis of the complaint.

Mayor Rosenthal said the Code Compliance system depends on some confidentiality of the complaining party to avoid retaliation. She asked Ms. Connors if the complaint had been made by anyone at the City and Ms. Connors said no.

Councilmember Atkins said because of incidents like this, proactive Code Enforcement should be revisited.

Councilmember Cubberley asked who goes out and does the inspection for license renewal. Ms. Hall said the requests are initiated through the City Clerk's Office, but the inspections are made by Code Compliance Officers, and they provide their inspection report to the City Clerk for licensing purposes.

Councilmember Cubberley asked if Code Compliance looked for violations such as no fencing. Ms. Hall said fencing requirements were checked as well as stacking of cars and these requirements were in Chapter 13.

Councilmember Dillingham asked if there was a record of how many review boards had been scheduled for salvage yards. Ms. Hall said there had been possibly one or two during the time she had been working at the City of Norman.

Ms. Jeanette Coker, 620 East Main Street, said she would willingly share Proactive Code Enforcement with other areas of the City.

Councilmember Dillingham said it was unfair that only certain areas of town have Proactive Code Enforcement in place and although this has been because of budget constraints, the Finance and Oversight Committee have been working on ways to expand Proactive Code Enforcement. She said citizens deserve to be treated the same.

*

Norman Economic Development Coalition (NEDC) Reports. Mr. Jim Stanley, 3922 Pine Tree Circle, said he had been at Norman Public Library a few days ago to check the NEDC reports. He said he could find no information about NEDC and asked if those records had been removed. Ms. Brenda Hall, City Clerk, said NEDC had in the past provided these reports to the library as a matter of public record. She said she was not aware that the records had been removed or that the library had moved them and would be happy to check and report back to him. She said NEDC provides financial reports to the City Clerk's Office as well as the annual audit.

*

Miscellaneous Discussion, continued:

Stormwater Public Meeting. Councilmember Kovach said there was an excellent turnout for the Stormwater Public Meeting on Monday, March 21, 2011, although he was unable to attend. He said he hoped citizens and Council can come together to address the flooding and water quality issues because these are serious concerns in the community and it always works best when we all have the opportunity to come together and support something that is going to greatly affect the future of Norman.

Councilmember Dillingham said although Council and citizens have worked on this for five years and now the policy statement is being crafted and at this time. She said one important piece of this statement will include our Stormwater Master Plan in its execution and the water quality protection zones for Lake Thunderbird. She said this plan will also include how we use and manage the rest of the creeks, the watershed areas, and our own yards. She said the use of fertilizers had been discussed at the public meeting and there are many other issues. She said a fair and equitable stormwater fee structure and remediation for property within Imhoff, Dave Blue, and Bishop Creek and Lake McGee still needed to be decided. She said it would be expensive but we all drive on the streets of Norman and need the drinking water. She urged citizens to stay engaged and informed them information is available on the website and she would be happy to share what she has with anyone who is interested.

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Household Hazardous Waste. Councilmember Cubberley announced the annual Household Waste Collection Event would be held Saturday, April 9, 2011, in the parking lot at the Lloyd Noble Center from 8:00 a.m. to 2:00 p.m. and urged Councilmembers and residents of Norman to participate in this free event. He said recyclable items such as old paint, oil, and dead computers could be disposed of. He said this has been a very successful program and he anticipated a large turnout.

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Shop Norman. Councilmember Quinn urged citizens to "Shop Norman".

*

Water Quality Update on Twitter. Mr. Steve Lewis, City Manager, announced that for those who wanted to keep up with issues with Chromium 6, a Twitter presence has been established and updates can be found at [twitter@normanwater](https://twitter.com/normanwater).

*

Police Chief Recruitment. Mr. Steve Lewis, City Manager, said there had been a very nice article recently on the retirement of Phil Cotten, Police Chief. He said the City is going through a national recruitment process and to date a tentative planning deadline to review resumes has been established for March 28, 2011. He said it was a very important issue because the next police chief will not only have the responsibility of managing the Police Department but also have a key responsibility in managing interaction with the community. He said he was putting together a community advisory panel that will assist in that selection process and to provide input in what will be an ideal candidate and to develop a profile. He is contacting representatives from local businesses, education, criminal justice, law enforcement, neighborhoods, labor, health care, and members of the Public Safety Oversight Committee and citizens, as well as Council.

*

Budget Update. Mr. Steve Lewis, City Manager, provided a revenue/expenditure summary to date. He said the City is two-thirds into the FYE 2011 Budget Year and this update includes Christmas collections. He said the amount budgeted was \$22,437,883 and actual collections are in the amount of \$23,392,081. He said this was compared to FYE 2009 amount of \$23,456,007 which is very close. He said General Fund Revenue was budgeted at \$43,245,769 and we are ahead of that with \$43,737,657 with a comparison of FYE 2009 of \$44,985,326. He said expenses were budgeted at \$45,598,746 and actual spent was \$43,719,103. He said he felt the City was doing a good job of holding back expenses and the curve is bending in the City's favor in sales tax revenue. He said the proposed FYE 2012 Budget would be delivered to Council during the middle of April and Staff is trying to anticipate some of the unknowns next year such as fuel costs.

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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 Atkins; and the question being upon adjournment of the meeting, a vote was taken with the following result:

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| YEAS: | Councilmembers Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quim, Mayor Rosenthal |
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| NAYES: | None |
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The Mayor declared the motion carried and the meeting was adjourned at 9:07 p.m.

ATTEST:

City Clerk

Mayor