

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

December 20, 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 20th day of December, 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 Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 22 excluding Item 8 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 22 excluding Item 8, vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Item 4 through Item 22 excluding Item 8 were placed on the consent docket by unanimous vote.

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Item 4, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE
MINUTES OF NOVEMBER 17, 2011
CITY COUNCIL SPECIAL SESSION MINUTES OF DECEMBER 13, 2011
CITY COUNCIL MINUTES OF DECEMBER 13, 2011
NORMAN UTILITIES AUTHORITY MINUTES OF DECEMBER 13, 2011
NORMAN MUNICIPAL AUTHORITY MINUTES OF DECEMBER 13, 2011
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF DECEMBER 13, 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 Dillingham;

Items submitted for the record

1. Text File No. GID-1112-39 dated December 9, 2011, by Brenda Hall, City Clerk
2. City Council Community Planning and Transportation Committee minutes of November 17, 2011
3. City Council Special Session minutes of December 13, 2011
4. City Council minutes of December 13, 2011
5. Norman Utilities Authority minutes of December 13, 2011
6. Norman Municipal Authority minutes of December 13, 2011
7. Norman Tax Increment Finance Authority minutes of December 13, 2011

Item 4, continued:

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

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

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

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Item 5, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

ENFORCEMENT AUTHORITY

TERM: 12-20-11 TO 09-01-13: ROBIN ALLEN, 304 60TH AVENUE S.E.

BOARD OF PARKS COMMISSIONERS

TERM: 01-01-12 TO 01-01-15: DEBBIE HOOVER, 1507 NORTH CRAWFORD AVENUE

TERM: 01-01-12 TO 01-01-15: MARK MCGUIRE, 2008 BROOKHAVEN BOULEVARD

TERM: 01-01-12 TO 01-01-15: JAMES CHAPPEL, 6175 RICHARD LANE

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

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

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

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Item 6, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF NOVEMBER 30, 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 Dillingham;

Items submitted for the record

1. Text File No. RPT-1112-19 dated December 5, 2011, by Anthony Francisco, Director of Finance
2. Finance Director's Investment Report as of November 30, 2011

Participants in discussion

1. Ms. Mary Francis, 850C Cardinal Creek Condos, asked questions
2. 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 Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

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

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Item 7, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF NOVEMBER, 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 Dillingham;

Items submitted for the record

1. Text File No. RPT-1112-20 dated December 5, 2011, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of November, 2011

Participants in discussion

1. Ms. Gala Hicks, Director of Human Resources
2. Mr. Jeff Bryant, City Attorney

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 Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, 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 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF REPORTS ENTITLED "COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2011," AS PREPARED BY THE CITY OF NORMAN FINANCE DEPARTMENT; AND "THE CITY OF NORMAN SINGLE AUDIT REPORT FOR THE YEAR ENDED JUNE 30, 2011," AND "NORMAN TAX INCREMENT FINANCE AUTHORITY FINANCIAL STATEMENT FOR THE YEAR ENDED JUNE 30, 2011" AS PREPARED BY THE FIRM OF COLE AND REED, P. C., FOR THE CITY OF NORMAN, OKLAHOMA, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, AND NORMAN TAX INCREMENT FINANCE AUTHORITY.

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Dillingham moved that staff be directed to file the Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2011, the City of Norman Single Audit Report for the Year Ended June 30, 2011, and the Norman Tax Increment Finance Authority Financial Statement for the Year Ended June 30, 2011, as received, by December 31, 2011; and an agenda item be scheduled on January 10, 2012, to allow discussion and acceptance of the audit, which motion was duly seconded by Councilmember Ezzell;

Items submitted for the record

1. Text File No. RPT-1112-18 dated November 10, 2011, by Clint Mercer, Chief Accountant
2. Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2011
3. The City of Norman Single Audit Report for the Year Ended June 30, 2011
4. Norman Tax Increment Finance Authority Financial Statement for the Year Ended June 30, 2011

Participants in discussion

1. Mr. Steve Lewis, City Manager
2. Mr. Jeff Bryant, City Attorney
3. Ms. Ann Gallagher, 1522 East Boyd Street, asked questions
4. Mr. Anthony Francisco, Director of Finance
5. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments
6. Ms. Joy Hampton, The Norman Transcript, asked questions

Item 8, continued:

and the question being upon directing staff to file the Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2011, the City of Norman Single Audit Report for the Year Ended June 30, 2011, and the Norman Tax Increment Finance Authority Financial Statement for the Year Ended June 30, 2011, as received, by December 31, 2011, upon the subsequent scheduling, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and that staff directed to file the Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2011, the City of Norman Single Audit Report for the Year Ended June 30, 2011, and the Norman Tax Increment Finance Authority Financial Statement for the Year Ended June 30, 2011, as received, by December 31, 2011; and an agenda item was scheduled on January 10, 2012, to allow discussion and acceptance of the audit.

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Item 9, being:

CONSIDERATION OF THE NORMAN CONVENTION AND VISITORS BUREAU, INC., (NCVB) SEMI-ANNUAL REPORT ENDING JUNE 30, 2011.

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

Items submitted for the record

1. Text File No. RPT-1112-15 dated November 7, 2011, by Brenda Hall, City Clerk
2. Norman Convention and Visitors Bureau, Inc., Semi-Annual Report Ending June 30, 2011

Participants in discussion

1. Mr. Stephen Koranda, Executive Director of Norman Convention and Visitors Bureau, 2424 Springer Drive

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 Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, 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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Thereupon, Councilmembers Ezzell and Quinn asked that they be allowed to abstain from Item 10 due to a conflict of interest. Thereupon, Councilmember Kovach moved that Councilmembers Ezzell and Quinn be allowed to abstain from Item 10, which motion was duly seconded by Councilmember Dillingham; and the question being upon allowing Councilmember Ezzell and Quinn to abstain from Item 10 due to a conflict of interest, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Rosenthal

NAYES: None

ABSTAIN: Councilmembers Ezzell and Quinn

The Mayor declared the motion carried and Councilmembers Ezzell and Quinn were allowed to abstain from Item 10 due to a conflict of interest.

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Item 10, being:

CONSIDERATION OF A FINAL PLAT FOR THE FALLS AT BROOKHAVEN ADDITION, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND DEFERRAL OF STREET AND SIDEWALK IMPROVEMENTS FOR WEST ROCK CREEK ROAD. (GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD)

Councilmember Kovach moved that the final plat for The Falls at Brookhaven Addition and deferral of street and sidewalk improvements for West Rock Creek Road 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 receipt of a Certificate of Deposit in the amount of \$81,640 for deferral of street and sidewalk improvements for West Rock Creek Road within 10 days after approval, receipt of a fee in the amount of \$3,231.25 in lieu of park land dedication requirements, and the City Development Committee's acceptance of all required public improvements; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. FP-1112-10 dated November 10, 2011, by Ken Danner, Development Manager
2. Location map
3. Final plat
4. Staff Report dated December 8, 2011, recommending approval
5. Memorandum dated November 30, 2011, from Shawn O'Leary, Director of Public Works, to Jim Gasaway, Chairman, Planning Commission
6. Site plan
7. Revised preliminary plat
8. Pertinent excerpts from Planning Commission minutes of December 8, 2011

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Mr. Keith Humphrey, Police Chief
3. Ms. Kim Gaddie, 3801 Chamberlyne Way, asked questions
4. Ms. Ann Gallagher, 1522 East Boyd Street, asked questions
5. Mr. Jud Foster, Director of Parks and Recreation
6. Mr. Jeff Bryant, City Attorney
7. Mr. David Hargis, Clour Planning and Engineering Services, Inc., 408 Bannister Court, engineer representing the applicant

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

YEAS:	Councilmembers Dillingham, Gallagher, Griffith, Kovach, Lockett, Spaulding, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmembers Ezzell and Quinn

The Mayor declared the motion carried and the final plat for The Falls at Brookhaven Addition and deferral of street and sidewalk improvements for West Rock Creek Road 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 receipt of a Certificate of Deposit in the amount of \$81,640 for deferral of street and sidewalk improvements for West Rock Creek Road within 10 days after approval, receipt of a fee in the amount of \$3,231.25 in lieu of park land dedication requirements, and the City Development Committee's acceptance of all required public improvements; and the filing of the final plat was directed.

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Item 11, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1011-153: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$9,745 FOR THE HIGHWAY 77 (CLASSEN) AND IMHOFF ROAD WATER LINE RELOCATION PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Councilmember Kovach moved that Change Order No. One to Contract No. K-1011-153 with Central Contracting Services, Inc., increasing the contract amount by \$9,745 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$9,745 to Central Contracting Services, Inc., be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-153, Change Order No. One, dated December 7, 2011, by John Clink, Capital Projects Engineer
2. Change Order No. One to Contract No. K-1011-153
3. Purchase Requisition No. 0000194917 dated December 7, 2011, in the amount of \$9,745 to Central Contracting Services, Inc.

and the question being upon approving Change Order No. One to Contract No. K-1011-153 with Central Contracting Services, Inc., increasing the contract amount by \$9,745 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Change Order No. One to Contract No. K-1011-153 with Central Contracting Services, Inc., increasing the contract amount by \$9,745 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$9,745 to Central Contracting Services, Inc., was directed.

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Item 12, being:

CHANGE ORDER NO. ONE CONTRACT NO. K-1011-169: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES, INC., DECREASING THE CONTRACT AMOUNT BY \$3,971.50 FOR THE NORTH PORTER AVENUE WATER LINE RELOCATION PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Councilmember Kovach moved that Change Order No. One to Contract No. K-1011-169 with Central Contracting Services, Inc., decreasing the contract amount by \$3,971.50 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$152,130.50 to Central Contracting Services, Inc., be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-169, Change Order No. One, dated December 7, 2011, by Scott Sturtz, Capital Projects Engineer
2. Change Order No. One to Contract No. K-1011-169
3. Location map
4. Purchase Requisition No. 0000194898 dated December 7, 2011, in the amount of \$474,360 to Central Contracting Services, Inc.

Item 12, continued,

and the question being upon approving Change Order No. One to Contract No. K-1011-169 with Central Contracting Services, Inc., decreasing the contract amount by \$3,971.50 and upon the subsequent authorization, acceptance, and directive, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Change Order No. One to Contract No. K-1011-169 with Central Contracting Services, Inc., decreasing the contract amount by \$3,971.50 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$152,130.50 to Central Contracting Services, Inc., was directed.

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Item 13, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1011-170 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$19,979 FOR THE ROBINSON STREET AND 12TH AVENUE N.E. WATER LINE RELOCATION PROJECT, FINAL ACCEPTANCE OF THE PROJECT, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Change Order No. One to Contract No. K-1011-170 with Central Contracting Services, Inc., increasing the contract amount by \$19,979 be approved; the execution thereof be authorized; the project be accepted; final payment in the amount of \$417,274 to Central Contracting Services, Inc., be directed; and \$17,604.71 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0238, Robinson Street-12th N.E., Utilities, (050-9079-431.67-01), which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-170, Change Order No. One, dated December 7, 2011, by Scott Sturtz, Capital Projects Engineer
2. Change Order No. One to Contract No. K-1011-170
3. Location map

and the question being upon approving Change Order No. One to Contract No. K-1011-170 with Central Contracting Services, Inc., increasing the contract amount by \$19,979 and upon the subsequent approval, authorization, acceptance, directive, and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Change Order No. One to Contract No. K-1011-170 with Central Contracting Services, Inc., increasing the contract amount by \$19,979 approved; the execution thereof was authorized; the project was accepted; final payment in the amount of \$417,274 to Central Contracting Services, Inc., directed; and \$17,604.71 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0238, Robinson Street-12th N.E., Utilities, (050-9079-431.67-01).

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Item 14, being:

CONTRACT NO. K-1112-95: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. STPG-114A(297)AG, STATE JOB NO. 28080(05) FOR STATE HIGHWAY 9 TRAFFIC SIGNAL UPGRADE PROJECT FOR BICYCLE AND PEDESTRIAN ACCESS IMPROVEMENTS (PHASE 2) AND ADOPTION OF RESOLUTION NO. R-1011-88.

Councilmember Kovach moved that Contract No. K-1112-95 with the Oklahoma Department of Transportation be approved; Resolution No. R-1112-88 be adopted; and the execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-95 dated December 7, 2011, by Angelo Lombardo, Traffic Engineer
2. Contract No. K-1112-95
3. Resolution No. R-1112-88
4. Location map

and the question being upon approving Contract No. K-1112-95 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

YEAS:

Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Contract No. K-1112-95 with the Department of Transportation approved; Resolution No. R-1112-88 was adopted, and the execution of the contract and resolution was authorized.

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Item 15, being:

CONTRACT NO. K-1112-96: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. STP-114B(256)AG, STATE JOB NO. 26840(04) FOR THE WIDENING AND RESURFACING OF PORTER AVENUE FROM WOODCREST DRIVE TO TECUMSEH RIDGE ROAD, ADOPTION OF RESOLUTION NO. R-1112-90, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1112-96 with the Oklahoma Department of Transportation be approved; Resolution No. R-1112-90 be adopted; the execution of the contract and resolution be authorized; payment to the Oklahoma State Department of Transportation in the amount of \$467,660 for the City's 20% share with an additional \$6,700 for non-participating costs for a total of \$474,360 be directed; and \$98,918 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0243, Porter Gap Project, Construction (050-9366-431.61-01), which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-96 dated December 7, 2011, by Scott Sturtz, Capital Projects Engineer, with Attachment A, Funding Table
2. Contract No. K-1112-96
3. Resolution No. R-1112-90
4. Location map
5. Oklahoma Department of Transportation Invoice NO. 26840(04)-1 dated November 30, 2011, in the amount of \$474,360

Item 15, continued:

and the question being upon approving Contract No. K-1112-96 with the Oklahoma Department of Transportation and upon the subsequent authorization, adoption, directive, and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1112-96 with the Oklahoma Department of Transportation approved; Resolution No. R-1112-90 was adopted; the execution of the contract and resolution was authorized; payment to the Oklahoma State Department of Transportation in the amount of \$467,660 for the City's 20% share with an additional \$6,700 for non-participating costs for a total of \$474,360 was directed; and \$98,918 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0243, Porter Gap Project, Construction (050-9366-431.61-01).

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Item 16, being:

CONTRACT NO. K-1112-97: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL AID PROJECT NO. HSIPY-114A(243)TR, STATE JOB NO. 26475(04) FOR THE INSTALLATION OF A TRAFFIC SIGNAL AND INTERSECTION MODIFICATIONS AT HIGHWAY 77 (12TH AVENUE N.E.) AND ROBINSON STREET (NORTHWEST AND SOUTH LEGS), ADOPTION OF RESOLUTION NO. R-1112-91, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1112-97 with the Oklahoma Department of Transportation be approved; Resolution No. R-1112-91 be adopted; the execution of the contract and resolution be authorized; payment to the Oklahoma State Department of Transportation in the amount of \$429,117.82 for the City's 20% be directed; and \$83,435.82 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0238, Robinson Street and 12th Avenue N.E. Intersection Project, Construction (050-9079-431.61-01), which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-97 dated December 7, 2011, by Scott Sturtz, Capital Projects Engineer, with Attachment A, Funding Table
2. Contract No. K-1112-97
3. Resolution No. R-1112-91
4. Location map
5. Oklahoma Department of Transportation Invoice No. J/P #26475(04) dated November 22, 2011, in the amount of \$198,057.82
6. Purchase Requisition No. 0000194918 dated December 7, 2011, in the amount of \$429,117.82 to the Oklahoma Department of Transportation for Contract Nos. K-1112-97 and K-1112-98

and the question being upon approving Contract No. K-1112-97 with the Oklahoma Department of Transportation and upon the subsequent authorization, adoption, directive, and appropriation, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1112-97 with the Oklahoma Department of Transportation approved; Resolution No. R-1112-91 was adopted; the execution of the contract and resolution was authorized; payment to the Oklahoma State Department of Transportation in the amount of \$429,117.82 for the City's 20% share was directed; and \$83,435.82 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0238, Robinson Street and 12th Avenue N.E. Project, Construction (050-9079-431.61-01).

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Item 17, being:

CONTRACT NO. K-1112-98: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL AID PROJECT NO. STP-114(197)AG, STATE JOB NO. 26482(04), FOR INTERSECTION MODIFICATIONS AT HIGHWAY 77 (12TH AVENUE N.E.) AND ROBINSON STREET (EAST LEG) AND ADOPTION OF RESOLUTION NO. R-1112-92.

Councilmember Kovach moved that Contract No. K-1112-98 with the Oklahoma Department of Transportation be approved; Resolution No. R-1112-92 be adopted; and the execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-98 dated December 7, 2011, by Scott Sturtz, Capital Projects Engineer, with Attachment A, project budget summary
2. Contract No. K-1112-98
3. Resolution No. R-1112-92
4. Location map
5. Oklahoma Department of Transportation Invoice No. 24282(04)-1 dated November 30, 2011, in the amount of \$231,060
6. Purchase Requisition No. 0000194918 dated December 7, 2011, in the amount of \$429,117.82 to the Oklahoma Department of Transportation for Contract Nos. K-1112-97 and K-1112-98

and the question being upon approving Contract No. K-1112-98 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1112-98 with the Department of Transportation approved; and the execution of the contract and resolution was authorized.

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Item 18, being:

CONTRACT NO. K-1112-99: A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS FOR THE 9-1-1 HOSTED RECORDING SOLUTION.

Councilmember Kovach moved that Contract No. K-1112-99 with the Association of Central Oklahoma Governments be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-99 dated December 6, 2011, by Lance Terry, Communications Center Supervisor
2. Contract No. K-1112-99
3. Letter dated August 9, 2011, from John G. Johnson, Executive Director, 9-1-1 Association of Central Oklahoma Governments, to Steven Lewis, City Manager

and the question being upon approving Contract No. K-1112-99 with the Association of Central Oklahoma Governments and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Contract No. K-1112-99 with the Association of Central Oklahoma Governments approved; and the execution thereof was authorized.

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Item 19, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$12,313.04 REGARDING JIMMY DALE ARGO VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-09645J.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Worker's Compensation Court Order be authorized, and payment of claims in the amount of \$12,313.04 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-40 dated December 13, 2011, by Jeanne Snider, Assistant City Attorney, with Attachment No. One, payments to claimant and attorney
2. Workers' Compensation Court Order No. WCC 2011-09645J filed November 30, 2011
3. Purchase Requisition No. 0000194806 dated December 6, 2011, in the amount of \$7,835.98 to Jimmy Argo and William Woodson
4. Purchase Requisition No. 0000194807 dated December 6, 2011, in the amount of \$234.60 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000194808 dated December 6, 2011, in the amount of \$87.94 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000194810 dated December 6, 2011, in the amount of \$140 to Workers' Compensation Court
7. Purchase Requisition No. 0000194812 dated December 6, 2011, in the amount of \$125.70 to Cleveland County Court Clerk

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the City Attorney's recommendation approved; and the City Attorney's Office was authorized to effectuate the settlement and payment of claims in the amount of \$12,313.04 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 20, being:

RESOLUTION NO. R-1112-79: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF MUNICIPAL AND MUNICIPAL RUNOFF ELECTIONS.

Councilmember Spaulding moved that Item 20 be removed from the consent docket, which motion was duly seconded by Councilmember Gallagher;

Items submitted for the record

1. Text File No. R-1112-79 dated November 21, 2011, by Brenda Hall, City Clerk
2. Resolution No. R-1112-79

Participants in discussion

1. Ms. Brenda Hall, City Clerk

and the question being upon removing Item 20 from the consent docket, a vote was taken with the following result:

YEAS: Councilmembers Dillingham, Ezzell,
Gallagher, Griffith, Kovach, Lockett,
Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Item 20 was removed from the Consent Docket.

Item 20, continued:

Thereupon, Councilmember Dillingham that Resolution R-1112-79 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. R-1112-79 dated November 21, 2011, by Brenda Hall, City Clerk
- 2. Resolution No. R-1112-79
- 3. Pertinent excerpts from City Council Conference minutes of November 22, 2011

Participants in discussion

- 1. Ms. Jeanette Coker, 620 East Main Street, made comments
- 2. Ms. Brenda Hall, City Clerk
- 3. Ms. Mary Francis, 850C Cardinal Creek Condos, made comments

Thereupon, Councilmember Spaulding moved that Resolution No. R-1112-79 be amended as follows:

* * *

§ 3. WHEREAS, Article II, Section 5, of the Charter of the City of Norman requires that City Council adopt a resolution in December to designate a date for a non-partisan Municipal Election for the election of officers, such election will be held on Tuesday, ~~April 3~~ March 6, 2012; and

* * *

which motion was duly seconded by Councilmember Gallagher;

Participants in discussion

- 1. Ms. Brenda Hall, City Clerk
- 2. Ms. Jeanette Coker, 620 East Main Street, asked questions
- 3. Ms. June McLaughlin, 2701 East Rock Creek Road, asked questions
- 4. Ms. Joy Hampton, Norman Transcript, asked questions
- 5. Ms. Ann Gallagher, 1522 East Boyd Street, made comments

and the question being upon amending Resolution No. R-1112-79 as stated above, a vote was taken with the following result:

YEAS: Councilmembers Gallagher, Lockett, and Spaulding

NAYES: Councilmembers Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal

The Mayor declared the motion carried and Resolution No. R-1112-79 was not amended as stated above.

and the question being upon adopting Resolution No. R-1112-79, a vote was taken with the following result:

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

NAYES: Councilmembers Gallagher, Lockett, and Spaulding

The Mayor declared the motion carried and Resolution No. R-1112-79 was adopted.

* * * * *

Item 21, being:

RESOLUTION NO. R-1112-89: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$7,067 FROM THE CAPITAL PROJECT CURRENT LIABILITY/SITE IMPROVEMENTS ACCOUNT TO PURCHASE TRAFFIC SIGNAL PARTS FOR UPGRADES TO THE INTERSECTION OF WEST MAIN STREET AND INTERSTATE DRIVE/26TH AVENUE FUNDED BY THE DEVELOPER OF MURDOCK ADDITION.

Councilmember Kovach moved that Resolution No. R-1112-89 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-89 dated December 5, 2011, by David Riesland, Assistant Traffic Engineer
2. Resolution No. R-1112-89
3. Memorandum dated August 23, 2011, from Angelo A. Lombardo, City Traffic Engineer, to Martha Lipps, Revenue Collection Supervisor
4. Check No. 1130 dated August 21, 2011, in the amount of \$7,066.13 from COMCO to City of Norman
5. Final plat of Murdock Village Addition, Phase 2
6. Site plan of Murdock Village Addition, Phase 2
7. Location map

and the question being upon adopting Resolution No. R-1112-89, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-89 was adopted.

* * * * *

Item 22, being:

RESOLUTION NO. R-1112-93: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$92,000 FROM THE PARK LAND FUND BALANCE TO BE USED FOR IMPROVEMENTS TO THE GRIFFIN COMMUNITY PARK TRAIL SYSTEM.

Councilmember Kovach moved that Resolution No. R-1112-93 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-93 dated December 6, 2011, by James Briggs, Park Planner
2. Location map
3. Resolution No. R-1112-93

and the question being upon adopting Resolution No. R-1112-93, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-93 was adopted.

* * * * *

MISCELLANEOUS DISCUSSION

Crimes During the Holidays. Councilmember Gallagher warned citizens to be extra vigilant during the holiday season to avoid becoming victims of a crime. He said Chief Humphrey had spoken earlier in the meeting about ways to avoid becoming a victim of a crime such as not leaving boxes on the curb, leaving the garage door open, and being aware of surroundings especially in large parking areas. He said during this joyful time of year, there were people preying on good citizens.

*

Merry Christmas and Happy Holidays. Councilmember Gallagher said he hopes everyone has a good Christmas and remembers the religiosity and importance of the season.

Councilmember Kovach wished everyone a happy and healthy holiday season. He thanked Council Spaulding and his wife, Eve, for the home baked goodies they provided to Councilmembers.

Councilmember Ezzell wished everyone a Merry Christmas.

Councilmember Dillingham wished everyone blessings during the holiday season, safe travel, and a wonderful New Year.

Councilmember Quinn wished everyone a very Merry Christmas and Happy New Year.

Councilmember Griffith wished everyone a Happy Holiday.

Councilmember Spaulding asked everyone to remember the reason for the season and have a Merry Christmas.

Mayor Rosenthal wished everyone safe travel as they bring their families together and a Merry Christmas and Happy New Year.

*

Budget Issues. Councilmember Kovach said he heard a statement twice this evening that Council is planning on placing money into the Rainy Day Revenue Stabilization Fund from the multi-million positive variance of the Comprehensive Annual Financial Report (CAFR) Fiscal Year Ended June 30, 2011. He said this has not been discussed and Council has not decided how to use the money. He said funding for an Ombudsman position and requests from agencies advocating for the homeless and Norman Economic Development Coalition (NEDC) have been postponed to the mid-year budget review. He said there is a citizens' committee working on solutions for homelessness and they will be requesting funding for emergency shelter for the coming winter months, which should be seriously considered.

*

Foster Children. Councilmember Dillingham thanked all who had responded to her last minute plea for gifts for foster children in Cleveland County. She said each child received every wish on his or her wish list, plus articles of necessary clothing. She said the Norman Transcript usually prints an article and photograph about how the gifts are distributed and picked up at the Cleveland County Fairgrounds. She said it is quite impressive to see the way citizens in the community take care of kids and of each other.

*

Christmas Holiday Parade. Councilmember Quinn said Council was remiss last week when they did not mention the Christmas Parade on the prior Saturday, December 10th. He said he thought it was the biggest and best parade to date.

*

Shop Norman. Councilmember Quinn said are only three or four shopping days till Christmas so remember to "Shop Norman."

*

Miscellaneous Discussion, continued:

Oklahoma Sports. Councilmember Griffith said although his alma mater is the University of Oklahoma, he is a huge Oklahoma fan and follows all Oklahoma sport activities. He felt it was imperative to remember the other major sister institution in the state and how well their season has gone and the opportunities they have been given that are precedent setting for them. He said those of us in Norman should ponder, "How about them Cowboys."

* * * * *

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 Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 8:45 p.m.

ATTEST:

City Clerk

Mayor