

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

January 24, 2012

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 24th day of January, 2012, 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 students from All Saints Catholic School Green Team

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Item 3, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF JANUARY 3, 2012
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF
JANUARY 5, 2012
CITY COUNCIL CONFERENCE MINUTES OF JANUARY 10, 2012
CITY COUNCIL MINUTES OF JANUARY 10, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF JANUARY 10, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF JANUARY 10, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JANUARY 10, 2012

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 Griffith;

Items submitted for the record

1. Text File No. GID-1112-50 dated January 9, 2012, by Brenda Hall, City Clerk
2. City Council Study Session minutes of January 3, 2012
3. City Council Business and Community Affairs Committee minutes of January 5, 2012
4. City Council Conference minutes of January 10, 2012
5. City Council minutes of January 10, 2012
6. Norman Utilities Authority minutes of January 10, 2012
7. Norman Municipal Authority minutes of January 10, 2012
8. Norman Tax Increment Finance Authority minutes of January 10, 2012

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 4, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM ALL SAINTS CATHOLIC SCHOOL.

Mayor Rosenthal and Councilmember Quinn presented Citizenship Awards to students J. Michael Bond, Annie Bragg, Rachel Chan, Isabella Curling, Vishesh Dabhi, Anthony Davis, Rosie Gatch, Abby Hickman, Hannah Hofer, Hayden Meiser, Jenny Sherry, Tanner Wade, Paige Whalin, Kyleigh Willis, and Andy Ziebro. Ms. Pam Brown, Green Team Leader from All Saints Catholic School, said the students were selected as representatives of good citizens of All Saints Catholic School and members of the Green Team.

Items submitted for the record

1. Text File No. GID-1112-44 dated January 9, 2012, by Carol Coles, Administrative Assistant

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Item 5, being:

PROCLAMATION NO. P-1112-10: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, FEBRUARY 18, 2012, AS MARDI GRAS IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-10 proclaiming Saturday, February 18, 2012, as Mardi Gras in the City of Norman 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. P-1112-10 dated January 12, 2012
2. Proclamation No. P-1112-10

Participants in discussion

1. Ms. Aimee Rook, Mardi Gras Chair, and Mr. Ed Kearns, Mardi Gras Organizer, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-10 proclaiming Saturday, February 18, 2012, as Mardi Gras in the City of Norman 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
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NAYES:	None
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The Mayor declared the motion carried and receipt of Proclamation No. P-1112-10 proclaiming Saturday, February 18, 2012, as Mardi Gras in the City of Norman acknowledged; and the filing thereof was directed.

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Item 6, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 7 through Item 20 excluding Item 18 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 7 through Item 20 excluding Item 18, 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 Item 7 through Item 20 excluding Item 18 were placed on the consent docket by unanimous vote.

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Item 7, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE

TERM: 01-24-12 TO 02-13-15: GREG HEIPLE, 1021 LAIRD'S WOODS CIRCLE

BOARD OF APPEALS

TERM: 02-03-12 TO 02-03-16: JOHN EGGNER, 1903 ALADDIN STREET

TERM: 02-03-12 TO 02-03-16: MARC ETTERS, 2151 108TH AVENUE N.E.

ENVIRONMENTAL CONTROL ADVISORY BOARD

TERM: 01-24-12 TO 10-27-13: AARON PILAT, 1625 CRESTMONT AVENUE

Councilmember Kovach moved that the appointments be confirmed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. AP-1112-13 dated January 17, 2012, by Brenda Hall, City Clerk

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
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NAYES:	None
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The Mayor declared the motion carried and the appointments were confirmed.

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Item 8, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF DECEMBER 31, 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-1112-23 dated January 9, 2012, by Anthony Francisco, Finance Director
2. Finance Director's Investment Report of December 31, 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 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 receipt of the report acknowledged; and the filing thereof was directed.

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Item 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF DECEMBER, 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-1112-25 dated January 9, 2012, by Carol Coles, Administrative Assistant
2. Monthly Departmental Reports for the month of December, 2011

Participants in discussion

1. Mr. Jeff Bryant, City Attorney
2. Mr. Steve Lewis, City Manager

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 10, being:

CONSIDERATION OF BID NO. 1112-27, CONTRACT NO. K-1112-83 WITH SILVER STAR CONSTRUCTION COMPANY, INC., IN THE AMOUNT OF \$905,600; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$80,034; PERFORMANCE BOND NO. B-1112-15, STATUTORY BOND NO. B-1112-16, MAINTENANCE BOND NO. MB-1112-21, AND RESOLUTION NO. R-1112-52 FOR THE 2005 URBAN ASPHALT PAVEMENT REHABILITATION BOND PROJECT.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$905,600 be awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-83, Change Order No. One increasing the contract amount by \$80,034, and the performance, statutory, and maintenance bonds be approved; execution of the contract and change order be authorized; the filing of the bonds be directed; and Resolution No. R-1112-52 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-83 dated November 7, 2011, by Greg Hall, Street Superintendent
2. Tabulation of bids dated November 17, 2011, for Urban Asphalt Pavement Rehabilitation Bond Projects, Additional Project Locations
3. List of locations
4. Contract No. K-1112-83
5. Change Order No. One to Contract No. K-1112-83
6. Performance Bond No. B-1112-15
7. Statutory Bond No. B-1112-16
8. Maintenance Bond No. MB-1112-21
9. Resolution No. R-1112-52
10. Location map
11. Purchase Requisition No. 0000195842 dated January 6, 2012, in the amount of \$985,634 to Silver Star Construction Company, Inc.

Item 10, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, authorization, directive, and adoption, 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 all bids meeting specifications accepted; the bid in the amount of \$905,600 be awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-83, Change Order No. One increasing the contract amount by \$80,034, and the performance, statutory, and maintenance bonds were approved; execution of the contract and change order were authorized; the filing of the bonds was directed; and Resolution No. R-1112-52 was adopted.

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Item 11, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1112-3 FOR LOHMAN LANDING AND EASEMENT NO. E-1112-13. (GENERALLY LOCATED ONE-FOURTH MILE SOUTH OF INDIAN HILLS ROAD AND WEST OF BLUE LAKE DRIVE)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1112-3 for Lohman Landing and a variance in the private road width from 20 feet to 15 feet be approved, Easement No. E-1112-13 be accepted, and the filing of the certificate of survey and easement to the Cleveland County Clerk be directed subject to completion of the private road, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. COS-1112-3 dated November 10, 2011, by Ken Danner, Development Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1112-3
4. Easement No. E-1112-13
5. Private Access Easement
6. Cross Access Easement
7. Declaration of Property Owners Association, Covenants and Restrictions for Lohman Landing
8. Staff Report dated December 8, 2011, recommending approval
9. Letter dated November 30, 2011, from Rodger Whited, PLS, Pollard and Whited Surveying, Inc., to City of Norman Planning Commission and Staff Members
10. Greenbelt Comments dated September 19, 2011
11. Greenbelt Enhancement Statement, Case No. CGC-11-20, dated September 2, 2011
12. Pertinent excerpts from Planning Commission minutes of December 8, 2011

and the question being upon approving Norman Rural Certificate of Survey No. COS-1112-3 for Lohman Landing and a variance in the private road width from 20 feet to 15 feet and upon the subsequent 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 Norman Rural Certificate of Survey No. COS-1112-3 for Lohman Landing and a variance in the private road width from 20 feet to 15 feet approved; Easement No. E-1112-13 was accepted, and the filing of the certificate of survey and easement with the Cleveland County Clerk was directed subject to completion of the private road.

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Item 12, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-5 FOR LOT 22, BLOCK 2, SEQUOYAH TRAILS ADDITION. (2701 TIOGA CIRCLE)

Councilmember Kovach moved that Consent to Encroachment No. EN-1112-5 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. EN-1112-5 dated January 18, 2012, by Leah Messner, Assistant City Attorney
2. Memorandum dated November 15, 2011, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
3. Letter of request filed November 15, 2011, from Casey Evans, Information Tech Specialist II, Center for Economic Management and Research, Price College of Business, University of Oklahoma, to the Honorable James Griffith and fellow City Councilmembers
4. Mortgage Inspection Certificate dated June 9, 2011, by D. Mike Dossey, VMI Inspection, Inc.
5. Consent to Encroachment No. EN-1112-5
6. Memorandum dated December 5, 2011, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated January 17, 2012, from Ken Danner, Subdivision Development Manager, to Kathryn Walker, Assistant City Attorney
8. Letter dated December 9, 2011, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Development Coordinator
9. Email dated December 6, 2011, from Terri L. Hayes, AT&T/Manager OSP Planning and Design Engineer, Norman, to Drew Norlin, Assistant Development Coordinator
10. Letter dated October 26, 2011, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Casey D. Evans
11. Letter dated October 27, 2011, from Rich McKinney, Field Technician III, Oklahoma Natural Gas, a Division of ONEOK, to Mr. Casey Evans
12. Letter dated January 13, 2012, from Jodie Finney, Construction Service Support Specialist II, Cox Communications, to Mr. Casey Evans

and the question being upon approving Consent to Encroachment No. EN-1112-5 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
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NAYES:	None
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The Mayor declared the motion carried and Consent to Encroachment No. EN-1112-5 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 13, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-6 FOR LOT 7, BLOCK 3, KINGSTON HILLS ADDITION, SECTION 1. (2800 RAMPART ROAD).

Councilmember Kovach moved that Consent to Encroachment No. EN-1112-6 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. EN-1112-6 dated December 27, 2011, by Leah Messner, Assistant City Attorney
2. Memorandum dated December 1, 2011, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Koscinski, Current Planning Manager; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
3. Letter of request filed December 1, 2011, from Michael G. Travis, to Brenda Hall, City Clerk, and Norman City Council

Item 13, continued:

Items submitted for the record, continued

4. Location maps
5. Consent to Encroachment No. EN-1112-6
6. Memorandum dated December 19, 2011, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated December 30, 2011, from Ken Danner, Subdivision Development Manager, to Kathryn Walker, Assistant City Attorney
8. Letter dated December 9, 2011, from Shannon Davis, Operations Supervisor, Oklahoma Natural Gas, a Division of ONEOK, to Mr. Ken Danner, Subdivision Manager
9. Letter dated December 9, 2011, from Thad Peterson, Supervisor of Engineering Services, Oklahoma Electric Cooperative, to Ken Danner, Development Coordinator
10. Letter dated December 9, 2011, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Ken Danner, Development Coordinator
11. Pertinent excerpts from City Council minutes of November 14, 1989

and the question being upon approving Consent to Encroachment No. EN-1112-6 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 Consent to Encroachment No. EN-1112-6 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 14, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1112-7 FOR LOTS 1 AND 2, BLOCK 1, PRESIDENTIAL NO. 6 ADDITION. (2451 VAN BUREN AVENUE)

Councilmember Kovach moved that Consent to Encroachment No. EN-1112-7 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. EN-1112-7 dated January 12, 2012, by Leah Messner, Assistant City Attorney
2. Memorandum dated January 4, 2012, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Doug Kosinski, Current Planning Manager; Ken Danner, Subdivision Manager; and Ken Komiske, Director of Utilities
3. Letter of request dated January 3, 2012, from J.W. Dansby, P.E., Civil and Environmental Engineer, to Ms. Brenda Hall, City Clerk
4. Location maps
5. Consent to Encroachment No. EN-1112-7
6. Memorandum dated January 12, 2012, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
7. Memorandum dated January 17, 2012, from Ken Danner, Subdivision Development Manager, to Kathryn Walker, Assistant City Attorney

and the question being upon approving Consent to Encroachment No. EN-1112-7 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 Consent to Encroachment No. EN-1112-7 approved; and the filing thereof with the Cleveland County Clerk was directed.

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Item 15, being:

CONSIDERATION OF ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$1,500 FROM THE OKLAHOMA ELECTRIC COOPERATIVE (OEC) FOUNDATION TO BE USED TO PURCHASE CHILD PASSENGER SAFETY SEATS FOR THE NORMAN POLICE DEPARTMENT AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a donation in the amount of \$1,500 from OEC Foundation to be used to purchase child passenger safety seats for the Police Department be accepted, Donation/Organization (010-0000-365.13-73) be increased by \$1,500, and \$1,500 be appropriated to Other Supplies/Materials, Child Passenger Seats (010-6022-441.31-25), which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

- 1. Text File No. GID-1112-41 dated January 12, 2012, by Sergeant Jennifer Newell

and the question being upon accepting a donation in the amount of \$1,500 from OEC Foundation to be used to purchase child passenger safety seats for the Police Department and upon the subsequent increase and appropriation, 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 a donation in the amount of \$1,500 from OEC Foundation to be used to purchase child passenger safety seats for the Police Department accepted; Donation/Organization (010-0000-365.13-73) was increased by \$1,500 and \$1,500 was appropriated to Other Supplies/Materials, Child Passenger Seats (010-6022-441.31-25).

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Item 16, being:

LIMITED LICENSE NO. LL-1112-9: A LIMITED LICENSE TO PLACE FOUR (4) SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FRIENDS OF THE NORMAN LIBRARY FOR THE ROMANCE BOOK SALE.

Councilmember Kovach moved that Limited License No. LL-1112-9 to place four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library for the Romance Book Sale be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

- 1. Text File No. LL-1112-9 dated January 10, 2012, by Wayne Stenis, Planner II
- 2. Letter of request dated January 9, 2012, from Simon H. Rudnick, 2012 Romance Book Sale Co-Chair, Friends of the Norman Library, to Brenda Hall, City Clerk
- 3. Application for Limited License dated January 9, 2012, from Friends of the Norman Library for four signs
- 4. Location map
- 5. Limited License No. LL-1112-9

and the question being upon approving Limited License No. LL-1112-9 to place four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers 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 Limited License No. LL-1112-9 to place four (4) signs within the public rights-of-way pursuant to a request from the Friends of the Norman Library approved; and the issuance thereof was authorized.

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Item 17, being:

CHANGE ORDER NO. TWO TO CONTRACT NO. K-1011-150: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE RAILROAD YARD, INC., DECREASING THE CONTRACT AMOUNT BY \$9,388.67 AND ADDING 13 CALENDAR DAYS FOR THE HALL PARK LAKE DAM IMPROVEMENT PROJECT, PHASE 1, FINAL ACCEPTANCE OF THE PROJECT, AND BUDGET TRANSFER.

Councilmember Kovach moved that Change Order No. Two to Contract No. K-1011-150 with the Railroad Yard, Inc., decreasing the contract amount by \$9,388.67 and adding 13 calendar days be approved; the execution thereof be authorized; the project be accepted; final payment in the amount of \$2,500 be directed to the Railroad Yard, Inc.; and \$9,389 be transferred from Project No. DR0058, Hall Park Dam Repair, Construction (050-9968-431.61-01) to Project No. PR0126, Hall Park Green Belt Drainage, Construction (050-9985-452.61-01), which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1011-150, Change Order No. Two, dated January 9, 2012, by Bob Hanger, Stormwater Engineer
2. Change Order No. Two to Contract No. K-1011-150

and the question being upon approving Change Order No. Two to Contract No. K-1011-150 with the Railroad Yard, Inc., decreasing the contract amount by \$9,388.67 and adding 13 calendar days and upon the subsequent authorization, acceptance, directive, and transfer, 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. Two to Contract No. K-1011-150 with the Railroad Yard, Inc., decreasing the contract amount by \$9,388.67 and adding 13 calendar days approved; the execution thereof was authorized; the project was accepted; final payment in the amount of \$2,500 was directed to the Railroad Yard, Inc.; and \$9,389 was transferred from Project No. DR0058, Hall Park Dam Repair, Construction (050-9968-431.61-01) to Project No. PR0126, Hall Park Green Belt Drainage, Construction (050-9985-452.61-01).

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Item 18, being:

CONTRACT NO. K-1112-104: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOD AND SHELTER FOR FRIENDS TO PROVIDE FUNDING IN THE AMOUNT OF \$8,500 TO PROVIDE TEMPORARY EMERGENCY SHELTER SERVICES AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1112-104 with Food and Shelter for Friends in the amount of \$8,500 be approved, the execution thereof be authorized, and \$8,500 be appropriated from the General Fund Balance (010-0000-253.20-00) to Miscellaneous Services/Contributions, Organization (010-1087-411.47-41), which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-104 dated January 19, 2012, by Carol Coles, Administrative Assistant
2. Letter of request dated January 18, 2012, from April Doshier, Executive Director, Food and Shelter, to Mayor Rosenthal and City Council
3. Contract No. K-1112-104
4. Article entitled "Not Yours to Give" by Colonel David Crockett, compiled by Edward S. Ellis

Participants in discussion

1. Ms. Linda Price, Revitalization Manager
2. Mr. Mark Campbell, 1320 Garfield Avenue, proponent
3. Mr. Luke Salazar, 1325 East Lindsey Street, asked questions
4. Ms. Jayne Crumpley, 423 Elm Avenue, proponent
5. Ms. Jeanette Coker, 620 East Main Street, protestant
6. Mr. Fred Pope, 1501 Navajo Road, protestant
7. Mr. Stephen Tyler Holman, 1020 South College Avenue, proponent

Item 18, continued:

and the question being upon approving Contract No. K-1112-104 with Food and Shelter for Friends in the amount of \$8,500 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

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

NAYES: Councilmember Spaulding

The Mayor declared the motion carried and K-1112-104 with Food and Shelter for Friends in the amount of \$8,500 approved; the execution thereof was authorized and \$8,500 was appropriated from the General Fund Balance (010-0000-253.20-00) to Miscellaneous Services/Contributions, Organization (010-1087-411.47-41).

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Item 19, being:

RESOLUTION NO. R-1112-78: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$132,097 FROM THE STATE SEIZURE FUND BALANCE TO PURCHASE A NEW CRIMINAL INTERDICTION VEHICLE, THREE POLICE CANINES, AND RELATED EQUIPMENT.

Councilmember Kovach moved that Resolution No. R-1112-78 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-78 dated November 15, 2011, by Captain Darry Stacey
2. Resolution No. R-1112-78

Participants in discussion

1. Mr. Keith Humphrey, Police Chief

and the question being upon adopting Resolution No. R-1112-78, 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-1112-78 was adopted.

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Item 20, being:

RESOLUTION NO. R-1112-102: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$12,200 FROM THE SPECIAL GRANTS FUND BALANCE FOR EDUCATION/OUTREACH PROJECTS FUNDED BY A CERTIFIED LOCAL GOVERNMENTS (CLG) GRANT.

Councilmember Kovach moved that Resolution No. R-1112-102 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-102 dated January 17, 2012, by Susan Atkinson, Historic District Officer
2. Resolution No. R-1112-102

Participants in discussion

1. Ms. Linda Price, Revitalization Manager

Item 20, continued:

and the question being upon adopting Resolution No. R-1112-102, 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-1112-102 was adopted.

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Item 21, being:

RESOLUTION NO. R-1112-103: A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS FOR NORMAN PUBLIC LIBRARY IMPROVEMENTS TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/REGISTRAR; RATIFYING A LEGAL SERVICES AGREEMENT AND A FINANCIAL ADVISOR SERVICES AGREEMENT WITH RESPECT TO THE ISSUANCE OF THE BONDS; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

Councilmember Kovach moved that Resolution No. R-1112-103 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. R-1112-103 dated January 18, 2012, by Anthony Francisco, Director of Finance
2. Resolution No. R-1112-103

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance
2. Mr. Al Atkins, 1613 Sunrise Street, asked questions

and the question being upon adopting Resolution No. R-1112-103, 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-1112-103 was adopted.

* * * * *

Item 22, being:

RESOLUTION NO. R-1112-104: A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS FOR STREET RESURFACING TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/REGISTRAR; RATIFYING A LEGAL SERVICES AGREEMENT AND A FINANCIAL ADVISOR SERVICES AGREEMENT WITH RESPECT TO THE ISSUANCE OF THE BONDS; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

Councilmember Kovach moved that Resolution No. R-1112-104 be adopted, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. R-1112-104 dated January 18, 2012, by Anthony Francisco, Director of Finance
2. Resolution No. R-1112-104

Item 22, continued:

and the question being upon adopting Resolution No. R-1112-104, 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-1112-104 was adopted.

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Item 23, being:

RESOLUTION NO. R-1112-105: A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS FOR THE NORMAN ANIMAL SHELTER RENOVATION TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/REGISTRAR; RATIFYING A LEGAL SERVICES AGREEMENT AND A FINANCIAL ADVISOR SERVICES AGREEMENT WITH RESPECT TO THE ISSUANCE OF THE BONDS; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

Councilmember Ezzell moved that Resolution No. R-1112-105 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-105 dated January 18, 2012, by Anthony Francisco, Director of Finance
2. Resolution No. R-1112-105

and the question being upon adopting Resolution No. R-1112-105, 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-1112-105 was adopted.

* * * * *

Item 24, being:

ORDINANCE NO. O-1112-17: 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 NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE RE, RESIDENTIAL ESTATES DWELLING 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 EAST SIDE OF 24TH AVENUE N.W. ONE-QUARTER MILE SOUTH OF INDIAN HILLS ROAD)

Ordinance No. O-1112-17 having been Introduced and adopted upon First Reading by title in City Council's meeting of January 10, 2012, Councilmember Quinn moved that Ordinance No. O-1112-17 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Item 24, continued:

Items submitted for the record

1. Text File No. O-1112-17 dated November 10, 2011, by Doug Kosciński, Current Planning Manager
2. Ordinance No. O-1112-17
3. Location map
4. Staff Report dated December 8, 2011, recommending approval
5. Pertinent excerpts from Planning Commission minutes of December 8, 2011
6. Reduced version of the full scale preliminary plat received January 24, 2012

Participants in discussion

1. Mr. Rodger Whited, Whited and Pollard Surveying, Inc., 2514 Tee Drive, engineer representing the applicant

and the question being upon adopting Ordinance No. O-1112-17 upon Second Reading section by section, 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 Ordinance No. O-1112-17 was adopted upon Second Reading section by section.

Thereupon, Councilmember Dillingham moved that Ordinance No. O-1112-17 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Kovach; and the question being upon adopting Ordinance No. O-1112-17 upon Final Reading as a whole, the roll was called 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 Ordinance No. O-1112-17 was adopted upon Final Reading as a whole.

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Item 25, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR COTTONWOOD CREEK ADDITION. (GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. APPROXIMATELY ONE-FOURTH MILE SOUTH OF INDIAN HILLS ROAD).

Councilmember Quinn moved that the preliminary plat for Cottonwood Creek Addition be approved, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. PP-1112-6 dated November 10, 2011, by Ken Danner, Subdivision Manager with Attachment A, Traffic Table for Preliminary Plat for Cottonwood Creek Addition
2. Location map
3. Preliminary plat
4. Preliminary development map
5. Staff Report dated December 8, 2011, recommending approval
6. Development Review Form, Transportation Impacts, dated November 28, 2011, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Letter dated November 7, 2011, from Rodger Whited, PLS, Pollard and Whited Surveying, Inc., to City of Norman Planning Commission and Staff Members
8. Predevelopment Summary Case No. PD11-24 for Lohman Investments, L.L.C., for property located on the east side of 24th Avenue N.W. approximately one-half mile south of Indian Hills Road
9. Greenbelt Comments dated September 19, 2011
10. Greenbelt Enhancement Statement Case No. GBC 11-20 dated September 2, 2011
11. Pertinent excerpts from Planning Commission minutes of December 8, 2011
12. Reduced version of the full scale preliminary plat received January 24, 2012

Item 25, continued:

and the question being upon approving the preliminary plat for Cottonwood Creek Addition, 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 preliminary plat for Cottonwood Creek Addition was approved.

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Item 26, being:

ORDINANCE NO. O-1112-18: 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, LOUNGE, OR TAVERN WITH LIVE ENTERTAINMENT IN APPROXIMATELY 12,340 SQUARE FEET OF PROPERTY CURRENTLY ZONED C-2, GENERAL COMMERCIAL DISTRICT, LOCATED IN LOT 1, BLOCK 1, COLONIAL ESTATES "A", NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1321 EAST LINDSEY STREET, COLONIAL ESTATES SHOPPING CENTER)

Ordinance No. O-1112-18 having been Introduced and adopted upon First Reading by title in City Council's meeting of January 10, 2012, Councilmember Gallagher moved that Ordinance No. O-1112-18 be rejected, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. O-1112-18 dated November 10, 2011, by Doug Kosciński, Current Planning Manager
2. Ordinance No. O-1112-18 with Exhibit A, site plan, and Exhibit B, letter dated December 1, 2011, from Anthony Mirzaie, Managing Member, Colonial Capital, L.L.C., to City of Norman
3. Location map
4. Staff Report dated December 8, 2011, recommending approval with a condition
5. Description of Business at 1321 East Lindsey Street from Jeffrey Tisdale
6. Protest Area Map January 24, 2012, containing 12.1% protest within notification area
7. Letter of protest filed November 29, 2011, from Charles and Alice Henson
8. Pertinent excerpts from Planning Commission minutes of December 8, 2011
9. Letter filed January 23, 2012, to Diana Hartley, Tom Knotts, Chris Lewis, Curtis McCarty, Roberta Pailles, Andy Scherrer, Zev Trachtenberg, Jim Gasaway, Steve Lewis, Roger Gallagher, Tom Kovach, Hal Ezzell, Carol Dillingham, Dave Spaulding, James Griffith, Linda Lockett, and Dan Quinn
10. Newspaper article published by the *Norman Transcript* on January 21, 2012, entitle Bar Proposal Sparks Residents' Queries
11. Petition of protest received January 24, 2012, containing 54 names
12. Petition of protest received January 24, 2012, from parents who have children attending Our House Day Care Center containing 28 names

Participants in discussion

1. Mr. Jeffrey Tisdale, 2401 Ridgewood Street, Houston, Texas, applicant
2. Mr. James Fullingim, Fire Chief
3. Ms. Susan Connors, Director of Planning and Community Development
4. Mr. Jeff Bryant, City Attorney
5. Mr. Keith Humphrey, Police Chief
6. Ms. Brenda Hall, City Clerk
7. Ms. Ann Groff, 806 Mockingbird Lane, proponent
8. Mr. Stephen Tyler Holman, 1020 South College Avenue, made comments
9. Ms. Joyce Collard, 1820 Oakhill Drive, proponent
10. Ms. Rebecca Bowen, 4350 Hunters Glen Road, proponent
11. Ms. Suzanne Potter, 1906 Texas Street, proponent
12. Mr. Bill McClure, 1612 Hazelwood Drive, proponent
13. Mr. Neil Moore, 1906 Texas Street, proponent

Item 26, continued:

Participants in discussion, continued

14. Mr. Charles Cabot, Victoria, Texas, proponent
15. Mr. Phil Carlson, 1200 Louisiana, proponent
16. Mr. Gary Griffis, 316 West Himes Street
17. Mr. Robert Green, 1217 Charleston Court
18. Mr. John Gifford, 2105 Virginia Street, proponent
19. Mr. Mark Campbell, 1320 Garfield Avenue, asked questions

and the question being upon rejecting Ordinance No. O-1112-18, 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 Ordinance No. O-1112-18 was rejected.

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Item 27, being:

DISCUSSION REGARDING 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 Kovach having been moved that discussion of the reports be postponed until January 24, 2012, which motion having been duly seconded by Councilmember Dillingham, Councilmember Dillingham moved that the reports be discussed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. RPT-1112-21 dated December 28, 2011, by Anthony Francisco, Director of Finance
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
5. Memorandum dated January 4, 2012, from Steve Lewis, City Manager, to Honorable Mayor and City Councilmembers with Attachment A, Memorandum dated August 30, 2001, from Anthony Francisco, Director of Finance, to Honorable Mayor and Councilmembers; Attachment B-1, Resolution No. R-0708-78; Attachment B-2, Resolution No. R-0506-151; Attachment B-3, Sewer Sales Tax Capital Fund Summary, Fund 323; Attachment B-4, Attachment C, Planning Level Costs for Little River Wastewater Treatment Plant (from 2001 City of Norman Wastewater Master Plan); Attachment D-1, Pertinent Excerpts from Wastewater Oversight Annual Report 2011; Attachment E-1, City Council Finance Committee minutes of May 15, 2008; Attachment F-1, Excerpt from letter dated July 19, 2011, from the City Attorney's office to Mr. Don Holyfield

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

Item 27, continued:

and the question being upon discussing the reports, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal *
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NAYES:	None
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*Councilmember Spaulding was absent from the Chambers during the vote.

The Mayor declared the motion carried and the reports were discussed.

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Due to a medical emergency the meeting was adjourned during discussion of Item 27. Further discussion of Item 27 will be taken up during a Special Session on Tuesday, January 31, 2012.

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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 Lockett 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 10:15 p.m.

ATTEST:

City Clerk

Mayor