

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

April 10, 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 10th day of April, 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, Gallagher,
Griffith, Kovach, Lockett, Spaulding,
Mayor Rosenthal

ABSENT: Councilmember Ezzell

TARDY: Councilmember Quinn*

The Pledge of Allegiance was led by Mayor Rosenthal.

Councilmember Quinn arrived at 7:25 p.m.*

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Item 3, being:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF MARCH 14, 2012
CITY COUNCIL MINUTES OF MARCH 27, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF MARCH 27, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF MARCH 27, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MARCH 27, 2012
CITY COUNCIL STUDY SESSION MINUTES OF MARCH 27, 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 Dillingham;

Items submitted for the record

1. Text File No. GID-1112-75 dated April 4, 2012, by Brenda Hall, City Clerk
2. City Council Finance Committee minutes of March 14, 2012
3. City Council minutes of March 27, 2012
4. Norman Utilities Authority minutes of March 27, 2012
5. Norman Municipal Authority minutes of March 27, 2012
6. Norman Tax Increment Finance Authority minutes of March 27, 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, Gallagher,
Griffith, Kovach, Lockett, 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 NORMAN'S NEW SONG "FORWARD" BY THE NORMAN PHILHARMONIC ORCHESTRA.

Councilmember Kovach moved that a presentation of Norman's new song "Forward" by the Norman Philharmonic Orchestra be allowed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-73 dated March 29, 2012, by Brenda Hall, City Clerk

and the question being upon allowing a presentation of Norman's new song "Forward" by the Norman Philharmonic Orchestra, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and a presentation of Norman's new song "Forward" by the Norman Philharmonic Orchestra was allowed.

Mr. Chuck Thompson, Secretary/Treasurer; Mr. Richard Zielinski, Music and Artistic Director, and Mr. Boyd Hamilton, Executive Director, the Norman Philharmonic Orchestra, presented three plaques to Mayor Cindy Rosenthal and fifth grade students from Norman Public Schools and trumpet players from the University of Oklahoma performed "Forward" for the audience.

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Item 5, being:

RESOLUTION NO. R-1112-123: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, IN CONJUNCTION WITH THE CHILDREN'S RIGHTS COORDINATING COMMISSION, AWARDED THE 2012 CITY OF NORMAN CHILDREN'S RIGHTS AWARD.

Councilmember Dillingham moved that Resolution No. R-1112-123 be adopted, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1112-123 dated March 29, 2012 by Carol Coles, Administrative Assistant
2. Letter from Michelle Sutherlin, Longfellow Middle School Counselor, to Whom it May Concern
3. Pertinent excerpts of Children's Rights Coordinating Commission minutes of March 26, 2012

Participants in discussion

1. Ms. Jolene Ring, Children's Rights Coordinating Commission Chair, presented the resolution to Ms. Terri Wellborn
2. Ms. Terri Wellborn accepted the resolution and thanked the Council

and the question being upon adopting Resolution No. R-1112-123, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1112-123 was adopted.

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Item 6, being:

PRESENTATION OF AN AWARD TO THE CITY OF NORMAN AS A CERTIFIED HEALTHY BUSINESS WITH AN "EXCELLENT RATING" FROM THE NORMAN HEALTHY COMMUNITY COALITION.

Councilmember Kovach moved that a presentation of an award as Certified Healthy Business with an "Excellent Rating" to Mayor Rosenthal on behalf of the City of Norman be allowed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-74 dated April 2, 2012, by Larry Heikkila, Safety Manager

Participants in discussion

1. Ms. Stephanie McGinnis, Community Health & Wellness Coordinator, Norman Regional Health System, presented the award to Mayor Rosenthal

and the question being upon allowing a presentation of an award as Certified Healthy Business with an "Excellent Rating" to Mayor Rosenthal on behalf of the City of Norman, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and a presentation of an award as Certified Healthy Business with an "Excellent Rating" to Mayor Rosenthal on behalf of the City of Norman was allowed.

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Item 7, being:

PROCLAMATION NO. P-1112-14: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 16 THROUGH 22, 2012, AS EARTH WEEK AND SUNDAY, APRIL 22, 2012, AS EARTH DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-14 proclaiming the week of April 16 through 22, 2012, as Earth Week and Sunday, April 22, 2012, as Earth Day 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-1112-14 dated March 21, 2012, by Suzanne Terry, Program Coordinator
2. Proclamation No. P-1112-14

Participants in discussion

1. Ms. Suzanne Terry, Program Coordinator for the Parks and Recreation Department, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-14 proclaiming the week of April 16 through 22, 2012, as Earth Week and Sunday, April 22, 2012, as Earth Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-14 proclaiming the week of April 16 through 22, 2012, as Earth Week and Sunday, April 22, 2012, as Earth Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 8, being:

PROCLAMATION NO. P-1112-15: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SUNDAY, APRIL 22, 2012, AS ARBOR DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-15 proclaiming Sunday, April 22, 2012, as Arbor Day 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-1112-15 dated March 22, 2012, by Suzanne Terry, Program Coordinator
2. Proclamation No. P-1112-15

Participants in discussion

1. Ms. Suzanne Terry, Program Coordinator for the Parks and Recreation Department, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-15 proclaiming Sunday, April 22, 2012, as Arbor Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-15 proclaiming Sunday, April 22, 2012, as Arbor Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 9, being:

PROCLAMATION NO. P-1112-16: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING SATURDAY, APRIL 28, 2012, AS NORMAN MUSIC FESTIVAL DAY IN THE CITY OF NORMAN.

Councilmember Dillingham moved that receipt of Proclamation No. P-1112-16 proclaiming Saturday, April 28, 2012, as Norman Music Festival Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. P-1112-16 dated March 29, 2012, by Brenda Hall, City Clerk
2. Proclamation No. P-1112-16

Participants in discussion

1. Mr. Stephen White, Norman Music Festival Chair, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-16 proclaiming Saturday, April 28, 2012, as Norman Music Festival Day in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-16 proclaiming Saturday, April 28, 2012, as Norman Music Festival Day in the City of Norman acknowledged; and the filing thereof was directed.

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Item 10, being:

PROCLAMATION NO. P-1112-17: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF APRIL 23 THROUGH 27, 2012, AS OU STAFF WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-17 proclaiming the week of April 23 through 27, 2012, as OU Staff Week 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-1112-17 dated March 29, 2012, by Brenda Hall, City Clerk
2. Proclamation No. P-1112-17

Participants in discussion

1. Ms. Melanie Wilburn, OU Staff Week Chair, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-17 proclaiming the week of April 23 through 27, 2012, as OU Staff Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-17 proclaiming the week of April 23 through 27, 2012, as OU Staff Week in the City of Norman acknowledged; and the filing thereof was directed.

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CONSENT DOCKET

Councilmember Kovach moved that Item 11 through Item 53 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 11 through Item 53, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Item 11 through Item 53 were placed on the consent docket by unanimous vote.

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* Councilmember Quinn arrived at 7:25 p.m.

Item 11, being:

CONSIDERATION OF ORDINANCE NO. O-1112-32 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN TO ADD PROVISIONS TO ALLOW DIGITAL OFF-PREMISE SIGNS (BILLBOARDS) IN SECTIONS 18-303, 18-402, 18-601, AND 18-801; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-32 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-32 dated February 9, 2012, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-32
3. Legislatively notated copy of Ordinance No. O-1112-32
4. Memorandum dated February 28, 2012, from Doug Koscinski, AICP, Manager, Current Planning Division, to Chairman and Members, Norman Planning Commission
5. Pertinent excerpts from Planning Commission minutes of March 8, 2012
6. Pertinent excerpts from Business and Community Affairs Committee minutes of February 2, 2012

Participants in discussion

1. Mr. Mark Campbell, Post Office Box 3053, asked questions

and the question being upon the Introduction and adoption of Ordinance No. O-1112-32 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-32 was Introduced, read, and adopted upon First Reading by title.

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Item 12, being:

ORDINANCE NO. O-1112-33: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO CLARIFY USE RESTRICTIONS FOR IMPOUNDMENT YARDS IN THE I-1, LIGHT INDUSTRIAL DISTRICT, IN SECTION 426.1 AND CLARIFY FENCING AND SIGN RESTRICTIONS FOR JUNK OR SALVAGE YARDS IN THE I-2, HEAVY INDUSTRIAL DISTRICT, IN SECTION 427.1; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-33 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-33 dated February 9, 2012, by Doug Koscinski, Current Planning Manager
2. Ordinance No. O-1112-33
3. Legislatively notated copy of Ordinance No. O-1112-33
4. Memorandum dated February 28, 2012, from Doug Koscinski, AICP, Manager, Current Planning Division, to Chairman and Members, Norman Planning Commission
5. Section 426.1, Light Industrial District, and Section 427.1, Heavy Industrial District, Chapter 22 (Zoning), and Section 13-2303, Fencing, Chapter 13 (Salvage Yards), of the Code of the City of Norman, Oklahoma
6. Pertinent excerpts from Planning Commission minutes of March 8, 2012

Participants in discussion

1. Mr. Bobby Stevens, Post Office Box 6226, made comments

Item 12, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1112-33 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-33 was Introduced, read, and adopted upon First Reading by title.

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Item 13, being:

ORDINANCE NO. O-1112-34: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE XXIII, SECTION 13-2303 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN BY ADDING A PROVISION REGARDING LICENSING OF SALVAGE YARDS, AND DELETING SECTION 13-2304 IN ITS ENTIRETY; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1112-34 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-34 dated March 26, 2012, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1112-34
3. Legislatively notated copy of Ordinance No. O-1112-34

Participants in discussion

1. Mr. Bobby Stevens, Post Office Box 6226, made comments

and the question being upon the Introduction and adoption of Ordinance No. O-1112-34 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1112-34 was Introduced, read, and adopted upon First Reading by title.

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Item 14, being:

CONSIDERATION OF ORDINANCE NO. O-1112-35 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, STATE OF OKLAHOMA (THE "CITY"), ON THE 26TH DAY OF JUNE, 2012, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN AN AMOUNT NOT TO EXCEED THE SUM OF FORTY-TWO MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$42,575,000) TO BE ISSUED IN SERIES TO PROVIDE FUNDS FOR THE PURPOSE OF WIDENING STREETS AND BRIDGES, AND CONSTRUCTING RELATED DRAINAGE AND OTHER IMPROVEMENTS IN CONNECTION WITH SAID STREETS AND BRIDGES, IN THE CITY OF NORMAN, OKLAHOMA; AND LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL ON SAID BONDS.

Councilmember Kovach moved that Ordinance No. O-1112-35 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Item 14, continued:

Items submitted for the record

1. Text File No. O-1112-35 dated April 4, 2012, by Anthony Francisco, Director of Finance
2. Ordinance No. O-1112-35
3. Special Election Proclamation and Notice

and the question being upon the Introduction and adoption of Ordinance No. O-1112-35 upon First Reading by title, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Ordinance No. O-1112-35 was Introduced, read, and adopted upon First Reading by title.

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Item 15, being:

CONSIDERATION OF THE PROPOSED FISCAL YEAR 2012-2013 CENTRAL OKLAHOMA MASTER CONSERVANCY DISTRICT (COMCD) BUDGET.

Councilmember Kovach moved that the proposed Fiscal Year 2012-2013 COMCD Budget be approved and the inclusion of that amount applicable in the proposed Fiscal Year 2013 City of Norman Budget be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. RPT-1112-32 dated March 12, 2012, by Brenda Hall, City Clerk
2. Letter dated January 6, 2012, from Randy Worden, District Manager, Central Oklahoma Master Conservancy District, to Steven D. Lewis, City Manager, City of Norman
3. Final COMCD Budget for FY 2012-2013

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

and the question being upon approving the proposed Fiscal Year 2012-2013 COMCD Budget and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the proposed Fiscal Year 2012-2013 COMCD Budget approved; and the inclusion of that amount applicable in the proposed Fiscal Year 2013 City of Norman Budget was directed.

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Item 16, being:

CONSIDERATION OF THE NORMAN CONVENTION AND VISITOR'S BUREAU, INC., (NCVB) SEMI-ANNUAL REPORT ENDING DECEMBER 31, 2011.

Councilmember Kovach moved that receipt of the report 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. RPT-1112-35 dated March 22, 2012, by Brenda Hall, City Clerk
2. Norman Convention and Visitor's Bureau Semi-Annual Report ending 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, Gallagher, Griffith, Kovach, Lockett, Spaulding, 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 17, being:

CONSIDERATION OF BID NO. 1112-45, CONTRACT NO. K-1112-109 WITH CENTRAL CONTRACTING SERVICES, INC., IN THE AMOUNT OF \$636,932; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY \$94,419; PERFORMANCE BOND NO. B-1112-34; STATUTORY BOND NO. B-1112-35, MAINTENANCE BOND NO. MB-1112-34, AND RESOLUTION NO. R-1112-101 FOR THE CONCRETE PAVEMENT MAINTENANCE PROJECTS, FYE 2010, FYE 2011, AND FYE 2012 LOCATIONS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$636,932 be awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-109, Change Order No. One increasing the contract amount by \$94,419, and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1112-101 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-109 dated March 14, 2012, by Greg Hall, Street Superintendent
2. Bid tabulation dated March 8, 2012, for Concrete Pavement Maintenance Projects, FYE 2010, FYE 2011, and FYE 2012 locations
3. List of locations dated January 12, 2012
4. Location map
5. Contract No. K-1112-109
6. Change Order No. One to Contract No. K-1112-109
7. Performance Bond No. B-1112-34
8. Statutory Bond No. B-1112-35
9. Maintenance Bond No. MB-1112-34
10. Resolution No. R-1112-101
11. Purchase Requisition No. 0000198618 dated March 14, 2012, in the amount of \$731,351 to Central Contracting Services, Inc.

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works

Item 17, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, approval, directive, authorization, and adoption, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$636,932 was awarded to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1112-109, Change Order No. One increasing the contract amount by \$94,419, and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1112-101 was adopted.

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Item 18, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY CONSTRUCTION EASEMENT NO. E-1112-17 DONATED BY GORDON-STUART, INC., FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-17 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-17 dated March 27, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-17
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-17 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-17 accepted; and the filing thereof with the City Clerk was directed.

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Item 19, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-18 DONATED BY CAMPUS INVESTMENTS EXCHANGE, L.L.C., FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-18 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-18 dated March 27, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-18
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

Item 19, continued:

and the question being upon accepting Temporary Easement No. E-1112-18 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Temporary Easement No. E-1112-18 accepted; and the filing thereof with the City Clerk was directed.

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Item 20, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-19 DONATED BY CAMPUS INVESTMENTS EXCHANGE, L.L.C., FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-19 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-19 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-19
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-19 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Temporary Easement No. E-1112-19 accepted; and the filing thereof with the City Clerk was directed.

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Item 21, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-20 DONATED BY CAMPUS INVESTMENTS LIMITED PARTNERSHIP FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-20 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-20 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-20
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

Item 21, continued:

and the question being upon accepting Temporary Easement No. E-1112-20 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-20 accepted; and the filing thereof with the City Clerk was directed.

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Item 22, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-21 FROM THEKLA H. AND HARRY G. MENDROS IN THE AMOUNT OF \$500 FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-21 be accepted, the filing thereof with the City Clerk be directed, and payment in the amount of \$500 be directed to Thekla H. and Harry G. Mendros, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-21 dated March 27, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-21
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-21 and upon the subsequent directive and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-21 accepted; the filing thereof with the City Clerk was directed and payment in the amount of \$500 was directed to Thekla H. and Harry G. Mendros.

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Item 23, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-22 FROM DRAMA PROPERTIES, L.L.C., IN THE AMOUNT OF \$750 FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-22 be accepted, the filing thereof with the City Clerk be directed, and payment in the amount of \$750 be directed to Drama Properties, L.L.C., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-22 dated March 27, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-22
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-22 and upon the subsequent directive and authorization, a vote was taken with the following result:

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

NAYES: None

Item 23, continued:

The Mayor declared the motion carried and Temporary Easement No. E-1112-22 accepted; the filing thereof with the City Clerk was directed and payment in the amount of \$750 was directed to Drama Properties, L.L.C.

* * * * *

Item 24, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-23 FROM THEKLA H. AND HARRY G. MENDROS IN THE AMOUNT OF \$800 FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-23 be accepted, the filing thereof with the City Clerk be directed, and payment in the amount of \$800 be directed to Thekla H. and Harry G. Mendros, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-23 dated March 27, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-23
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-23 and upon the subsequent directive and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-23 accepted; the filing thereof with the City Clerk was directed and payment in the amount of \$800 was directed to Thekla H. and Harry G. Mendros.

* * * * *

Item 25, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-24 DONATED BY CAMPUS INVESTMENTS LIMITED PARTNERSHIP FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-24 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-24 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-24
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-24 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-24 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 26, being

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-25 DONATED BY ROBERT L. WOOD FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-25 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-25 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-25
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-25 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-25 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 27, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-26 FROM THEKLA H. AND HARRY G. MENDROS IN THE AMOUNT OF \$1,400 FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-26 be accepted, the filing thereof with the City Clerk be directed, and payment in the amount of \$1,400 be directed to Thekla H. and Harry G. Mendros, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-26 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-26
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-26 and upon the subsequent directive and authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-26 accepted; the filing thereof with the City Clerk was directed and payment in the amount of \$1,400 was directed to Thekla H. and Harry G. Mendros.

* * * * *

Item 28, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-27
DONATED BY SONIA H. ADKINS FOR THE LEGACY TRAIL SOUTH EXTENSION
PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-27 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-27 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-27
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-27 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-27 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 29, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-28
DONATED BY J. HOWARD MCELHANEY FOR THE LEGACY TRAIL SOUTH EXTENSION
PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-28 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-28 dated April 4, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-28
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-28 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-28 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 30, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-29 DONATED BY J. HOWARD MCELHANEY FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-29 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. E-1112-29 dated March 29, 2012, by James Briggs, Park Planner
- 2. Temporary Easement No. E-1112-29
- 3. List of easements and location map

Participants in discussion

- 1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-29 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, 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 Temporary Easement No. E-1112-29 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 31, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-30 DONATED BY CHERYLL PICKETT FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-30 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. E-1112-30 dated March 29, 2012, by James Briggs, Park Planner
- 2. Temporary Easement No. E-1112-30
- 3. List of easements and location map

Participants in discussion

- 1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-30 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, 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 Temporary Easement No. E-1112-30 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 32, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-31
DONATED BY TERESA BORUM FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-31 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-31 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-31
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-31 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-31 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 33, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-32
DONATED BY IDA YANEZ FRYHOVER FOR THE LEGACY TRAIL SOUTH EXTENSION
PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-32 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-32 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-32
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-32 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-32 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 34, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-33 DONATED BY MARTIN WERNICK FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-33 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. E-1112-33 dated March 29, 2012, by James Briggs, Park Planner
- 2. Temporary Easement No. E-1112-33
- 3. List of easements and location map

Participants in discussion

- 1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-33 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, 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 Temporary Easement No. E-1112-33 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 35, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-34 DONATED BY MARTIN WERNICK FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-34 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

- 1. Text File No. E-1112-34 dated March 29, 2012, by James Briggs, Park Planner
- 2. Temporary Easement No. E-1112-34
- 3. List of easements and location map

Participants in discussion

- 1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-34 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, 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 Temporary Easement No. E-1112-34 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 36, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-35 DONATED BY JOHN DAVID YATES FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-35 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-35 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-35
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-35 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-35 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 37, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-36 DONATED BY MARGIE E. MONICAL FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-36 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-36 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-36
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-36 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-36 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 38, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-37 DONATED BY ELIZABETH MONEY AND DIANE DENSON FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-37 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-37 dated March 28, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-37
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-37 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-37 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 39, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-38 DONATED BY MICHAEL C. AND KATHRYN R. SMITH FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-38 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-38 dated March 28, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-38
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-38 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-38 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 40, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-39 DONATED BY PROSYMNA REAL ESTATE, INC., FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-39 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-39 dated March 28, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-39
3. Location map
4. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-39 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-39 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 41, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-40 DONATED BY VICTOR L. AND ELIZABETH G. JACKSON FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-40 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-40 dated March 28, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-40
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-40 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-40 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 42, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-41 DONATED BY ROBERT G. EUBANK C/O DMG MANAGEMENT, INC., FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-41 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-41 dated March 29, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-41
3. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-41 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-41 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 43, being:

CONSIDERATION OF ACCEPTANCE OF EASEMENT NO. E-1112-42, A PERMANENT PEDESTRIAN EASEMENT DONATED BY PROSYMNA REAL ESTATES, INC., FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Easement No. E-1112-42 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-42 dated March 28, 2012, by James Briggs, Park Planner
2. Easement No. E-1112-42
3. Location maps
4. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Easement No. E-1112-42 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Easement No. E-1112-42 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 44, being:

CONSIDERATION OF ACCEPTANCE OF TEMPORARY EASEMENT NO. E-1112-43 DONATED BY PROSYMNA REAL ESTATE, INC., FOR THE LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that Temporary Easement No. E-1112-43 be accepted and the filing thereof with the City Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. E-1112-43 dated March 28, 2012, by James Briggs, Park Planner
2. Temporary Easement No. E-1112-43
3. Location map
4. List of easements and location map

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Temporary Easement No. E-1112-43 and upon the subsequent directive, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Temporary Easement No. E-1112-43 accepted; and the filing thereof with the City Clerk was directed.

* * * * *

Item 45, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1112-4 FOR TRAVIS ACRES AND EASEMENT NOS. E-1112-44, E-1112-45, E-1112-46, AND E-1112-47. (GENERALLY LOCATED ON THE WEST SIDE OF 84TH AVENUE N.E. APPROXIMATELY ONE-QUARTER MILE SOUTH OF EAST INDIAN HILLS ROAD)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1111-4 for Travis Acres and a variance in the minimum frontage requirement and minimum acreage requirements for Tract 4 be approved; Easement Nos. E-1112-44, E-1112-45, E-1112-46, and E-1112-47 be accepted; and the filing of the certificate of survey and easements with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. COS-1112-4 dated January 30, 2012, from Ken Danner, Subdivision Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1112-4
4. Staff Report dated March 8, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of March 8, 2012,
6. Easement Nos. E-1112-44, E-1112-45, E-1112-46, and E-1112-47

and the question being upon approving Norman Rural Certificate of Survey No. COS-1111-4 for Travis Acres and a variance in the minimum frontage requirement and minimum acreage requirements for Tract 4 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-1111-4 for Travis Acres and a variance in the minimum frontage requirement and minimum acreage requirements for Tract 4 approved; Easement Nos. E-1112-44, E-1112-45, E-1112-46, and E-1112-47 were accepted and the filing of the certificate of survey and easements with the Cleveland County Clerk was directed.

* * * * *

Item 46, being:

CONSIDERATION OF THE RELEASE OF CASH SURETY FOR DEFERRED CONSTRUCTION OF PAVING IMPROVEMENTS IN CONNECTION WITH AKERMAN ACRES ADDITION, SECTION 2. (LOCATED APPROXIMATELY ONE-HALF MILE NORTH OF ALAMEDA STREET ON THE EAST SIDE OF 36TH AVENUE N.E.)

Councilmember Kovach moved that the release of the owner's obligation for deferred construction for paving improvements be approved and the return of the certificate of deposit in the amount of \$3,443.86 to the owner be directed; which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-72 dated March 27, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Letter of request dated March 5, 2012, from Bob Akerman to Shawn O'Leary, P.E.
4. Certificate of deposit issued January 14, 2000, by BancFirst in the amount of \$3,443.86 to Bob Akerman
5. Staff Report dated August 12, 1999, for the final plat for Akerman Acres Addition recommending approval of deferral of street improvements for 36th Avenue N.E.
6. Memorandum dated August 5, 1999, from Jimmy D. Berry, Director of Public Works, to Chairman and Members, Norman Planning Commission
7. Memorandum dated September 16, 1999, from Ken Danner, Development Coordinator, to Honorable Mayor and Councilmembers
8. Preliminary plat
9. Letter dated September 2, 1999, from James S. Yager, Registered Professional Land Surveyor, to Ken Danner, City of Norman with attached Engineer's Estimate dated July 28, 1999
10. Pertinent excerpts from City Council minutes of August 12, 1999

and the question being upon approving the release of the owner's obligation for deferred construction for paving improvements and upon the subsequent directive, a vote was taken with the following vote:

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

NAYES: None

The Mayor declared the motion carried and the release of the owner's obligation for deferred construction for paving and sidewalk improvements approved; and the return of the certificate of deposit in the amount of \$3,443.86 was directed.

Item 47, being:

CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF \$9,606.21 FROM THE STATE OF OKLAHOMA OFFICE OF EMERGENCY MANAGEMENT FOR WINTER ICE STORM RELATED DAMAGE REGARDING THE TRAFFIC CONTROL DIVISION DURING DECEMBER 2009 AND BUDGET APPROPRIATION.

Councilmember Kovach moved that reimbursement of funds in the amount of \$9,606.21 from the State of Oklahoma Office of Emergency Management for winter ice storm damage during December 2009 be accepted and Other Agency Reimbursements (010-0000-366.12-39) be increased by \$9,606.21, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-71 dated March 21, 2012, by James Fullingim, Fire Chief
2. Letter dated February 13, 2012, from Albert Ashwood, Director, State of Oklahoma Department of Emergency Management, to Applicant
3. Check No. 106073912 dated February 15, 2012, in the amount of \$9,606.21 from State of Oklahoma State Treasury
4. State of Oklahoma Claim Jacket Voucher Form No. 00047096 dated February 6, 2012, for Project Work Sheets PA-1876, PW721, PW722, No. 2245SP in the amount of \$9,606.21
5. Oklahoma Department of Emergency Management Public Assistance Request for Advance or Reimbursement Payment dated January 31, 2012, in the amount of \$9,606.21

Item 47, continued:

and the question being upon accepting reimbursement of funds in the amount of \$9,606.21 from the State of Oklahoma Office of Emergency Management for winter ice storm damage during December 2009 and upon the subsequent increase, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and reimbursement of funds in the amount of \$9,606.21 from the State of Oklahoma Office of Emergency Management for winter ice storm damage during December 2009 accepted; and Other Agency Reimbursements (010-0000-366.12-39) was increased by \$9,606.21.

* * * * *

Item 48, being:

CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF \$27,469.01 FROM THE STATE OF OKLAHOMA OFFICE OF EMERGENCY MANAGEMENT FOR WINTER ICE STORM RELATED DAMAGE RELATED TO SEVERAL DEPARTMENTS DURING DECEMBER 2009 AND BUDGET APPROPRIATION.

Councilmember Kovach moved that reimbursement of funds in the amount of \$27,469.01 from the State of Oklahoma Office of Emergency Management for winter ice storm damage during December 2009 be accepted and Other Agency Reimbursements (010-0000-366.12-39) be increased by \$27,469.01, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-70 dated March 21, 2012, by James Fullingim, Fire Chief
2. Letter dated March 8, 2012, from Albert Ashwood, Director, State of Oklahoma Department of Emergency Management, to Applicant
3. Check No. 106090290 dated February 29, 2012, in the amount of \$27,469.01 from State of Oklahoma State Treasury
4. State of Oklahoma Claim Jacket Voucher Form No. 00047362 dated February 6, 2012, for Project Work Sheets PA-1876, PW521-622, No. 2255SP in the amount of \$27,469.01
5. Oklahoma Department of Emergency Management Public Assistance Request for Advance or Reimbursement Payment dated February 2, 2012, in the amount of \$27,469.01

and the question being upon accepting reimbursement of funds in the amount of \$27,469.01 from the State of Oklahoma Office of Emergency Management for winter ice storm damage during December 2009 and upon the subsequent increase, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and reimbursement of funds in the amount of \$27,469.01 from the State of Oklahoma Office of Emergency Management for winter ice storm damage during December 2009 accepted; and Other Agency Reimbursements (010-0000-366.12-39) was increased by \$27,469.01.

* * * * *

Item 49, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-1011-164: A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA OFFICE OF HOMELAND SECURITY INCREASING THE ASSIGNMENT OF 2010 GRANT FUNDS RECEIVED FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FROM \$770,000 TO \$845,000.

Councilmember Kovach moved that Amendment No. One to Contract No. K-1011-164 with the Oklahoma Office of Homeland Security increasing the assignment of 2010 grant funds from \$770,000 to \$845,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-164, Amendment No. One, dated March 16, 2012, by Jim Spearman, Grants Manager
2. Amendment No. One to Contract No. K-1011-164
3. Contract No. K-1011-164

and the question being upon approving Amendment No. One to Contract No. K-1011-164 with the Oklahoma Office of Homeland Security increasing the assignment of 2010 grant funds from \$770,000 to \$845,000 and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Chairman declared the motion carried and Amendment No. One to Contract No. K-1011-164 with the Oklahoma Office of Homeland Security increasing the assignment of 2010 grant funds from \$770,000 to \$845,000 approved; and the execution thereof was authorized.

* * * * *

Item 50, being:

CONTRACT NO. K-1112-118: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BURLINGTON, NORTHERN, AND SANTA FE (BNSF) RAILWAY COMPANY FOR THE INSTALLATION AND MAINTENANCE OF GRADE CROSSING WARNING SIGNS AT THE ROCK CREEK ROAD RAILROAD CROSSING EAST OF HIGHWAY 77 (FLOOD AVENUE).

Councilmember Kovach moved that Contract No. K-1112-118 with BNSF Railway Company be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1112-118 dated March 12, 2012, by David Riesland, Assistant Traffic Engineer
2. Contract No. K-1112-118 with Exhibit A, List of Grade Crossings for Installation of LED-Enhanced "Do Not Stop on Track" Signs, and Exhibit B, Location Map
3. Assessment of Interconnected Highway-Rail Grade Crossing Final Report, May, 2011, prepared by BNSF Railway by Campbell Technology Corporation with Appendix A, Traffic Signal Plans and Layout
4. Campbell Technologies Corporation Enhanced Visibility with E* Signs Installation Guide with Appendix A, drawing of sign and materials and description of materials

and the question being upon approving Contract No. K-1112-118 with BNSF Railway Company and upon the subsequent authorization, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Contract No K-1112-118 with BNSF Railway Company approved; and the execution thereof was authorized.

* * * * *

Item 51, being:

RESOLUTION NO. R-1112-120: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$6,575 FROM THE CAPITAL PROJECTS REIMBURSEMENT/REFUND ACCOUNT TO PAY THE BALANCE OF COSTS FOR DESIGN SERVICES PROVIDED BY GARVER, L.L.C. FOR TRAFFIC SIGNAL IMPROVEMENTS AT REAGAN ELEMENTARY SCHOOL LOCATED ON THE EAST SIDE OF 24TH AVENUE S.E., NORTH OF HIGHWAY 9.

Councilmember Kovach moved that Resolution No. R-1112-109 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-120 dated March 26, 2012, by David Riesland, Assistant Traffic Engineer
2. Resolution No. R-1112-120

and the question being upon adopting Resolution No. R-1112-120, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1112-120 was adopted.

Item 52, being:

RESOLUTION NO. R-1112-122: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF A CLAIM FILED BY KEVIN ALDRIDGE UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF KEVIN ALDRIDGE V. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2010-09516 Y; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Kovach moved that Resolution No. R-1112-122 be adopted and payment of claims in the total amount of \$42,993.28 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-122 dated March 29, 2012, by Jeanne Snider, Assistant City Attorney, with Chart I, Permanent Partial Disability (PPD) Exposure, and Chart II, Settlement and Costs
2. Resolution No. R-1112-122
3. Purchase Requisition No. 0000199252 dated March 29, 2012, in the amount of \$41,451.55 to Kevin Aldridge and Bell Law Firm
4. Purchase Requisition No. 0000199253 dated March 29, 2012, in the amount of \$928.02 to Workers Compensation Administrative Fund
5. Purchase Requisition No. 0000199254 dated March 29, 2012, in the amount of \$348.01 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000199256 dated March 29, 2012, in the amount of \$140 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000199258 dated March 29, 2012, in the amount of \$125.70 to Cleveland County District Court Clerk

Item 52, being:

and the question being upon adopting Resolution No. R-1112-122 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-122 adopted; and payment of claims in the total amount of \$42,993.28 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 53, being:

RESOLUTION NO. R-1112-124: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF FOUR CLAIMS FILED BY RICK BLALOCK UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE FOUR CASES OF RICK BLALOCK V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NOS. WCC 2009-08463R, WCC 2009-08464Y, WCC 2009-08465Y AND WCC 2009-08466H; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Kovach moved that Resolution No. R-1112-124 be adopted and payment of claims totaling \$174,083.29 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-124 dated April 3, 2012, by Jeanne Snider, Assistant City Attorney, with Chart I, Settlement Offer, and Chart II, Settlement Payout
2. Resolution No. R-1112-124
3. Workers' Compensation Court Order, WCC-2009-08453R, Rick Blalock vs. the City of Norman filed June 22, 2010
4. Workers' Compensation Court Order, WCC-2009-08464Y, Rick Blalock vs. the City of Norman filed March 16, 2012
5. Workers' Compensation Court Order, WCC-2009-08465A, Rick Blalock vs. the City of Norman filed February 15, 2012
6. Workers' Compensation Court Order, WCC-2009-08453R, Rick Blalock vs. the City of Norman, Order Nunc Pro Tunc to Correct Permanent Partial Disability Benefits, filed February 17, 2012
7. Purchase Requisition No. 0000199469 dated April 3, 2012, in the amount of \$138,788 to Rick Blalock and Richard A. Bell
8. Purchase Requisition No. 0000199470 dated April 3, 2012, in the amount of \$1,530.45 to Workers Compensation Administrative Fund
9. Purchase Requisition No. 0000199471 dated April 3, 2012, in the amount of \$573.92 to Special Occupational Health and Safety Fund
10. Purchase Requisition No. 0000199472 dated April 3, 2012, in the amount of \$140 to Workers' Compensation Court Clerk
11. Purchase Requisition No. 0000199473 dated April 3, 2012, in the amount of \$125.70 to Cleveland County District Court Clerk
12. Purchase Requisition No. 0000199474 dated April 3, 2012, in the amount of \$376.20 to Workers Compensation Administrative Fund
13. Purchase Requisition No. 0000199475 dated April 3, 2012, in the amount of \$141.08 to Special Occupational Health and Safety Fund
14. Purchase Requisition No. 0000199476 dated April 3, 2012, in the amount of \$140 to Workers' Compensation Court Clerk
15. Purchase Requisition No. 0000199477 dated April 3, 2012, in the amount of \$125.70 to Cleveland County District Court Clerk

Item 53, continued:

and the question being upon adopting Resolution No. R-1112-124 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-124 adopted; and payment of claims totaling \$174,083.29 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 54, being:

RESOLUTION NO. R-1112-112: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CONFIRMING THE AUTHORITY OF THE CITY MANAGER TO MANAGE THE DOWNTOWN PARKING LOT LOCATED BETWEEN CRAWFORD AVENUE AND JONES STREET SOUTH OF GRAY STREET (121 NORTH PETERS AVENUE) BY MAKING AT LEAST SEVENTY-EIGHT (78) SPACES AVAILABLE FOR SPECIFIED TIME PERIODS FOR USE BY THE GENERAL PUBLIC THAT MIGHT BE PATRONIZING DOWNTOWN RETAIL BUSINESSES IN ACCORDANCE WITH A DEED RESTRICTION AGREED UPON WHEN THE CITY PURCHASED THE DOWNTOWN PARKING LOT PROPERTY, AND BY ENTERING INTO LEASE AGREEMENTS FOR UP TO TWENTY-SIX (26) SPACES WITH BUSINESSES OR INDIVIDUALS WHO DESIRE TO RESERVE A SPACE OR SPACES FOR EXTENDED TIME PERIODS.

Councilmember Dillingham having moved that Resolution No. R-1112-112 be adopted, which motion being duly seconded by Councilmember Kovach and Councilmember Dillingham having moved that Resolution No. R-1112-112 be postponed until April 10, 2012, which motion being duly seconded by Councilmember Kovach, Councilmember Dillingham moved that Resolution No. R-1112-112 be postponed until no later than May 8, 2012, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1112-112 dated February 16, 2012, by Shawn O’Leary, Director of Public Works
2. Resolution No. R-1112-112
3. Lease Agreement for Parking Spaces in Municipal Parking Lot
4. Lottery Policies and Procedures
5. Location map
6. Letter dated February 27, 2012, from Stephen Koranda, Norman Downtowners’ Association Board Chair, to Mayor Cindy Rosenthal, Councilwoman Carol Dillingham, and City Manager Steve Lewis

and the question being upon postponing Resolution No. R-1112-112 until no later than May 8, 2012, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1112-112 was postponed until no later than May 8, 2012.

* * * * *

Item 55, being:

CONSIDERATION OF AN AMENDMENT TO THE APPROVED SITE PLAN SO AS TO ALLOW A SEASONAL SNOW CONE STAND FOR ROGER COX TO BE LOCATED AT 2307 EAST LINDSEY STREET.

Councilmember Kovach moved that the site plan amendment for 2307 East Lindsey Street be approved, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1112-55 dated February 9, 2012, by Doug Koscinski, Current Planning Manager
2. Location map
3. Photograph of snow cone stand
4. Aerial site plan
5. Site plan
6. Email dated July 27, 2012, from Susie Mize, Smilze Hair Deznign, to Landon Gum
7. Pertinent excerpts from Planning Commission minutes of March 8, 2012

Participants in discussion

1. Mr. Roger Cox, 9800 Storm King Road, applicant

and the question being upon approving the site plan amendment for 2307 East Lindsey Street, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the site plan amendment for 2307 East Lindsey Street was approved.

* * * * *

Item 56, being:

CONSIDERATION OF AN AMENDMENT TO THE APPROVED SITE PLAN SO AS TO ALLOW A SEASONAL SNOW CONE STAND FOR ADRIAN BUENDIA D/B/A ESKIMO SNO TO BE LOCATED AT 1100 EAST CONSTITUTION STREET.

Councilmember Kovach moved that the site plan amendment for 1100 East Constitution Street be approved, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-56 dated February 9, 2012, by Doug Koscinski, Current Planning Manager
2. Location map
3. Statement of request from Adrian Buendia to Whom It May Concern
4. Site plan
5. Aerial Site Plan
6. Letter dated January 10, 2012, from Janet L. Langford, Assistant Secretary, Family Video, to Whom It May Concern
7. Pertinent excerpts from Planning Commission minutes of March 8, 2012
8. Photograph of Eskimo Sno submitted by Adrian Buendia

Participants in discussion

1. Mr. Adrian Buendia, 4321 Warrington Way, applicant

and the question being upon approving the site plan amendment for 1100 East Constitution Street, a vote was taken with the following result:

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

NAYES: None

The Mayor declared the motion carried and the site plan amendment for 1100 East Constitution Street was approved.

* * * * *

Item 57, being:

CONSIDERATION OF AN AMENDMENT TO THE APPROVED SITE PLAN SO AS TO ALLOW AN ICE HOUSE FOR VONDAH STOCKBRIDGE AND JOSEPH SEAY TO BE LOCATED AT 1310 ALAMEDA STREET.

Councilmember Griffith moved that the site plan amendment for 1310 Alameda Street be approved which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-57 dated February 9, 2012, by Doug Koscinski, Current Planning Manager
2. Location map
3. Staff Report dated March 8, 2012, recommending approval
4. Site plan
5. Aerial Site Plan
6. Photograph of example of icehouse to be built
7. Pertinent excerpts from Planning Commission minutes of March 8, 2012

Participants in discussion

1. Mr. Blaine Nice, 100 North Broadway, Suite 1700, attorney representing applicant

and the question being upon approving the site plan amendment for 1310 Alameda Street, a vote was taken with the following result:

YEAS:

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

NAYES:

None

The Mayor declared the motion carried and the site plan amendment for 1310 Alameda Street was approved.

* * * * *

MISCELLANEOUS DISCUSSION

Arbor Day and Tree Planting. Mr. Bobby Stevens, Post Office Box 6226, said it was great that the City supports Arbor Day and reminded citizens to be aware of plantings in easements and near traffic signs because after several years the plants can be a safety hazard.

*

Thanks to Staff. Mr. Bobby Stevens, Post Office Box 6226, thanked City Staff for picking up the mattress and trash on Highway 9.

Councilmember Dillingham thanked staff for the countless hours they had put in especially over Easter weekend on a number of issues and that she is grateful for Staff's dedication and professionalism. She said Staff has always been accessible and timely in their responses and she appreciates their expertise. She said Council works equally with the City Manager and Staff and have to depend on them. She said she has worked with many cities in the State of Oklahoma and this is the best staff there is.

Councilmember Quinn said the City of Norman is over 200 square miles in size and that this City works well and has good employees. He said he has had the pleasure of working with Staff for many years, both as a citizen and as a City Councilmember, and he personally appreciates all that they do.

*

First Reading Ordinances. Mr. Bobby Stevens, Post Office Box 6226, said he understood that First Reading Ordinances were on the consent docket to be discussed in two weeks but when citizens have questions, they should not have to wait two weeks.

Councilmember Gallagher said when there are problems with Ordinances on First Reading, the items are not postponed and then the problems are brought up on Second Reading and sometimes the vote is taken to push the item through when it should be discussed further.

Miscellaneous Discussion, continued:

First Reading Ordinances continued.

Mayor Rosenthal said the purpose of First Reading is to give notice to the citizens that the item will be discussed in two weeks. She said to have discussion for every reading is asking people to attend every meeting. She said when someone is unable to attend the public hearing; they are allowed to make comments when it is convenient. She said the process of Second Reading is important because everyone gets a comprehensive presentation of the issues, both Staff and the citizens and everyone knows and receives the fully vetted explanation. She said it is Council's job to relay any questions they receive to Staff before the public hearing so everyone has time to provide answers. She said if Council feels it is necessary to postpone an item on Second Reading because the questions are not answered, they can do and have done that.

Sutton Urban Wilderness. Ms. Christina Kunz, 1407 Kansas Street, said she has lived in Norman her entire life and frequents Sutton Urban Wilderness on 12th Avenue N.E. She voiced concerns about the maintenance of the park. She said she has witnessed neglect and disrepair but has not spoken out because of City budget constraints. She said she goes to the area and picks up trash. A few weeks ago, she noticed new video surveillance equipment had been installed in the parking lot and new signage in and around the park making people aware that the area is under video surveillance. She asked what prompted the surveillance cameras being installed when there have been no apparent violent crimes in the park although vagrancy and alcohol consumption does occur on a regular basis. She asked how much it cost and why tax dollars were spent on this technology when there are so many other problems such as erosion to the trails, a number of dead trees, water quality issues, toxic algae, and trash. She said the park contains only one trashcan which is in the parking lot.

Mr. Mark Campbell, Post Office Box 3053, said he appreciated these comments and that the City does not even have a drinking fountain in the park.

Mayor Rosenthal said there is a Sutton Advisory Committee that works with City Staff on a variety of issues and there are regular efforts between the committee, the participants of the Big Event, and the Sierra Club to do regular cleanups.

Mr. Jud Foster, Director of Parks and Recreation, said Staff had been working with the Sutton Advisory Committee and the Police Department and the cameras had been placed by the Norman Police Department to monitor activities at the entry and parking area. He said there was no cost because the cameras belong to the Police Department. He said the City can only make improvements to the entry area of the park because the lease agreement with the State for the wilderness restricts what can be done on the actual property. He said this contract dictates that the area remain as natural as possible with minimal maintenance along the trail. He said there is presently maintenance work being done to remove some cedar trees that have taken over some of the tall prairie grass areas. He said the Sutton Committee is in the process of completing a long range master plan for the area and had provided a preliminary presentation to the Board of Parks Commissioners at their last meeting. He said this could be added only at the trailhead, it has never been the City's intent to do those types of improvements and per contract restrictions it would not be permitted.

Councilmember Spaulding said he was happy to hear about the removal of cedars. He asked for more information about the cost for the surveillance cameras. Mr. Foster said the cameras were the property of the Police Department. Councilmember Spaulding asked how the City acquired them.

Mr. Keith Humphrey, Police Chief, said the Police Department has had these cameras for some time and they are used in covert operations.

Mayor Rosenthal asked Mr. Foster and Chief Humphrey to meet with Ms. Kunz to explain more about the Sutton Advisory Committee.

Miscellaneous Discussion, continued:

Speed Trailer on Berry Road. Ms. Jayna Andrews, 1724 South Berry Road, said yesterday she observed a speed trailer on South Berry Road north of the stop sign at Imhoff Road. She said her understanding of the devices is to let motorists know what their speed is and how much they are traveling over the speed limit which has been an ongoing problem on South Berry Road. She said since construction of the Robinson Underpass Project, traffic has increased on Berry Road and asked if a traffic count had been done to show this. She said these devices are placed to warn people to slow down and this speed trailer should be moved farther from the stop sign.

Councilmember Kovach said he had received similar questions about the placement of other speed trailers.

Mr. Shawn O'Leary, Director of Public Works, said the City owns three speed trailers and Council is informed of placement of the devices each week. He said many times requests for placement are made by Councilmembers as well as citizens and Staff collaborates with the Police Department about the placement. He said Staff is diligent about placing them in logical locations and there could possibly be a mistake about placement of this particular device. He said these are educational devices and not enforcement devices. The Police Department does not have access to the ongoing data but data is collected by the Public Works Department about the speed and number of vehicles which is shared with the Police Department. He said the traffic calming program has been postponed and this is one way to respond immediately to neighborhoods.

Councilmember Dillingham apologized to Ms. Andrews and said the speed trailers requested on Pickard Avenue resulted in speed trailers being placed on Berry Road again. She said these two streets were plagued by speeding issues. She said she appreciates the Police Department's efforts as well as the speed trailers.

*

Code Violations on College Avenue. Mr. Mark Campbell, Post Office Box 3053, presented pictures of properties on College Avenue between Hoover Street and Lindsey Street and portions of the roadway. He said these properties were unsafe and he had notified the City of Norman. He said students jog in the street because there is no continuous sidewalk on either side of the street, the street is not well lit, and parts of College Avenue are deteriorated. He pointed out a church property that had caught on fire with windows out that should be boarded up. He said he did not understand how the City of Norman allows this type of activity from landlords.

Mr. Stephen Tyler Holman, 1030 South College Avenue, said he had previously lived in the apartment building at 1020 South College Avenue and has moved next door. He said these are 28 units in three buildings and only five apartments are occupied. He said this is not because the apartments are expensive but because the units are not habitable, there is no heating or air conditioning, lots of dripping sinks, and many of the doors and windows are open to the elements. He said there are dozens of cats inhabiting the empty apartments and many apartments have items left by previous tenants. He said the owner of this property owns over 60 properties in Norman and according to the newspaper has received over 40 citations from Code Enforcement. He asked how many citations does a landlord get before action is taken against them. He said he appreciated Mr. Campbell taking the pictures.

Councilmember Gallagher complimented Mr. Campbell for his presentation. He said the Code Enforcement Department is supposed to cover the whole City at this time.

Councilmember Dillingham said it was maybe time to look with Staff at our needs for additional personnel. She said during budget discussions this should be addressed. She said she appreciates Code Enforcement going Citywide and she appreciates the job they do but there is much work to be done to make it truly pro-active Citywide.

Mayor Rosenthal said in respect to these issues, she would like to discuss Landlord Registration again which was the only way this kind of problem can be monitored properly. She said she had been concerned about legislation that had been introduced to the State Legislature preventing cities from doing this type of registration but that bill had been defeated. She said the community needs to look at some type of Landlord Registration Program and it does not have to be punitive in terms of fees associated with it but a tool for economic development and that this sector of economic development is totally unregulated.

*

Miscellaneous Discussion, continued:

Ordinance No. O-1112-35. Councilmember Gallagher said his intent this evening to speak about Ordinance No. O-1112-35 was to ask a few basic questions regarding the complex transportation plan. He said there have been many questions about the financing and it is unknown if Congress will pass the transportation plan bill which is relative to the success of the General Obligation Bond election. He said he would have several questions for the City Manager about some of the projects. He said one project he is concerned about is the improvements to 24th Avenue S.E. between Robinson Street and Alameda Street. He said that roadway is very uneven and a four-lane road cannot go through without extensive changes. He said constituents are concerned about this project and a plan for this project needed to be provided to the citizens before it the ordinance could be voted on. He said he was told it was a concept now and the design can be talked about later. It concerns him greatly to adopt the ordinance, then have plans drawn up by Staff or a consultant because then Council would have to debate the project. He said he was also concerned about the financing of these projects. He said the example given to the citizens was an average cost of \$3.00 per month for those who owned a \$100,000 house and this was not realistic because there are a larger percentage of homes costing more than that. He said he had gotten a list from the County Assessor and that there are 73 houses in Norman that cost more than \$600,000 and they would be paying quite a bit more. He said he would like a detailed breakdown of what this would be costing the taxpayers. He did not want to be rushed into this because this will affect the City for several generations.

Councilmember Kovach said he appreciated Councilmember Gallagher wanting to flesh out the questions on the bond issue because the only way to get the public to buy into something is to answer all questions. He pointed out that there is a date certain for when these questions have to be brought forward for Council's approval so they can be submitted to the voters by June. He said the reasons for this have been stated many times, these deadlines must be met and that has been the plan for six months. He said in every bond election, a \$100,000 home is used a benchmark because it is an easy figure to remember and has been used in every bond election that he can remember. He said if a house costs \$200,000, then you multiply \$3.00 times two or a \$300,000 house is \$3.00 times three, etc. He said he does not believe that there is any intent to undervalue or deceive the public about the costs will be.

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Grass Clippings. Councilmember Gallagher said he had contacted the City Manager about some mowing issues and about grass clippings in the street. He said there are many citizens who have their lawns mowed professionally and the grass clippings are put in the street. He said Code Enforcement does not enforce this ordinance and he would like to see this done.

Red Cedars. Councilmember Gallagher said there ought to be a City-intensified effort to remove Red Cedars in certain areas of Norman.

Councilmember Spaulding said he drove around his ward and his frustration has been increased with the Eastern Red Cedar Tree. He said there are many things the City could do to work on the problem including continued efforts from City Staff to remove the trees from medians and any City-owned property. He said there is also the possibility of partnering with Oklahoma Gas and Electric Company and Oklahoma Electric Cooperative because these companies keep trees out of the rights-of-way and already ask homeowners if they can cut trees. He said the schools have a lot of property where there are cedar trees as well as the University of Oklahoma and they could work on removing them. He said developers are probably willing to cull their properties of the Red Cedar prior to development. The City could partner with the State Wildlife Department who has an assistance program for homeowners to eradicate these trees from their property. He said the State of Oklahoma and Lake Thunderbird could also work with the City. He said the trees are fire hazards, create a loss to grazing for livestock and wildlife, and each tree drinks 30-50 gallons of water per day which lowers the water table. He said this is an invasive species and does not belong in Oklahoma. He said he would continue to ask for a solution and God Bless Norman.

Councilmember Lockett said she agreed that something needed to be done about the Red Cedar Tree. She said everyone should remember that the Red Cedar grows back very quickly so efforts should be made to eliminate the tree and keep the seedlings down each year so that they do not come back.

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Charter Review Commission. Councilmember Kovach asked the City Clerk to report the progress of appointments to the Charter Review Commission.

Ms. Brenda Hall, City Clerk, said she distributed a memorandum to all Councilmembers asking for names of people in each ward who might want to serve on this commission as well as four at-large members. She said to date she has received a total of three names, two ward representatives and one representative at-large. She said she is still waiting to hear from some of the remaining Councilmembers about potential members in their wards. She said appointments would move forward as soon as thirteen nominees have been received.

Miscellaneous Discussion, continued:

Charter Review Commission, continued:

Mayor Rosenthal she would appreciate Council's recommendations.

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City Council Elections. Councilmember Kovach thanked the voters of Ward Two for allowing him to serve another term and congratulated Councilmember Griffith, Councilmember-Elect Jungman, Jackie Farley, and Chad Williams.

Councilmember Griffith thanked the voters of Ward Six for supporting his efforts for re-election. He said he made the decision to run again because of the support of some very key people in his life and he is grateful for the opportunity. He said Council has extremely important issues to work on that will affect the long-term future of Norman and he wants to be a part of the process.

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Movie About Bullying. Councilmember Kovach said a movie would be opening next week called "Bully" and he encouraged the public to go see it. He said some of the movie was made in Oklahoma and it is an important topic and a problem for every community. He said this was a good way for Council to continue the discussion started in the Oversight Committee. He said it something he wants to address with the community because there have been too many children scarred by bullying and too many that have committed suicide. He said he appreciates the efforts by the Norman Police Department working with Norman Public Schools on this issue but it is an ongoing conversation that needs to involve the whole community.

Councilmember Dillingham said she hopes parents and grandparents will engage with their children and grandchildren in watching this movie. She said the City cannot write an ordinance or the State Legislature cannot write a law to fix the problem. She said this problem could only be fixed by changing behavior.

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Ward Five Meeting. Councilmember Spaulding announced that there is a Ward Five Meeting scheduled for Thursday, April 19, 2012, at the Little Axe Community Center located at 1000 168th Avenue S.E. from 7:00-8:30 p.m.

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Thanks to Police and Parks and Recreation Departments. Councilmember Griffith thanked the Police Department for increased patrol efforts in Park Place Addition and the Parks and Recreation Department for helping the residents work through issues with illicit behavior at Northeast Lions Park. He said the neighborhood appreciated Staff's assistance.

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Medieval Fair. Councilmember Lockett said she attended the Medieval Fair recently and had a wonderful time. She said over 340,000 people attended and 434 school buses brought schoolchildren from around Oklahoma. She said the Fair creates a tremendous economic impact and is in Ward Seven. She said this had been a great opportunity to see the citizens of Norman and the University of Oklahoma working together. She complimented the volunteer student group for all of the work they did.

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Child Abuse Prevention Month. Councilmember Quinn said the month of April is Child Abuse Prevention Month and something everyone should be aware of. He said he saw a lot of cases where children were abused when he worked as a school employee and he was under a legal obligation to report these incidents. He said he appreciates those groups who work with parents and children in these situations.

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Firefighter and Police Academy Graduations. Councilmember Quinn said he recently attended a Firefighter Academy Graduation which put thirteen new firefighters on the streets as a result of the Public Safety Sales Tax. He said he looked forward to the Police Academy Graduation on Friday, April 13, 2012.

Mayor Rosenthal said these are great young men and women going through both academies and this was something to celebrate.

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Miscellaneous Discussion, continued:

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

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Street Sweeping Program. Mr. Steve Lewis, City Manager, said the Street Sweeping Program is in progress. The City has hired a private street sweeping firm to assist in residential street sweeping and that citizens should really see a noticeable difference.

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New Library Lease. Mr. Steve Lewis, City Manager, said the lease agreement recently approved by City Council includes the design and implementation of the West Side Library Branch. He said two members of City Staff have been working with Pioneer Library System (PLS) and on Friday, April 6, 2012, a Design Charrette was held at the Main Library. He said the purpose of the Charrette was to work with the architect for the library, Jeff Sherrer, a leading expert in library design, along with Bill Kaighn, Kaighn and Associates, to put together preliminary design plans for the Westside Library Branch. It is hoped that there will be some design options presented to City Staff and PLS Staff by April 30th. He said then the preliminary design will be looked at by a Focus Group on May 22nd.

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Sales Tax. Mr. Steve Lewis, City Manager, reported that April Sales Tax remittance which covers the month of February, 2012, increased 11% over April, 2011, figures. He said sales tax collections are about 5.62% above last year's totals.

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Strategic Water Plan Advisory Committee. Mayor Rosenthal reminded Council that an advisory committee would be formed to guide Council through the Strategic Water Plan and asked for suggestions for appointments.

ADJOURNMENT

There being no further business, Councilmember Kovach 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, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 8:58 p.m.

ATTEST:

City Clerk

Mayor